



**BELLEVUE  
COLLEGE**



# **Board of Trustees**

## **Community College District VIII**

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**REGULAR MEETING**  
**May 18, 2022**



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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, June 1, 2022. The business session will begin at 5:00 PM. This meeting will be conducted in-person in B201 for a limited number of attendees and remotely via Zoom. A telephone line will also be available. Richard Leigh, Chair, will preside.

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**MEETING CALL IN DETAILS**

**Business Session Call-In Details:**

Please click the link to join: <https://bellevuecollege.zoom.us/j/84547048454>

Or dial in by telephone: +1 253 215 8782    Webinar ID: 845 4704 8454

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**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.

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**MEETING AGENDA**

5:00 PM	BUSINESS SESSION		
	I.	Call to Order	Richard Leigh
	II.	Approval of Agenda for June 1, 2022	
5:05 PM	III.	Action Items	
	A.	Revision of WAC 132H-116 and Policy 6200: Parking and Traffic Rules	Dennis Curran
	B.	Emergency Revision of WAC 132H-126 (Policy 2050 Student Conduct Code)	Megan Kaptik
5:15 PM	IV.	First Read Items	

- |  |                                   |
|--|-----------------------------------|
| A. 2022-2023 College Budget                                      | Dennis Curran and<br>Jim Craswell |
| B. 2022-2023 Services & Activities Budget                        | Theint Thu and<br>Adam Brewster   |
| C. Creation of Policy 6460: COVID-19 Vaccination<br>Requirements | Dennis Curran                     |

5:50 PM V.        Unscheduled Business or Public Comment

6:00 PM EXECUTIVE SESSION

The Board will be meeting in executive session to evaluate the performances of public employees, to discuss matters with legal counsel regarding potential litigation and collective bargaining, and/or consider real estate for sale or lease.

6:30 PM Adjournment

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



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## REGULAR MEETING AGENDA ITEM

### REVISION OF WAC 132H-116 AND POLICY 6200 PARKING AND TRAFFIC RULES

INFORMATION

FIRST READ

ACTION

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#### Description

Administrative Services proposes updating the current parking and traffic rules under WAC 132H-116 and policy 6200. These changes remove and/or update outdated information and clarify rules. The current WAC chapter will be reorganized into new section numbers with similar content grouped together to make information easier to find. Existing numbers and content will be repealed and revised/replaced with updated content. The policy will have the same text and formatting as the WAC chapter. Relevant portions of the procedure 6200P have been incorporated into the WAC/policy 6200 and procedure 6200P will be deleted.

#### Key Questions

- \* Why are sections being reorganized?
- \* How are rules and processes being clarified?

#### Analysis

This proposed revision replaces the current text of policy 6200 with the text of the WAC. The procedure will be deleted and information from the procedure is added to the proposed WAC to provide clarifying details (e.g., types of permits and parking lots).

The revision updates the language to align with other Washington Administrative Codes, Revised Codes of Washington, House Bill 2513, and newer parking technology. The updates also clarify definitions and the rules for parking permits, regulations, enforcement, penalties and appeals.

#### Background/Supplemental Information

##### Attachments:

- Revised text of WAC 132H-116
- Revised text of policy 6200
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##### Summary of revisions:

- Consolidation of the parking and traffic rules WAC, policy and procedure content into one document. This reorganizes the current 33 individual WAC sections into nine consolidated sections. The text of the WAC and the policy will be the same and the procedure will be deleted.
- Clarification and update of definitions (e.g., types of groups and permits).
- General language clarification (e.g., addition of electric/hybrid vehicles and updating types of foot propelled devices).
- Removal of gendered language.

- Updating and clarifying offices/officials and their responsibilities.
- Addition of types of permits and parking locations.
- Included process for parking permit refunds.
- Incorporating reasons for and amounts of citations.
- Added language for represented employees that permit fees and disciplinary action will be in accordance with applicable collective bargaining agreements.
- Outlining reasons for vehicle impoundment and collections processes.
- Updating and clarifying the appeals process in compliance with brief adjudicative proceedings rules.
- Repealing WAC 132H-116-790 Prohibition on Literature to avoid duplicate information (6550 Posting of Literature on Campus (Procedures)).

**Comments received during review period:**

- Request to change the speed limit from 10 mph to 5 mph in parking lots. This correction has been incorporated.
- Request to allow foot propelled devices in courtyards. The language for foot propelled devices has been maintained to only allow their use as part of a required educational process in an authorized program or for Public Safety patrol bicycles.
- Clarification that faculty/staff permits and student permits may be used in daily metered parking and general parking, in addition to designated employee and student lots. This has been incorporated.
- Request that permit fees and disciplinary action be in accordance with applicable collective bargaining agreements. This has been incorporated.
- Clarification about scooters and under the definition of vehicles. The definition of a vehicle was revised to include vehicles required to display a DMV license plate 132H-116-025(12), "Vehicle: Any motorized or electric automobile, truck, motor-cycle or moped that requires a DMV license plate to be displayed."
- Question about how unattended rental bikes (e.g., Lime) that don't need to be secured will be taken care of. Public Safety will remove all third-party vendor foot propelled devices that have been left unattended from campus. No new language was incorporated.
- Question about approved overnight parking for employees. The revised text includes information about 24-hour parking under the employee parking definition 132H-116-035(10)(d), "Employee parking: Requires an employee permit. Bellevue College also provides 24-hour employee parking where employees may leave their vehicle overnight after notifying public safety." Further information about overnight parking is also noted under 132H-116-085(1)(c), "No vehicle, other than college owned or leased vehicles, shall be parked on college property in excess of 24 hours with-out prior documented approval from the public safety office. Vehicles parked on campus in excess of 24 hours, without prior documented approval from the public safety office, are subject to citation." No new language was incorporated as overnight parking is allowable with notification to and approval by Public Safety.
- Request that a parking permit be allowed for employees to use with more than one of their own vehicles. Public Safety is in the process of reviewing new parking management systems. A new system would allow parking permit holders to register multiple vehicles to a permit. However, if two vehicles with the same permit are observed parked on campus at the same time, one of the vehicles will be ticketed.
- Question about whether or not students on the citation review committee would be compensated and a request for compensation to be codified. 132H-116-095(d) lists that the

committee is made up of one student, one faculty representative and one classified staff representative. No new language was incorporated.

- Question about the citation review committee and why an exempt employee is excluded/limited in participation. 132H-116-095(d) lists that the committee is made up of one student, one faculty representative and one classified staff representative. The Assistant Director of Public Safety, which is an exempt position, will serve as the nonvoting presiding officer of the committee. Through this position an exempt employee participates on the committee.
- Questions regarding if there will be 24/7 enforcement, 365 days a year, and whether that includes weekends and holidays. Question also regarding if free parking after 3pm and on weekends is no longer in effect. Parking rules and regulations would be enforceable throughout the calendar year on a 24-hour daily basis under 132H-116-065(2). Public Safety would provide advance notice of changes in times of enforcement prior to them taking effect.
- Request that students and staff in student housing are noted in the policy for being able to park in excess of 72 consecutive hours. This is addressed under 132H-116-085(c). Vehicles with prior document approval may park in excess of 72 consecutive hours. Students and staff with a valid parking pass that live on campus in the residence hall are exempt. A valid parking permit will serve as documentation and will be noted in the parking management system. No new language was added.
- Question regarding if parking allocation (e.g., students and employees) has changed. Parking allocations have not changed per the new language. Low emissions fuel efficient (LEFE) vehicle spaces, however, have been updated to electric/hybrid. Since the last revision of the procedure vehicle efficiency and technology has improved and this change was made to reflect these improvements.
- Question regarding whether the unions or the classified and faculty councils are consulted for the citation review committee membership. 132H-116-095(d) lists that the committee is made up of one student, one faculty representative and one classified staff representative. This section also notes that, "The committee members are appointed by the vice president of administrative services upon consultation with representative groups." In the past, councils were first consulted and then the unions.
- Clarification about where visitor parking passes may be used. Visitor passes can be purchased and used in any student lot. The parking pass does not have to be used in the lot where it was purchased. Guest parking passes (e.g., job applicants) would go through the same Request Center process that is currently in place.
- Question about whether parking in standard parking space with a disability permit is allowed. Yes, a vehicle with a disability permit or placard may park in a standard parking space. For reference:
  - 132H-116-035(3) "No person shall park, or leave any vehicle, whether attended or unattended, on the campus of Bellevue College without a valid Bellevue College permit, a valid disability placard or license plate, or a government agency license plate."
  - 132H-116-035 (10)(a) "Disability parking spaces: Only vehicles displaying a valid state of Washington placard or license plate may park in designated disability spaces. Vehicles with disability placards or plates may park in any employee, student, metered, or general parking area on campus."
- Question regarding the number of people making up a carpool. A carpool is made up of two or more people. For reference 132H-116-025(11) lists a carpool as "Groups of two or more people,

including faculty, staff, or students, who commute to the college in the same vehicle and who have obtained a carpool permit.”

**Recommendation/Outcomes**

That the Board of Trustees of Community College District VIII approves the revision to WAC 132H-116 and Policy 6200: Parking and Traffic Rules.

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

**WSR 22-07-108**  
**PROPOSED RULES**  
**BELLEVUE COLLEGE**

[Filed March 23, 2022, 9:56 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 20-21-094.

Title of Rule and Other Identifying Information: Revision of chapter 132H-116 WAC, Parking and traffic rules. New WAC 132H-116-015, 132H-116-025, 132H-116-035, 132H-116-045, 132H-116-055, 132H-116-065, 132H-116-075, 132H-116-085 and 132H-116-095; and repealing WAC 132H-116-300, 132H-116-310, 132H-116-315, 132H-116-320, 132H-116-330, 132H-116-350, 132H-116-351, 132H-116-352, 132H-116-353, 132H-116-354, 132H-116-355, 132H-116-356, 132H-116-357, 132H-116-358, 132H-116-360, 132H-116-405, 132H-116-410, 132H-116-415, 132H-116-430, 132H-116-431, 132H-116-432, 132H-116-433, 132H-116-460, 132H-116-470, 132H-116-590, 132H-116-615, 132H-116-620, 132H-116-630, 132H-116-655, 132H-116-750, 132H-116-765, 132H-116-790, and 132H-116-791.

Hearing Location(s): On Wednesday, May 4, 2022, at 3:00 - 4:00 p.m., online via Zoom <https://bellevuecollege.zoom.us/j/81848828450>, Meeting ID 818 4882 8450, Dial-in +1 253 215 8782. Public hearing to be held remotely.

Date of Intended Adoption: June 15, 2022.

Submit Written Comments to: Nadescha Bunje, 3000 Landerholm Circle S.E., Bellevue, WA 98007, email [nadescha.bunje@bellevuecollege.edu](mailto:nadescha.bunje@bellevuecollege.edu), phone 425-564-5669, by May 4, 2022.

Assistance for Persons with Disabilities: Contact Nadescha Bunje, phone 425-564-5669, TTY 425-564-6189, email [nadescha.bunje@bellevuecollege.edu](mailto:nadescha.bunje@bellevuecollege.edu), by April 20, 2022.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To update the current parking and traffic rules with the intention to remove and/or update outdated information while also providing greater clarity to better serve our campus community.

Reasons Supporting Proposal: Chapter 132H-116 WAC has not been updated since 2011. Bellevue College intends to update the parking and traffic rules in order to more clearly and accurately communicate current processes.

Statutory Authority for Adoption: RCW [28B.50.140](#)(13); chapter [34.05](#) RCW.

Statute Being Implemented: RCW [28B.50.140](#)(13).

Rule is not necessitated by federal law, federal or state court decision.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Not applicable.

Name of Proponent: Bellevue College, governmental.

Name of Agency Personnel Responsible for Drafting: Nadescha Bunje, Bellevue College, B125, 3000 Landerholm Circle S.E., Bellevue, WA 98007, 425-564-5669; Implementation and Enforcement: Ross Villegas, Bellevue College, B132, 3000 Landerholm Circle S.E., Bellevue, WA 98007, 425-564-5710.

A school district fiscal impact statement is not required under RCW [28A.305.135](#).

A cost-benefit analysis is not required under RCW [34.05.328](#). Bellevue College is not one of the enumerated agencies required to conduct cost-benefit analyses under RCW [34.05.328](#)(5).

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW [19.85.025](#)(3) as the rules relate only to internal governmental operations that are not subject to violation by a nongovernment party.

March 23, 2022  
Alicia M. Keating Polson  
Rules Coordinator and Executive Director  
of the President's Office

OTS-3686.5

NEW SECTION



**WAC 132H-116-015 Purpose.**

(1) Under RCW [28B.50.140](#)(10) the board of trustees of Community College District VIII has the authority to establish rules and regulations for pedestrian and vehicular traffic over property owned, operated, or maintained by the college district.

(2) The objectives of these regulations are:

(a) To protect and control pedestrian and vehicular traffic on property owned, operated, or maintained by the college district.

(b) To ensure access at all times for emergency equipment.

(c) To minimize traffic disturbances.

(d) To facilitate the operation of the college by providing adequate access to vehicles.

(e) To allocate limited parking space for the most efficient use.

(f) To protect state property.

(3) If any provision of this chapter is adjudged by a court to be contrary to law, the remaining provisions shall continue to be in effect.

**NEW SECTION****WAC 132H-116-025 Definitions.**

For the purpose of this chapter, the following terms and definitions shall apply:

(1) Board: The board of trustees of Community College District VIII, state of Washington.

(2) Campus: Any and all real property, operated, controlled, or maintained by Bellevue College.

(3) Public safety office: Unit of the college accountable to the vice president of administrative services and responsible for campus security, public safety, emergency operations, parking and traffic control.

(4) Public safety officers: Employees of the college accountable to the vice president of administrative services and responsible for campus security, public safety, emergency operations, and parking and traffic control.

(5) Student: 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, noncredit courses, online courses, or otherwise. Persons who withdraw, graduate, or complete courses after the date of a reported violation, who are not officially enrolled for a particular term but who have a continuing relationship with the college, or who have been notified of their acceptance for admission are considered "students."

(6) Faculty members: Any person employed by the college as an instructor, counselor, librarian, program or department chair, or in any other position for which the training, experience, or responsibilities are comparable as determined by the appointing authority.

(7) Staff: The administrative employees, classified members, and part-time staff employed by the college.

(8) Visitor(s): Person(s) who come on to campus as guest(s), or who lawfully visit the campus and are neither employees nor students of the institution.

(9) Pedestrian: A person who is not driving or otherwise occupying a vehicle.

(10) Permit: A properly displayed document, card, or sticker, issued by the public safety office, that authorizes a vehicle to park in designated areas on the campus. Parking permits may also be virtual in nature and identified by other means, such as a license plate.

(11) Carpool: Groups of two or more people, including faculty, staff, or students, who commute to the college in the same vehicle and who have obtained a carpool permit.

(12) Vehicle: Any motorized or electric automobile, truck, motorcycle or moped that requires a DMV license plate to be displayed.

(13) Foot propelled device: Wheeled devices including, but not limited to, bicycles, skateboards, roller skates, or roller blades that are designed or used for recreation and/or transportation purposes. Foot propelled devices may be supplemented by battery power.

(14) Idling: The running of an engine that supplies the motive power for a vehicle, when not for the purpose of moving the vehicle with the normal flow of traffic on a street or roadway.

**NEW SECTION****WAC 132H-116-035 Parking permits and parking locations.**

(1) The vice president of administrative services or designee is authorized to issue all parking permits.

(2) Parking permit fees shall be established, as appropriate, by the college's board of trustees. Once fees have been established and approved the college president may adjust the fees. For represented employees, fees will be in accordance with applicable collective bargaining agreements (CBAs).

(3) No person shall park, or leave any vehicle, whether attended or unattended, on the campus of Bellevue College without a valid Bellevue College permit, a valid disability placard or license plate, or a government agency license plate.

(4) Permits issued by the public safety office shall be displayed in accordance with the instructions issued with the permit. Permits not displayed in accordance with the instructions issued with the permit are invalid. Vehicles that fail to display a permit in accordance with the instructions shall be subject to citation.

(5) Parking permit types: Bellevue College parking permits include current, temporary, or special permits and are valid for the date(s), times, and locations specified on the permits. Parking permits are required and lots are monitored 24 hours a day and seven days a week. All permits must be displayed according to the instructions on the permit or as described below. Bellevue College parking permits are issued by the public safety office or through authorized distribution points (e.g., a temporary parking permit kiosk). Permits include, but are not limited to, the following:

(a) Carpool permits: Faculty, staff, or students can apply for this permit through public safety. One permit will be issued for each carpool and may only be used among the registered members of the group. Carpool vehicles must also display or obtain a regular student or employee permit.

(b) Daily and hourly permits: Daily and hourly parking permits are available through the public safety office or through designated locations across campus.

(c) Employee permits: Parking permits for faculty and staff of Bellevue College. Registered volunteers are eligible for an employee permit.

(d) Discount student permits: Discounted student parking permits for students of Bellevue College that may be used in general parking lots.

(e) Guest permits: Temporary permits may be issued to guests of the college (including, but not limited to, guest speakers, job candidates, or visiting officials).

(f) Motorcycle permits: Issued by the public safety office for motorcycles.

(g) Special events: Temporary reserved parking for conferences, seminars, and other special events, can be reserved through the events office or public safety. Requests should be submitted by at least 10 business days in advance.

(h) Student permits: Parking permits for students of Bellevue College.

(6) Transfer of permits:

(a) With the exception of carpool permits, parking permits are not transferable. If a vehicle is sold or traded, the permit holder may retain their permit and use it on a different vehicle so long as they update their vehicle information with the public safety office.

(b) Permits may be reissued as authorized by the director of public safety.

(7) Parking permit refunds: In cases where a permit is no longer needed, employee or student permit holders may request a partial refund from public safety using the refund form on the public safety web page. Refund amounts will be based on the following:

(a) Parking permit fees will be refunded at 100 percent less five dollars when the refund form is received by the fifth instructional day of the quarter.

(b) Parking permit fees will be refunded at 50 percent when the refund form is received by the sixth instructional day through the 20th instructional day of the quarter.

(c) Parking permit fees will not be refunded when the refund form is received after the 20th instructional day of the quarter.

(d) The parking permit document, card, or sticker must be returned with the refund form when requesting a refund for it to be considered submitted. In the case of a virtual permit, the permit holder must notify public safety in writing using the refund form; however, no physical permit must accompany the form.

(8) A map of the designated parking lots/spaces on campus can be found on the college website and are also noted across campus with parking lot signs. When parking on campus, license plates must be clearly visible.

(9) Students, staff, faculty, and visitors may park on campus as follows:

(a) Student parking permits are valid only in areas designated for student parking, daily metered parking, and general parking.

(b) Staff/faculty parking permits are valid in the areas designated for employee parking, daily metered parking, and general parking.

(c) Visitors are subject to the parking regulations of Bellevue College and are required to have a valid temporary permit. Temporary parking permits are valid only in the area(s) designated in the temporary parking permit.

(10) Parking locations include, but are not limited to, the following:

(a) Disability parking spaces: Only vehicles displaying a valid state of Washington placard or license plate may park in designated disability spaces. Vehicles with disability placards or plates may park in any employee, student, metered, or general parking area on campus.

(b) Electric charging stations: A valid parking permit is required to park in electric vehicle charging spaces. Vehicles must be actively charging while parked in electric charging spaces.

(c) Electric and hybrid parking spaces: Parking for electric and hybrid vehicles only.

(d) Employee parking: Requires an employee permit. Bellevue College also provides 24-hour employee parking where employees may leave their vehicle overnight after notifying public safety.

(e) General parking: Available for use by all permit holders.

(f) Guest or special event parking: Guests may park in designated areas with either a guest or special event permit issued by the public safety office.

(g) Motorcycle parking: Motorcycles may park in employee or student lots in accordance with the permit type or areas designated for motorcycle parking.

(h) Reserved parking: Includes loading docks or other specially reserved areas (including, but not limited to, emergency response, college, or official visitor vehicles).

(i) Student parking: Requires a student permit (daily permits are allowed). Also includes limited weekday permits (including, but not limited to, Monday/Wednesday and Tuesday/Thursday student permits).

(j) Visitors: Visitors may park in designated lots with the purchase of an hourly or daily permit.

(11) Parking within designated spaces:

(a) No vehicle shall be parked on the campus except in those areas set aside and designated as parking areas.

(b) No vehicle shall be parked so as to occupy any portion of more than one parking space as designated within the parking area. The fact that other vehicles may have been so parked as to require the vehicle parked to occupy a portion of more than one space shall not constitute an excuse for a violation of this section.

(c) No vehicle shall be parked at any time in campus roadways, fire lanes, bus zones, loading zones, service driveways, walkways, courtyards, or in the landscaping except emergency vehicles, college owned vehicles, and designated service vehicles.

(d) No recreational vehicle (RV), motorhome, or vehicle used as a temporary or permanent dwelling shall be parked on campus overnight.

## NEW SECTION

### **WAC 132H-116-045 Traffic and parking regulations.**

(1) The authority and powers conferred upon the vice president of administrative services or the director of public safety by these regulations may be delegated to other college employees.

(2) Parking shall be allocated by the vice president of administrative services consistent with the objectives of these regulations.

(3) The applicable parking and traffic rules and regulations for Bellevue College include:

(a) The motor vehicle and other traffic laws of the state of Washington, Title [46](#) RCW.

(b) The traffic code of the city of Bellevue.

(c) The Bellevue College parking and traffic regulations.

(d) In case of conflict among the provisions of the motor vehicle and other traffic laws of the state of Washington or the traffic code of the city of Bellevue and Bellevue College parking and traffic regulations, the provisions of the state of Washington motor vehicle laws shall govern.

(4) Regulatory signs, markings, barricades:

(a) The vice president of administrative services is authorized to erect signs, barricades, and other structures and to paint marks and other directions upon the streets and parking areas owned, operated, and maintained by the college.

(b) Drivers of vehicles shall obey the signs, barricades, structures, markings, and directions erected pursuant to this section. Drivers shall also comply with directions given to them by a campus public safety officer or other authorized college personnel controlling and regulating traffic or parking.

(c) No person without authorization from the vice president of administrative services shall move, deface, or in any other way change a sign, barricade, structure, marking or direction so placed, or previously placed, for the purpose of regulating traffic or parking.

(5) The regulations governing permits and parking within designated spaces shall not apply to the drivers of state-owned vehicles operated by Bellevue College in the performance of assigned functions.

(6) During special occasions that may cause additional and/or heavy traffic and during emergencies, the director of public safety is authorized to impose additional traffic and parking regulations to achieve the specified objectives of this chapter.

(7) The registered owner of the vehicle is responsible for their vehicle parked on campus. They shall be held responsible for all violations of these rules and regulations charged to that vehicle. However, the operator of a vehicle will not be relieved of responsibility for violating any rule or regulation of this chapter simply because they are not also the registered owner of the vehicle.

(8) Vehicles shall not exceed five miles per hour in parking lots, or 20 miles per hour on campus roads, or such lower speeds as may be reasonable and prudent based on the circumstances or as otherwise posted.

(9) No person driving or otherwise responsible for a motor vehicle shall permit it to stand unattended without first:

(a) Effectively setting the brake and transmission to prevent movement of the vehicle.

(b) Stopping the engine, turning off the vehicle or otherwise rendering the vehicle immobile.

(10) Vehicles standing or stopped, whether idling or parked, are subject to the rules under RCW [46.61.570](#) and Bellevue College policies and procedures and may be subject to citation or impoundment in accordance with such rules. Engine idling is prohibited in no parking zones on campus. Outside of no parking zones, employees, students, and visitors are encouraged to avoid unnecessary idling in order to create a safer and cleaner campus.

(11) Pedestrian's right of way:

(a) The operator of a vehicle shall yield right of way, slowing down or stopping, if need be, to so yield to any pedestrian, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible or unsafe for the driver to yield.

(b) Whenever any vehicle slows or stops so as to yield to pedestrian traffic, the operator of any other vehicle approaching from the rear shall not overtake and pass such a vehicle which has slowed or stopped to yield to pedestrian traffic.

(c) Where a sidewalk is provided, pedestrians shall proceed upon such sidewalk.

(12) Motorcycles and mopeds:

(a) Motorcycles and mopeds are subject to all traffic and parking rules and regulations controlling other vehicles.

(b) Motorcycles and mopeds must be parked in designated areas.

(c) Motorcycles and mopeds are not permitted on paths, sidewalks, or authorized bicycle or pedestrian areas or in buildings at any time.

(13) Foot propelled devices:

(a) Bicycles shall be secured in designated areas only. Unattended or improperly secured bicycles may be removed by public safety officers. Public safety patrol bicycles are exempt.

(b) No foot propelled devices shall be operated on or in campus walkways, corridors, courtyards, hallways or buildings unless their use is required as part of the educational process in an authorized program, with the exception of public safety patrol bicycles.

(14) The operator of any vehicle or foot propelled device involved in an accident on campus shall within 24 hours report such accident to the public safety office. This does not relieve any person so involved in an accident from their responsibility to file a state of Washington motor vehicle accident report.

(15) Any vehicle theft or theft from a vehicle that occurs on campus should be reported to the public safety office promptly.

(16) Except for college owned and/or operated vehicles, the college assumes no liability under any circumstances for vehicles on college properties.

NEW SECTION**WAC 132H-116-055 Disability parking.**

Vehicles displaying a valid state of Washington disability parking placard or license plate may park in parking spaces or areas reserved for persons with physical disabilities pursuant to RCW [46.19.030](#).

NEW SECTION**WAC 132H-116-065 Enforcement.**

(1) The vice president of administrative services is responsible for parking and traffic management on campus. The director of public safety has the authority to enforce all college parking and traffic rules and regulations and to delegate that authority.

(2) Parking rules and regulations will be enforceable throughout the calendar year on a 24-hour daily basis.

NEW SECTION**WAC 132H-116-075 Citations.**

(1) Citations will be issued based on reasonable cause to believe that a violation of these rules and regulations has occurred. Citations are issued by affixing a copy of the citation on the vehicle.

(2) Grounds for the issuance of citations include, but are not limited to:

- (a) No valid parking permit displayed or on record;
- (b) Blocking or impeding traffic;
- (c) Displaying an unauthorized/stolen/forged permit;
- (d) Improperly displayed parking permit;
- (e) Improper use of carpool permit;
- (f) Parking a nonelectric/hybrid vehicle in an electric/hybrid space;
- (g) Vehicles parked:
  - (i) In a disability space without a valid placard or license plate;
  - (ii) Over designated time limit;
  - (iii) In an area not designated for parking;
  - (iv) In an area not authorized;
  - (v) On or blocking a walkway;
  - (vi) In a marked no parking area;
  - (vii) In landscaping;
  - (viii) In a reserved area without a special permit;
  - (ix) In fire lane or impeding access to a fire hydrant;
  - (x) In two or more spaces;
  - (xi) In excess of 24 hours without prior approval.

(3) The college charges the following monetary fines for the following violations:

- (a) Twenty-five dollar fine:
  - (i) No valid parking permit displayed or on record;
  - (ii) Improperly displayed parking permit;
  - (iii) Parked over designated time limit;
  - (iv) Parked in two or more spaces;
  - (v) Parked in excess of 24 hours without prior approval;
  - (vi) Parking a nonelectric/hybrid vehicle in an electric/hybrid space;
  - (vii) Parking in an electric/hybrid vehicle charging space while not actively charging.
- (b) Fifty dollar fine:
  - (i) Blocking or impeding traffic;
  - (ii) Parked on or blocking a walkway;
  - (iii) Parked in an area not designated for parking;
  - (iv) Parked in an area not authorized;
  - (v) Parked in a marked no parking area;
  - (vi) Parked in landscaping;
  - (vii) Parked in a reserved area without a special permit;

- (viii) Parked in a fire lane or impeding access to a fire hydrant;
- (ix) Improper use of a carpool permit;
- (x) Parked in a reserved area without a special permit.
- (c) Sixty dollar fine: Displaying an unauthorized/stolen/forged permit.
- (d) Two hundred fifty dollar fine: Parked in a disability space without a valid placard or license plate.
- (4) The registered owner of the vehicle is responsible for all fees and fines associated with violations of the college's parking rules and policies.
- (5) Citations that are not appealed within 21 calendar days or paid within 21 calendar days may be subject to the following actions:
  - (a) Vehicle impoundment in accordance with WAC 132H-116-085;
  - (b) Denial of future parking privileges, whether student, employee, or visitors;
  - (c) Unpaid citations may be sent to a collections agency.
  - (6) An accumulation of citations that are not responded to and resolved, by payment or appeal, by a student or college employee may be cause for disciplinary action. Students in violation may be referred to the student conduct officer for disciplinary action. Employees in violation may be referred to human resources for disciplinary action. For represented employees, disciplinary action will be in accordance with applicable CBAs.
  - (7) Parking permits are the property of the college, and may be denied or revoked by the public safety director for any of the following reasons:
    - (a) When the purpose for which the permit was issued changes or no longer exists;
    - (b) When a permit is used by an unregistered vehicle or by an unauthorized person;
    - (c) Continued violations of parking regulations;
    - (d) Counterfeiting or altering a permit;
    - (e) Falsification on a parking permit application;
    - (f) Failure to comply with a final decision of the citation review committee or appeal authority.
    - (8) Vehicles displaying revoked permits will be subject to citation.

## NEW SECTION

### **WAC 132H-116-085 Impoundment.**

- (1) In addition to imposing fines, the vice president of administrative services and the director of public safety are authorized to impound a vehicle parked on college property on the following grounds:
  - (a) Creating a safety hazard.
  - (b) Leaving a vehicle running and unattended.
  - (c) Vehicles parked in excess of 72 consecutive hours without prior approval from the public safety office are considered abandoned or unattended and are subject to impoundment at the registered owner's risk and expense. No vehicle, other than college owned or leased vehicles, shall be parked on college property in excess of 24 hours without prior documented approval from the public safety office. Vehicles parked on campus in excess of 24 hours, without prior documented approval from the public safety office, are subject to citation. Once a vehicle has accumulated three consecutive citations, public safety will place one impound warning on a vehicle. After 24 hours have passed since an impound warning was placed on a vehicle it may be towed.
  - (d) Parking:
    - (i) In a marked "tow away" or "no parking" zone.
    - (ii) Without a valid disability permit or license plate in a space reserved for persons with physical disabilities.
    - (iii) Anywhere other than a designated parking area.
  - (e) Vehicles impeding access to:
    - (i) A roadway so as to impede the flow of vehicular and pedestrian traffic;
    - (ii) A walkway so as to impede the flow of pedestrian traffic;
    - (iii) A fire lane or impeding access to a fire hydrant including parking within 15 feet of a fire hydrant; or
    - (iv) The use of another legally parked vehicle.
  - (f) Accumulation of unpaid citations: An individual who accumulates four or more unpaid citations, after the deadline issued on the citations or after any appeal, is subject to having their vehicle impounded.
- (2) Vehicles shall be impounded subject to the following terms and conditions:
  - (a) The expenses of impoundment and storage shall be charged to the registered owner of the vehicle and must be paid prior to the vehicle's release.

(b) The college shall not be liable for loss or damage of any kind resulting from the impound or storage of an impounded vehicle.

(c) Impoundment of a vehicle does not remove the obligation to pay any fines associated with the violation.

## NEW SECTION

### **WAC 132H-116-095 Appeals.**

(1) Appeals of fines and penalties:

(a) Anyone who receives a citation for an alleged violation of these parking and traffic rules has the right to appeal.

(b) Appeals must be submitted within 21 calendar days from the date the citation is issued. Appeals are to be submitted in writing through the online form on the public safety website. A person who fails to file a written appeal in conformance with these rules shall be deemed to have waived the right to appeal.

(c) If an individual is in possession of an ADA placard that was not visibly present on the vehicle while parking in an ADA space their citation will be automatically waived, if they can provide documentation to public safety that the placard is registered to them.

(d) Grounds for parking citation appeals include, but are not limited to, the following:

(i) Incomplete or incorrect citation;

(ii) Received citation within 20 minutes of paying for parking;

(iii) Financial hardship.

(2) Citation review committee:

(a) Appeals shall be considered by the Bellevue College citation review committee in a brief adjudicative proceeding pursuant to procedures set forth in chapter 132H-108 WAC. The citation review committee may uphold, reduce, or waive the fine(s) associated with the parking and traffic citation.

(b) Any fine(s) still levied against the appellant must be paid within the specified deadline in the committee's initial order, unless the appellant seeks review of the committee's initial order.

(c) Nonpayment after the deadline has passed may result in any of the college actions referred to under WAC 132H-116-075 and 132H-116-085.

(d) The committee is made up of one student, one faculty representative and one classified staff representative. An exempt employee may substitute for a classified staff or faculty member for no longer than 120 days while an appropriate classified staff or faculty member can be identified. The committee members are appointed by the vice president of administrative services upon consultation with representative groups. The assistant director of public safety will serve as the nonvoting presiding officer of the committee. A public safety representative will serve as a nonvoting advisor and provide administrative support to the committee.

(e) The citation review committee will hold regularly scheduled meetings throughout the academic year.

(f) The committee shall consider each appeal on its merits based upon the parking and traffic regulations.

(g) Appellants may request to present their case to the appeals committee. In such case, an appellant will be notified of the hearing date and location via the email address they provided in their appeal. Hearings may be held virtually. If an appellant does not request to present their appeal or does not appear at the hearing, the committee will make a decision in the appellant's absence and consider the written appeal during its deliberations.

(h) The committee will issue an initial order containing a brief statement with the reasons for its decision within 10 calendar days after the hearing. Decisions will be communicated by email and first-class mail. Any fine(s) levied against the appellant in the initial order must be paid within 21 calendar days after the committee has issued a decision and mailed its initial order, unless the appellant seeks review of the initial order.

(i) Default decision: If the committee, without a showing of good cause, fails to conduct a hearing on an appeal within 60 days of receiving the notice of appeal, the fine shall automatically be considered waived.

(3) Review of initial order: An appellant who is not satisfied with the initial order has the right to seek review by the director of public safety. The appellant must submit their appeal using the online appeal form. An appeal from the initial order must be submitted within 21 calendar days of receiving the initial order. The director of public safety will issue a final order containing a written explanation of their decision within 10 calendar days after receiving the request for review. The director of public safety's decision constitutes final agency action and may be judicially appealed pursuant to the procedures set forth in chapter [34.05](#) RCW.

(4) Any appellant who has paid the fine(s) affirmed or set by the citation review committee has forfeited the right to an appeal.

(5) Right to appeal revocation: As established by WAC 132H-108-450(4), parking permit denials or revocations may be appealed to the vice president of administrative services. Appeals are to be submitted in writing through the online form on the public safety website.

### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 132H-116-300	Preamble.
WAC 132H-116-310	Objectives of parking and traffic rules and regulations.
WAC 132H-116-315	Definitions.
WAC 132H-116-320	Applicable parking and traffic rules and regulations.
WAC 132H-116-330	Enforcement of parking and traffic rules and regulations.
WAC 132H-116-350	Permits required for vehicles on campus.
WAC 132H-116-351	Authorization for issuance of permits.
WAC 132H-116-352	Permit revocations.
WAC 132H-116-353	Right to appeal revocation.
WAC 132H-116-354	Transfer of permits.
WAC 132H-116-355	Responsibility for vehicles.
WAC 132H-116-356	Display of permits.
WAC 132H-116-357	Parking fees.
WAC 132H-116-358	Disability parking.
WAC 132H-116-360	Visitors.
WAC 132H-116-405	Allocation of parking spaces.
WAC 132H-116-410	Parking within designated spaces.
WAC 132H-116-415	Parking by permit type.
WAC 132H-116-430	Special parking and traffic regulations authorized.
WAC 132H-116-431	Regulatory signs, markings, barricades, etc.
WAC 132H-116-432	Speed.
WAC 132H-116-433	Pedestrian's right of way.
WAC 132H-116-460	Parking—Operator's responsibility.
WAC 132H-116-470	Exceptions to parking and traffic restrictions.
WAC 132H-116-590	Motorcycles, bicycles, scooters.
WAC 132H-116-615	Issuance of traffic citations.
WAC 132H-116-620	Fines, penalties and impounding.
WAC 132H-116-630	Appeals of fines and penalties.
WAC 132H-116-655	Report of accident and theft.
WAC 132H-116-750	Delegation of authority.
WAC 132H-116-765	Liability of college.
WAC 132H-116-790	Prohibition of literature.
WAC 132H-116-791	Enforcement.



## 6200 PARKING AND TRAFFIC

Original Date: 6/11/1992 \* Last Revision Effective: 5/13/2015

Policy Contact: Vice President, Administrative Services

Bellevue College Policy 6200 has been adopted as Chapter 132H-116 of the Washington Administrative Code.

### **WAC 132H-116-015 Purpose.**

(1) Under RCW [28B.50.140](#)(10) the board of trustees of Community College District VIII has the authority to establish rules and regulations for pedestrian and vehicular traffic over property owned, operated, or maintained by the college district.

(2) The objectives of these regulations are:

(a) To protect and control pedestrian and vehicular traffic on property owned, operated, or maintained by the college district.

(b) To ensure access at all times for emergency equipment.

(c) To minimize traffic disturbances.

(d) To facilitate the operation of the college by providing adequate access to vehicles.

(e) To allocate limited parking space for the most efficient use.

(f) To protect state property.

(3) If any provision of this chapter is adjudged by a court to be contrary to law, the remaining provisions shall continue to be in effect.

### **WAC 132H-116-025 Definitions.**

For the purpose of this chapter, the following terms and definitions shall apply:

(1) Board: The board of trustees of Community College District VIII, state of Washington.

(2) Campus: Any and all real property, operated, controlled, or maintained by Bellevue College.

(3) Public safety office: Unit of the college accountable to the vice president of administrative services and responsible for campus security, public safety, emergency operations, parking and traffic control.

(4) Public safety officers: Employees of the college accountable to the vice president of administrative services and responsible for campus security, public safety, emergency operations, and parking and traffic control.

(5) Student: 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, noncredit courses, online courses, or otherwise. Persons who withdraw, graduate, or complete courses after the date of a reported violation, who are not officially enrolled for a particular term but who have a continuing relationship with the college, or who have been notified of their acceptance for admission are considered "students."

(6) Faculty members: Any person employed by the college as an instructor, counselor, librarian, program or department chair, or in any other position for which the training, experience, or responsibilities are comparable as determined by the appointing authority.

(7) Staff: The administrative employees, classified members, and part-time staff employed by the college.

(8) Visitor(s): Person(s) who come on to campus as guest(s), or who lawfully visit the campus and are neither employees nor students of the institution.

(9) Pedestrian: A person who is not driving or otherwise occupying a vehicle.

(10) Permit: A properly displayed document, card, or sticker, issued by the public safety office, that authorizes a vehicle to park in designated areas on the campus. Parking permits may also be virtual in nature and identified by other means, such as a license plate.

(11) Carpool: Groups of two or more people, including faculty, staff, or students, who commute to the college in the same vehicle and who have obtained a carpool permit.

(12) Vehicle: Any motorized or electric automobile, truck, motorcycle or moped that requires a DMV license plate to be displayed.

(13) Foot propelled device: Wheeled devices including, but not limited to, bicycles, skateboards, roller skates, or roller blades that are designed or used for recreation and/or transportation purposes. Foot propelled devices may be supplemented by battery power.

(14) Idling: The running of an engine that supplies the motive power for a vehicle, when not for the purpose of moving the vehicle with the normal flow of traffic on a street or roadway.

**WAC 132H-116-035 Parking permits and parking locations.**

(1) The vice president of administrative services or designee is authorized to issue all parking permits.

(2) Parking permit fees shall be established, as appropriate, by the college's board of trustees. Once fees have been established and approved the college president may adjust the fees. For represented employees, fees will be in accordance with applicable collective bargaining agreements (CBAs).

(3) No person shall park, or leave any vehicle, whether attended or unattended, on the campus of Bellevue College without a valid Bellevue College permit, a valid disability placard or license plate, or a government agency license plate.

(4) Permits issued by the public safety office shall be displayed in accordance with the instructions issued with the permit. Permits not displayed in accordance with the instructions issued with the permit are invalid. Vehicles that fail to display a permit in accordance with the instructions shall be subject to citation.

(5) Parking permit types: Bellevue College parking permits include current, temporary, or special permits and are valid for the date(s), times, and locations specified on the permits. Parking permits are required and lots are monitored 24 hours a day and seven days a week. All permits must be displayed according to the instructions on the permit or as described below. Bellevue College parking permits are issued by the public safety office or through authorized distribution points (e.g., a temporary parking permit kiosk). Permits include, but are not limited to, the following:

(a) Carpool permits: Faculty, staff, or students can apply for this permit through public safety. One permit will be issued for each carpool and may only be used among the registered members of the group. Carpool vehicles must also display or obtain a regular student or employee permit.

(b) Daily and hourly permits: Daily and hourly parking permits are available through the public safety office or through designated locations across campus.

(c) Employee permits: Parking permits for faculty and staff of Bellevue College. Registered volunteers are eligible for an employee permit.

(d) Discount student permits: Discounted student parking permits for students of Bellevue College that may be used in general parking lots.

(e) Guest permits: Temporary permits may be issued to guests of the college (including, but not limited to, guest speakers, job candidates, or visiting officials).

(f) Motorcycle permits: Issued by the public safety office for motorcycles.

(g) Special events: Temporary reserved parking for conferences, seminars, and other special events, can be reserved through the events office or public safety. Requests should be submitted by at least 10 business days in advance.

(h) Student permits: Parking permits for students of Bellevue College.

(6) Transfer of permits:

(a) With the exception of carpool permits, parking permits are not transferable. If a vehicle is sold or traded, the permit holder may retain their permit and use it on a different vehicle so long as they update their vehicle information with the public safety office.

(b) Permits may be reissued as authorized by the director of public safety.

(7) Parking permit refunds: In cases where a permit is no longer needed, employee or student permit holders may request a partial refund from public safety using the refund form on the public safety web page. Refund amounts will be based on the following:

(a) Parking permit fees will be refunded at 100 percent less five dollars when the refund form is received by the fifth instructional day of the quarter.

(b) Parking permit fees will be refunded at 50 percent when the refund form is received by the sixth instructional day through the 20th instructional day of the quarter.

(c) Parking permit fees will not be refunded when the refund form is received after the 20th instructional day of the quarter.

(d) The parking permit document, card, or sticker must be returned with the refund form when requesting a refund for it to be considered submitted. In the case of a virtual permit, the permit holder must notify public safety in writing using the refund form; however, no physical permit must accompany the form.

(8) A map of the designated parking lots/spaces on campus can be found on the college website and are also noted across campus with parking lot signs. When parking on campus, license plates must be clearly visible.

(9) Students, staff, faculty, and visitors may park on campus as follows:

(a) Student parking permits are valid only in areas designated for student parking, daily metered parking, and general parking.

(b) Staff/faculty parking permits are valid in the areas designated for employee parking, daily metered parking, and general parking.

(c) Visitors are subject to the parking regulations of Bellevue College and are required to have a valid temporary permit. Temporary parking permits are valid only in the area(s) designated in the temporary parking permit.

(10) Parking locations include, but are not limited to, the following:

(a) Disability parking spaces: Only vehicles displaying a valid state of Washington placard or license plate may park in designated disability spaces. Vehicles with disability placards or plates may park in any employee, student, metered, or general parking area on campus.

(b) Electric charging stations: A valid parking permit is required to park in electric vehicle charging spaces. Vehicles must be actively charging while parked in electric charging spaces.

(c) Electric and hybrid parking spaces: Parking for electric and hybrid vehicles only.

(d) Employee parking: Requires an employee permit. Bellevue College also provides 24-hour employee parking where employees may leave their vehicle overnight after notifying public safety.

(e) General parking: Available for use by all permit holders.

(f) Guest or special event parking: Guests may park in designated areas with either a guest or special event permit issued by the public safety office.

(g) Motorcycle parking: Motorcycles may park in employee or student lots in accordance with the permit type or areas designated for motorcycle parking.

(h) Reserved parking: Includes loading docks or other specially reserved areas (including, but not limited to, emergency response, college, or official visitor vehicles).

(i) Student parking: Requires a student permit (daily permits are allowed). Also includes limited weekday permits (including, but not limited to, Monday/Wednesday and Tuesday/Thursday student permits).

(j) Visitors: Visitors may park in designated lots with the purchase of an hourly or daily permit.

(11) Parking within designated spaces:

(a) No vehicle shall be parked on the campus except in those areas set aside and designated as parking areas.

(b) No vehicle shall be parked so as to occupy any portion of more than one parking space as designated within the parking area. The fact that other vehicles may have been so parked as to require the vehicle parked to occupy a portion of more than one space shall not constitute an excuse for a violation of this section.

(c) No vehicle shall be parked at any time in campus roadways, fire lanes, bus zones, loading zones, service driveways, walkways, courtyards, or in the landscaping except emergency vehicles, college owned vehicles, and designated service vehicles.

(d) No recreational vehicle (RV), motorhome, or vehicle used as a temporary or permanent dwelling shall be parked on campus overnight.

### **WAC 132H-116-045 Traffic and parking regulations.**

(1) The authority and powers conferred upon the vice president of administrative services or the director of public safety by these regulations may be delegated to other college employees.

(2) Parking shall be allocated by the vice president of administrative services consistent with the objectives of these regulations.

(3) The applicable parking and traffic rules and regulations for Bellevue College include:

(a) The motor vehicle and other traffic laws of the state of Washington, Title [46](#) RCW.

(b) The traffic code of the city of Bellevue.

(c) The Bellevue College parking and traffic regulations.

(d) In case of conflict among the provisions of the motor vehicle and other traffic laws of the state of Washington or the traffic code of the city of Bellevue and Bellevue College parking and traffic regulations, the provisions of the state of Washington motor vehicle laws shall govern.

(4) Regulatory signs, markings, barricades:

(a) The vice president of administrative services is authorized to erect signs, barricades, and other structures and to paint marks and other directions upon the streets and parking areas owned, operated, and maintained by the college.

(b) Drivers of vehicles shall obey the signs, barricades, structures, markings, and directions erected pursuant to this section. Drivers shall also comply with directions given to them by a campus public safety officer or other authorized college personnel controlling and regulating traffic or parking.

(c) No person without authorization from the vice president of administrative services shall move, deface, or in any other way change a sign, barricade, structure, marking or direction so placed, or previously placed, for the purpose of regulating traffic or parking.

(5) The regulations governing permits and parking within designated spaces shall not apply to the drivers of state-owned vehicles operated by Bellevue College in the performance of assigned functions.

(6) During special occasions that may cause additional and/or heavy traffic and during emergencies, the director of public safety is authorized to impose additional traffic and parking regulations to achieve the specified objectives of this chapter.

(7) The registered owner of the vehicle is responsible for their vehicle parked on campus. They shall be held responsible for all violations of these rules and regulations charged to that vehicle. However, the operator of a vehicle will not be relieved of responsibility for violating any rule or regulation of this chapter simply because they are not also the registered owner of the vehicle.

(8) Vehicles shall not exceed five miles per hour in parking lots, or 20 miles per hour on campus roads, or such lower speeds as may be reasonable and prudent based on the circumstances or as otherwise posted.

(9) No person driving or otherwise responsible for a motor vehicle shall permit it to stand unattended without first:

(a) Effectively setting the brake and transmission to prevent movement of the vehicle.

(b) Stopping the engine, turning off the vehicle or otherwise rendering the vehicle immobile.

(10) Vehicles standing or stopped, whether idling or parked, are subject to the rules under RCW [46.61.570](#) and Bellevue College policies and procedures and may be subject to citation or impoundment in accordance with such rules. Engine idling is prohibited in no parking zones on campus. Outside of no parking zones, employees, students, and visitors are encouraged to avoid unnecessary idling in order to create a safer and cleaner campus.

(11) Pedestrian's right of way:

(a) The operator of a vehicle shall yield right of way, slowing down or stopping, if need be, to so yield to any pedestrian, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible or unsafe for the driver to yield.

(b) Whenever any vehicle slows or stops so as to yield to pedestrian traffic, the operator of any other vehicle approaching from the rear shall not overtake and pass such a vehicle which has slowed or stopped to yield to pedestrian traffic.

(c) Where a sidewalk is provided, pedestrians shall proceed upon such sidewalk.

(12) Motorcycles and mopeds:

(a) Motorcycles and mopeds are subject to all traffic and parking rules and regulations controlling other vehicles.

(b) Motorcycles and mopeds must be parked in designated areas.

(c) Motorcycles and mopeds are not permitted on paths, sidewalks, or authorized bicycle or pedestrian areas or in buildings at any time.

(13) Foot propelled devices:

(a) Bicycles shall be secured in designated areas only. Unattended or improperly secured bicycles may be removed by public safety officers. Public safety patrol bicycles are exempt.

(b) No foot propelled devices shall be operated on or in campus walkways, corridors, courtyards, hallways or buildings unless their use is required as part of the educational process in an authorized program, with the exception of public safety patrol bicycles.

(14) The operator of any vehicle or foot propelled device involved in an accident on campus shall within 24 hours report such accident to the public safety office. This does not relieve any person so involved in an accident from their responsibility to file a state of Washington motor vehicle accident report.

(15) Any vehicle theft or theft from a vehicle that occurs on campus should be reported to the public safety office promptly.

(16) Except for college owned and/or operated vehicles, the college assumes no liability under any circumstances for vehicles on college properties.

#### **WAC 132H-116-055 Disability parking.**

Vehicles displaying a valid state of Washington disability parking placard or license plate may park in parking spaces or areas reserved for persons with physical disabilities pursuant to RCW [46.19.030](#).

#### **WAC 132H-116-065 Enforcement.**

(1) The vice president of administrative services is responsible for parking and traffic management on campus. The director of public safety has the authority to enforce all college parking and traffic rules and regulations and to delegate that authority.

(2) Parking rules and regulations will be enforceable throughout the calendar year on a 24-hour daily basis.

#### **WAC 132H-116-075 Citations.**

(1) Citations will be issued based on reasonable cause to believe that a violation of these rules and regulations has occurred. Citations are issued by affixing a copy of the citation on the vehicle.

(2) Grounds for the issuance of citations include, but are not limited to:

- (a) No valid parking permit displayed or on record;
- (b) Blocking or impeding traffic;
- (c) Displaying an unauthorized/stolen/forged permit;
- (d) Improperly displayed parking permit;
- (e) Improper use of carpool permit;
- (f) Parking a nonelectric/hybrid vehicle in an electric/hybrid space;
- (g) Vehicles parked:
  - (i) In a disability space without a valid placard or license plate;
  - (ii) Over designated time limit;
  - (iii) In an area not designated for parking;
  - (iv) In an area not authorized;
  - (v) On or blocking a walkway;
  - (vi) In a marked no parking area;
  - (vii) In landscaping;
  - (viii) In a reserved area without a special permit;
  - (ix) In fire lane or impeding access to a fire hydrant;
  - (x) In two or more spaces;
  - (xi) In excess of 24 hours without prior approval.

(3) The college charges the following monetary fines for the following violations:

- (a) Twenty-five dollar fine:
  - (i) No valid parking permit displayed or on record;
  - (ii) Improperly displayed parking permit;
  - (iii) Parked over designated time limit;
  - (iv) Parked in two or more spaces;
  - (v) Parked in excess of 24 hours without prior approval;

- (vi) Parking a nonelectric/hybrid vehicle in an electric/hybrid space;
- (vii) Parking in an electric/hybrid vehicle charging space while not actively charging.
- (b) Fifty dollar fine:
  - (i) Blocking or impeding traffic;
  - (ii) Parked on or blocking a walkway;
  - (iii) Parked in an area not designated for parking;
  - (iv) Parked in an area not authorized;
  - (v) Parked in a marked no parking area;
  - (vi) Parked in landscaping;
  - (vii) Parked in a reserved area without a special permit;
  - (viii) Parked in a fire lane or impeding access to a fire hydrant;
  - (ix) Improper use of a carpool permit;
  - (x) Parked in a reserved area without a special permit.
- (c) Sixty dollar fine: Displaying an unauthorized/stolen/forged permit.
- (d) Two hundred fifty dollar fine: Parked in a disability space without a valid placard or license plate.
- (4) The registered owner of the vehicle is responsible for all fees and fines associated with violations

of the college's parking rules and policies.

(5) Citations that are not appealed within 21 calendar days or paid within 21 calendar days may be subject to the following actions:

- (a) Vehicle impoundment in accordance with WAC 132H-116-085;
- (b) Denial of future parking privileges, whether student, employee, or visitors;
- (c) Unpaid citations may be sent to a collections agency.

(6) An accumulation of citations that are not responded to and resolved, by payment or appeal, by a student or college employee may be cause for disciplinary action. Students in violation may be referred to the student conduct officer for disciplinary action. Employees in violation may be referred to human resources for disciplinary action. For represented employees, disciplinary action will be in accordance with applicable CBAs.

(7) Parking permits are the property of the college, and may be denied or revoked by the public safety director for any of the following reasons:

- (a) When the purpose for which the permit was issued changes or no longer exists;
- (b) When a permit is used by an unregistered vehicle or by an unauthorized person;
- (c) Continued violations of parking regulations;
- (d) Counterfeiting or altering a permit;
- (e) Falsification on a parking permit application;
- (f) Failure to comply with a final decision of the citation review committee or appeal authority.
- (8) Vehicles displaying revoked permits will be subject to citation.

### **WAC 132H-116-085 Impoundment.**

(1) In addition to imposing fines, the vice president of administrative services and the director of public safety are authorized to impound a vehicle parked on college property on the following grounds:

- (a) Creating a safety hazard.
- (b) Leaving a vehicle running and unattended.

(c) Vehicles parked in excess of 72 consecutive hours without prior approval from the public safety office are considered abandoned or unattended and are subject to impoundment at the registered owner's risk and expense. No vehicle, other than college owned or leased vehicles, shall be parked on college property in excess of 24 hours without prior documented approval from the public safety office. Vehicles parked on campus in excess of 24 hours, without prior documented approval from the public safety office, are subject to citation. Once a vehicle has accumulated three consecutive citations, public safety will place one impound warning on a vehicle. After 24 hours have passed since an impound warning was placed on a vehicle it may be towed.

(d) Parking:

(i) In a marked "tow away" or "no parking" zone.

(ii) Without a valid disability permit or license plate in a space reserved for persons with physical disabilities.

- (iii) Anywhere other than a designated parking area.
- (e) Vehicles impeding access to:
  - (i) A roadway so as to impede the flow of vehicular and pedestrian traffic;
  - (ii) A walkway so as to impede the flow of pedestrian traffic;
  - (iii) A fire lane or impeding access to a fire hydrant including parking within 15 feet of a fire hydrant;

or

- (iv) The use of another legally parked vehicle.
- (f) Accumulation of unpaid citations: An individual who accumulates four or more unpaid citations, after the deadline issued on the citations or after any appeal, is subject to having their vehicle impounded.
  - (2) Vehicles shall be impounded subject to the following terms and conditions:
    - (a) The expenses of impoundment and storage shall be charged to the registered owner of the vehicle and must be paid prior to the vehicle's release.
    - (b) The college shall not be liable for loss or damage of any kind resulting from the impound or storage of an impounded vehicle.
    - (c) Impoundment of a vehicle does not remove the obligation to pay any fines associated with the violation.

### **WAC 132H-116-095 Appeals.**

- (1) Appeals of fines and penalties:
  - (a) Anyone who receives a citation for an alleged violation of these parking and traffic rules has the right to appeal.
    - (b) Appeals must be submitted within 21 calendar days from the date the citation is issued. Appeals are to be submitted in writing through the online form on the public safety website. A person who fails to file a written appeal in conformance with these rules shall be deemed to have waived the right to appeal.
    - (c) If an individual is in possession of an ADA placard that was not visibly present on the vehicle while parking in an ADA space their citation will be automatically waived, if they can provide documentation to public safety that the placard is registered to them.
    - (d) Grounds for parking citation appeals include, but are not limited to, the following:
      - (i) Incomplete or incorrect citation;
      - (ii) Received citation within 20 minutes of paying for parking;
      - (iii) Financial hardship.
  - (2) Citation review committee:
    - (a) Appeals shall be considered by the Bellevue College citation review committee in a brief adjudicative proceeding pursuant to procedures set forth in chapter 132H-108 WAC. The citation review committee may uphold, reduce, or waive the fine(s) associated with the parking and traffic citation.
      - (b) Any fine(s) still levied against the appellant must be paid within the specified deadline in the committee's initial order, unless the appellant seeks review of the committee's initial order.
      - (c) Nonpayment after the deadline has passed may result in any of the college actions referred to under WAC 132H-116-075 and 132H-116-085.
      - (d) The committee is made up of one student, one faculty representative and one classified staff representative. An exempt employee may substitute for a classified staff or faculty member for no longer than 120 days while an appropriate classified staff or faculty member can be identified. The committee members are appointed by the vice president of administrative services upon consultation with representative groups. The assistant director of public safety will serve as the nonvoting presiding officer of the committee. A public safety representative will serve as a nonvoting advisor and provide administrative support to the committee.
      - (e) The citation review committee will hold regularly scheduled meetings throughout the academic year.
      - (f) The committee shall consider each appeal on its merits based upon the parking and traffic regulations.
      - (g) Appellants may request to present their case to the appeals committee. In such case, an appellant will be notified of the hearing date and location via the email address they provided in their appeal. Hearings may be held virtually. If an appellant does not request to present their appeal or does not appear at

the hearing, the committee will make a decision in the appellant's absence and consider the written appeal during its deliberations.

(h) The committee will issue an initial order containing a brief statement with the reasons for its decision within 10 calendar days after the hearing. Decisions will be communicated by email and first-class mail. Any fine(s) levied against the appellant in the initial order must be paid within 21 calendar days after the committee has issued a decision and mailed its initial order, unless the appellant seeks review of the initial order.

(i) Default decision: If the committee, without a showing of good cause, fails to conduct a hearing on an appeal within 60 days of receiving the notice of appeal, the fine shall automatically be considered waived.

(3) Review of initial order: An appellant who is not satisfied with the initial order has the right to seek review by the director of public safety. The appellant must submit their appeal using the online appeal form. An appeal from the initial order must be submitted within 21 calendar days of receiving the initial order. The director of public safety will issue a final order containing a written explanation of their decision within 10 calendar days after receiving the request for review. The director of public safety's decision constitutes final agency action and may be judicially appealed pursuant to the procedures set forth in chapter [34.05](#) RCW.

(4) Any appellant who has paid the fine(s) affirmed or set by the citation review committee has forfeited the right to an appeal.

(5) Right to appeal revocation: As established by WAC 132H-108-450(4), parking permit denials or revocations may be appealed to the vice president of administrative services. Appeals are to be submitted in writing through the online form on the public safety website.

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

- The motor vehicle and other traffic laws of the state of Washington
- WAC 132H-116 Parking and Traffic Rules
- Bellevue College Policy 4850 Commute Trip Reduction Program

#### **REVISION HISTORY**

Original 6/11/1992

Revisions 1/11/2004; 5/10/2005; 5/21/2009; 11/30/2011; 5/13/2015

#### **APPROVED BY**

Board of Trustees



## 6200 PARKING AND TRAFFIC

Original Date: 6/11/1992 \* Last Revision Effective: 5/13/2015

Policy Contact: Vice President, Administrative Services

Bellevue College Policy 6200 has been adopted as Chapter 132H-116 of the Washington Administrative Code.

### **WAC 132H-116-015 Purpose.**

(1) Under RCW 28B.50.140(10) the board of trustees of Community College District VIII has the authority to establish rules and regulations for pedestrian and vehicular traffic over property owned, operated, or maintained by the college district.

(2) The objectives of these regulations are:

(a) To protect and control pedestrian and vehicular traffic on property owned, operated, or maintained by the college district.

(b) To ensure access at all times for emergency equipment.

(c) To minimize traffic disturbances.

(d) To facilitate the operation of the college by providing adequate access to vehicles.

(e) To allocate limited parking space for the most efficient use.

(f) To protect state property.

(3) If any provision of this chapter is adjudged by a court to be contrary to law, the remaining provisions shall continue to be in effect.

### **WAC 132H-116-025 Definitions.**

For the purpose of this chapter, the following terms and definitions shall apply:

(1) Board: The board of trustees of Community College District VIII, state of Washington.

(2) Campus: Any and all real property, operated, controlled, or maintained by Bellevue College.

(3) Public safety office: Unit of the college accountable to the vice president of administrative services and responsible for campus security, public safety, emergency operations, parking and traffic control.

(4) Public safety officers: Employees of the college accountable to the vice president of administrative services and responsible for campus security, public safety, emergency operations, and parking and traffic control.

(5) Student: 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, noncredit courses, online courses, or otherwise. Persons who withdraw, graduate, or complete courses after the date of a reported violation, who are not officially enrolled for a particular term but who have a continuing relationship with the college, or who have been notified of their acceptance for admission are considered "students."

(6) Faculty members: Any person employed by the college as an instructor, counselor, librarian, program or department chair, or in any other position for which the training, experience, or responsibilities are comparable as determined by the appointing authority.

(7) Staff: The administrative employees, classified members, and part-time staff employed by the college.

(8) Visitor(s): Person(s) who come on to campus as guest(s), or who lawfully visit the campus and are neither employees nor students of the institution.

(9) Pedestrian: A person who is not driving or otherwise occupying a vehicle.

(10) Permit: A properly displayed document, card, or sticker, issued by the public safety office, that authorizes a vehicle to park in designated areas on the campus. Parking permits may also be virtual in nature and identified by other means, such as a license plate.

(11) Carpool: Groups of two or more people, including faculty, staff, or students, who commute to the college in the same vehicle and who have obtained a carpool permit.

(12) Vehicle: Any motorized or electric automobile, truck, motorcycle or moped that requires a DMV license plate to be displayed.

(13) Foot propelled device: Wheeled devices including, but not limited to, bicycles, skateboards, roller skates, or roller blades that are designed or used for recreation and/or transportation purposes. Foot propelled devices may be supplemented by battery power.

(14) Idling: The running of an engine that supplies the motive power for a vehicle, when not for the purpose of moving the vehicle with the normal flow of traffic on a street or roadway.

### **WAC 132H-116-035 Parking permits and parking locations.**

(1) The vice president of administrative services or designee is authorized to issue all parking permits.

(2) Parking permit fees shall be established, as appropriate, by the college's board of trustees. Once fees have been established and approved the college president may adjust the fees. For represented employees, fees will be in accordance with applicable collective bargaining agreements (CBAs).

(3) No person shall park, or leave any vehicle, whether attended or unattended, on the campus of Bellevue College without a valid Bellevue College permit, a valid disability placard or license plate, or a government agency license plate.

(4) Permits issued by the public safety office shall be displayed in accordance with the instructions issued with the permit. Permits not displayed in accordance with the instructions issued with the permit are invalid. Vehicles that fail to display a permit in accordance with the instructions shall be subject to citation.

(5) Parking permit types: Bellevue College parking permits include current, temporary, or special permits and are valid for the date(s), times, and locations specified on the permits. Parking permits are required and lots are monitored 24 hours a day and seven days a week. All permits must be displayed according to the instructions on the permit or as described below. Bellevue College parking permits are issued by the public safety office or through authorized distribution points (e.g., a temporary parking permit kiosk). Permits include, but are not limited to, the following:

(a) Carpool permits: Faculty, staff, or students can apply for this permit through public safety. One permit will be issued for each carpool and may only be used among the registered members of the group. Carpool vehicles must also display or obtain a regular student or employee permit.

(b) Daily and hourly permits: Daily and hourly parking permits are available through the public safety office or through designated locations across campus.

(c) Employee permits: Parking permits for faculty and staff of Bellevue College. Registered volunteers are eligible for an employee permit.

(d) Discount student permits: Discounted student parking permits for students of Bellevue College that may be used in general parking lots.

(e) Guest permits: Temporary permits may be issued to guests of the college (including, but not limited to, guest speakers, job candidates, or visiting officials).

(f) Motorcycle permits: Issued by the public safety office for motorcycles.

(g) Special events: Temporary reserved parking for conferences, seminars, and other special events, can be reserved through the events office or public safety. Requests should be submitted by at least 10 business days in advance.

(h) Student permits: Parking permits for students of Bellevue College.

(6) Transfer of permits:

(a) With the exception of carpool permits, parking permits are not transferable. If a vehicle is sold or traded, the permit holder may retain their permit and use it on a different vehicle so long as they update their vehicle information with the public safety office.

(b) Permits may be reissued as authorized by the director of public safety.

(7) Parking permit refunds: In cases where a permit is no longer needed, employee or student permit holders may request a partial refund from public safety using the refund form on the public safety web page. Refund amounts will be based on the following:

(a) Parking permit fees will be refunded at 100 percent less five dollars when the refund form is received by the fifth instructional day of the quarter.

(b) Parking permit fees will be refunded at 50 percent when the refund form is received by the sixth instructional day through the 20th instructional day of the quarter.

(c) Parking permit fees will not be refunded when the refund form is received after the 20th instructional day of the quarter.

(d) The parking permit document, card, or sticker must be returned with the refund form when requesting a refund for it to be considered submitted. In the case of a virtual permit, the permit holder must notify public safety in writing using the refund form; however, no physical permit must accompany the form.

(8) A map of the designated parking lots/spaces on campus can be found on the college website and are also noted across campus with parking lot signs. When parking on campus, license plates must be clearly visible.

(9) Students, staff, faculty, and visitors may park on campus as follows:

(a) Student parking permits are valid only in areas designated for student parking, daily metered parking, and general parking.

(b) Staff/faculty parking permits are valid in the areas designated for employee parking, daily metered parking, and general parking.

(c) Visitors are subject to the parking regulations of Bellevue College and are required to have a valid temporary permit. Temporary parking permits are valid only in the area(s) designated in the temporary parking permit.

(10) Parking locations include, but are not limited to, the following:

(a) Disability parking spaces: Only vehicles displaying a valid state of Washington placard or license plate may park in designated disability spaces. Vehicles with disability placards or plates may park in any employee, student, metered, or general parking area on campus.

(b) Electric charging stations: A valid parking permit is required to park in electric vehicle charging spaces. Vehicles must be actively charging while parked in electric charging spaces.

(c) Electric and hybrid parking spaces: Parking for electric and hybrid vehicles only.

(d) Employee parking: Requires an employee permit. Bellevue College also provides 24-hour employee parking where employees may leave their vehicle overnight after notifying public safety.

(e) General parking: Available for use by all permit holders.

(f) Guest or special event parking: Guests may park in designated areas with either a guest or special event permit issued by the public safety office.

(g) Motorcycle parking: Motorcycles may park in employee or student lots in accordance with the permit type or areas designated for motorcycle parking.

(h) Reserved parking: Includes loading docks or other specially reserved areas (including, but not limited to, emergency response, college, or official visitor vehicles).

(i) Student parking: Requires a student permit (daily permits are allowed). Also includes limited weekday permits (including, but not limited to, Monday/Wednesday and Tuesday/Thursday student permits).

(j) Visitors: Visitors may park in designated lots with the purchase of an hourly or daily permit.

(11) Parking within designated spaces:

(a) No vehicle shall be parked on the campus except in those areas set aside and designated as parking areas.

(b) No vehicle shall be parked so as to occupy any portion of more than one parking space as designated within the parking area. The fact that other vehicles may have been so parked as to require the vehicle parked to occupy a portion of more than one space shall not constitute an excuse for a violation of this section.

(c) No vehicle shall be parked at any time in campus roadways, fire lanes, bus zones, loading zones, service driveways, walkways, courtyards, or in the landscaping except emergency vehicles, college owned vehicles, and designated service vehicles.

(d) No recreational vehicle (RV), motorhome, or vehicle used as a temporary or permanent dwelling shall be parked on campus overnight.

### **WAC 132H-116-045 Traffic and parking regulations.**

(1) The authority and powers conferred upon the vice president of administrative services or the director of public safety by these regulations may be delegated to other college employees.

(2) Parking shall be allocated by the vice president of administrative services consistent with the objectives of these regulations.

(3) The applicable parking and traffic rules and regulations for Bellevue College include:

(a) The motor vehicle and other traffic laws of the state of Washington, Title 46 RCW.

(b) The traffic code of the city of Bellevue.

(c) The Bellevue College parking and traffic regulations.

(d) In case of conflict among the provisions of the motor vehicle and other traffic laws of the state of Washington or the traffic code of the city of Bellevue and Bellevue College parking and traffic regulations, the provisions of the state of Washington motor vehicle laws shall govern.

(4) Regulatory signs, markings, barricades:

(a) The vice president of administrative services is authorized to erect signs, barricades, and other structures and to paint marks and other directions upon the streets and parking areas owned, operated, and maintained by the college.

(b) Drivers of vehicles shall obey the signs, barricades, structures, markings, and directions erected pursuant to this section. Drivers shall also comply with directions given to them by a campus public safety officer or other authorized college personnel controlling and regulating traffic or parking.

(c) No person without authorization from the vice president of administrative services shall move, deface, or in any other way change a sign, barricade, structure, marking or direction so placed, or previously placed, for the purpose of regulating traffic or parking.

(5) The regulations governing permits and parking within designated spaces shall not apply to the drivers of state-owned vehicles operated by Bellevue College in the performance of assigned functions.

(6) During special occasions that may cause additional and/or heavy traffic and during emergencies, the director of public safety is authorized to impose additional traffic and parking regulations to achieve the specified objectives of this chapter.

(7) The registered owner of the vehicle is responsible for their vehicle parked on campus. They shall be held responsible for all violations of these rules and regulations charged to that vehicle. However, the operator of a vehicle will not be relieved of responsibility for violating any rule or regulation of this chapter simply because they are not also the registered owner of the vehicle.

(8) Vehicles shall not exceed five miles per hour in parking lots, or 20 miles per hour on campus roads, or such lower speeds as may be reasonable and prudent based on the circumstances or as otherwise posted.

(9) No person driving or otherwise responsible for a motor vehicle shall permit it to stand unattended without first:

(a) Effectively setting the brake and transmission to prevent movement of the vehicle.

(b) Stopping the engine, turning off the vehicle or otherwise rendering the vehicle immobile.

(10) Vehicles standing or stopped, whether idling or parked, are subject to the rules under RCW 46.61.570 and Bellevue College policies and procedures and may be subject to citation or impoundment in accordance with such rules. Engine idling is prohibited in no parking zones on campus. Outside of no parking zones, employees, students, and visitors are encouraged to avoid unnecessary idling in order to create a safer and cleaner campus.

(11) Pedestrian's right of way:

(a) The operator of a vehicle shall yield right of way, slowing down or stopping, if need be, to so yield to any pedestrian, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible or unsafe for the driver to yield.

(b) Whenever any vehicle slows or stops so as to yield to pedestrian traffic, the operator of any other vehicle approaching from the rear shall not overtake and pass such a vehicle which has slowed or stopped to yield to pedestrian traffic.

(c) Where a sidewalk is provided, pedestrians shall proceed upon such sidewalk.

(12) Motorcycles and mopeds:

(a) Motorcycles and mopeds are subject to all traffic and parking rules and regulations controlling other vehicles.

(b) Motorcycles and mopeds must be parked in designated areas.

(c) Motorcycles and mopeds are not permitted on paths, sidewalks, or authorized bicycle or pedestrian areas or in buildings at any time.

(13) Foot propelled devices:

(a) Bicycles shall be secured in designated areas only. Unattended or improperly secured bicycles may be removed by public safety officers. Public safety patrol bicycles are exempt.

(b) No foot propelled devices shall be operated on or in campus walkways, corridors, courtyards, hallways or buildings unless their use is required as part of the educational process in an authorized program, with the exception of public safety patrol bicycles.

(14) The operator of any vehicle or foot propelled device involved in an accident on campus shall within 24 hours report such accident to the public safety office. This does not relieve any person so involved in an accident from their responsibility to file a state of Washington motor vehicle accident report.

(15) Any vehicle theft or theft from a vehicle that occurs on campus should be reported to the public safety office promptly.

(16) Except for college owned and/or operated vehicles, the college assumes no liability under any circumstances for vehicles on college properties.

#### **WAC 132H-116-055 Disability parking.**

Vehicles displaying a valid state of Washington disability parking placard or license plate may park in parking spaces or areas reserved for persons with physical disabilities pursuant to RCW 46.19.030.

#### **WAC 132H-116-065 Enforcement.**

(1) The vice president of administrative services is responsible for parking and traffic management on campus. The director of public safety has the authority to enforce all college parking and traffic rules and regulations and to delegate that authority.

(2) Parking rules and regulations will be enforceable throughout the calendar year on a 24-hour daily basis.

#### **WAC 132H-116-075 Citations.**

(1) Citations will be issued based on reasonable cause to believe that a violation of these rules and regulations has occurred. Citations are issued by affixing a copy of the citation on the vehicle.

(2) Grounds for the issuance of citations include, but are not limited to:

(a) No valid parking permit displayed or on record;

(b) Blocking or impeding traffic;

(c) Displaying an unauthorized/stolen/forged permit;

(d) Improperly displayed parking permit;

(e) Improper use of carpool permit;

(f) Parking a nonelectric/hybrid vehicle in an electric/hybrid space;

(g) Vehicles parked:

(i) In a disability space without a valid placard or license plate;

(ii) Over designated time limit;

(iii) In an area not designated for parking;

(iv) In an area not authorized;

(v) On or blocking a walkway;

(vi) In a marked no parking area;

(vii) In landscaping;

(viii) In a reserved area without a special permit;

(ix) In fire lane or impeding access to a fire hydrant;

(x) In two or more spaces;

(xi) In excess of 24 hours without prior approval.

(3) The college charges the following monetary fines for the following violations:

(a) Twenty-five dollar fine:

(i) No valid parking permit displayed or on record;

(ii) Improperly displayed parking permit;

(iii) Parked over designated time limit;

(iv) Parked in two or more spaces;

(v) Parked in excess of 24 hours without prior approval;

- (vi) Parking a nonelectric/hybrid vehicle in an electric/hybrid space;
- (vii) Parking in an electric/hybrid vehicle charging space while not actively charging.
- (b) Fifty dollar fine:
  - (i) Blocking or impeding traffic;
  - (ii) Parked on or blocking a walkway;
  - (iii) Parked in an area not designated for parking;
  - (iv) Parked in an area not authorized;
  - (v) Parked in a marked no parking area;
  - (vi) Parked in landscaping;
  - (vii) Parked in a reserved area without a special permit;
  - (viii) Parked in a fire lane or impeding access to a fire hydrant;
  - (ix) Improper use of a carpool permit;
  - (x) Parked in a reserved area without a special permit.
- (c) Sixty dollar fine: Displaying an unauthorized/stolen/forged permit.
- (d) Two hundred fifty dollar fine: Parked in a disability space without a valid placard or license plate.
- (4) The registered owner of the vehicle is responsible for all fees and fines associated with violations

of the college's parking rules and policies.

(5) Citations that are not appealed within 21 calendar days or paid within 21 calendar days may be subject to the following actions:

- (a) Vehicle impoundment in accordance with WAC 132H-116-085;
- (b) Denial of future parking privileges, whether student, employee, or visitors;
- (c) Unpaid citations may be sent to a collections agency.

(6) An accumulation of citations that are not responded to and resolved, by payment or appeal, by a student or college employee may be cause for disciplinary action. Students in violation may be referred to the student conduct officer for disciplinary action. Employees in violation may be referred to human resources for disciplinary action. For represented employees, disciplinary action will be in accordance with applicable CBAs.

(7) Parking permits are the property of the college, and may be denied or revoked by the public safety director for any of the following reasons:

- (a) When the purpose for which the permit was issued changes or no longer exists;
- (b) When a permit is used by an unregistered vehicle or by an unauthorized person;
- (c) Continued violations of parking regulations;
- (d) Counterfeiting or altering a permit;
- (e) Falsification on a parking permit application;
- (f) Failure to comply with a final decision of the citation review committee or appeal authority.
- (8) Vehicles displaying revoked permits will be subject to citation.

### **WAC 132H-116-085 Impoundment.**

(1) In addition to imposing fines, the vice president of administrative services and the director of public safety are authorized to impound a vehicle parked on college property on the following grounds:

- (a) Creating a safety hazard.
- (b) Leaving a vehicle running and unattended.

(c) Vehicles parked in excess of 72 consecutive hours without prior approval from the public safety office are considered abandoned or unattended and are subject to impoundment at the registered owner's risk and expense. No vehicle, other than college owned or leased vehicles, shall be parked on college property in excess of 24 hours without prior documented approval from the public safety office. Vehicles parked on campus in excess of 24 hours, without prior documented approval from the public safety office, are subject to citation. Once a vehicle has accumulated three consecutive citations, public safety will place one impound warning on a vehicle. After 24 hours have passed since an impound warning was placed on a vehicle it may be towed.

(d) Parking:

(i) In a marked "tow away" or "no parking" zone.

(ii) Without a valid disability permit or license plate in a space reserved for persons with physical disabilities.

(iii) Anywhere other than a designated parking area.

(e) Vehicles impeding access to:

(i) A roadway so as to impede the flow of vehicular and pedestrian traffic;

(ii) A walkway so as to impede the flow of pedestrian traffic;

(iii) A fire lane or impeding access to a fire hydrant including parking within 15 feet of a fire hydrant;

or

(iv) The use of another legally parked vehicle.

(f) Accumulation of unpaid citations: An individual who accumulates four or more unpaid citations, after the deadline issued on the citations or after any appeal, is subject to having their vehicle impounded.

(2) Vehicles shall be impounded subject to the following terms and conditions:

(a) The expenses of impoundment and storage shall be charged to the registered owner of the vehicle and must be paid prior to the vehicle's release.

(b) The college shall not be liable for loss or damage of any kind resulting from the impound or storage of an impounded vehicle.

(c) Impoundment of a vehicle does not remove the obligation to pay any fines associated with the violation.

### **WAC 132H-116-095 Appeals.**

(1) Appeals of fines and penalties:

(a) Anyone who receives a citation for an alleged violation of these parking and traffic rules has the right to appeal.

(b) Appeals must be submitted within 21 calendar days from the date the citation is issued. Appeals are to be submitted in writing through the online form on the public safety website. A person who fails to file a written appeal in conformance with these rules shall be deemed to have waived the right to appeal.

(c) If an individual is in possession of an ADA placard that was not visibly present on the vehicle while parking in an ADA space their citation will be automatically waived, if they can provide documentation to public safety that the placard is registered to them.

(d) Grounds for parking citation appeals include, but are not limited to, the following:

(i) Incomplete or incorrect citation;

(ii) Received citation within 20 minutes of paying for parking;

(iii) Financial hardship.

(2) Citation review committee:

(a) Appeals shall be considered by the Bellevue College citation review committee in a brief adjudicative proceeding pursuant to procedures set forth in chapter 132H-108 WAC. The citation review committee may uphold, reduce, or waive the fine(s) associated with the parking and traffic citation.

(b) Any fine(s) still levied against the appellant must be paid within the specified deadline in the committee's initial order, unless the appellant seeks review of the committee's initial order.

(c) Nonpayment after the deadline has passed may result in any of the college actions referred to under WAC 132H-116-075 and 132H-116-085.

(d) The committee is made up of one student, one faculty representative and one classified staff representative. An exempt employee may substitute for a classified staff or faculty member for no longer than 120 days while an appropriate classified staff or faculty member can be identified. The committee members are appointed by the vice president of administrative services upon consultation with representative groups. The assistant director of public safety will serve as the nonvoting presiding officer of the committee. A public safety representative will serve as a nonvoting advisor and provide administrative support to the committee.

(e) The citation review committee will hold regularly scheduled meetings throughout the academic year.

(f) The committee shall consider each appeal on its merits based upon the parking and traffic regulations.

(g) Appellants may request to present their case to the appeals committee. In such case, an appellant will be notified of the hearing date and location via the email address they provided in their appeal. Hearings may be held virtually. If an appellant does not request to present their appeal or does not appear at

the hearing, the committee will make a decision in the appellant's absence and consider the written appeal during its deliberations.

(h) The committee will issue an initial order containing a brief statement with the reasons for its decision within 10 calendar days after the hearing. Decisions will be communicated by email and first-class mail. Any fine(s) levied against the appellant in the initial order must be paid within 21 calendar days after the committee has issued a decision and mailed its initial order, unless the appellant seeks review of the initial order.

(i) Default decision: If the committee, without a showing of good cause, fails to conduct a hearing on an appeal within 60 days of receiving the notice of appeal, the fine shall automatically be considered waived.

(3) Review of initial order: An appellant who is not satisfied with the initial order has the right to seek review by the director of public safety. The appellant must submit their appeal using the online appeal form. An appeal from the initial order must be submitted within 21 calendar days of receiving the initial order. The director of public safety will issue a final order containing a written explanation of their decision within 10 calendar days after receiving the request for review. The director of public safety's decision constitutes final agency action and may be judicially appealed pursuant to the procedures set forth in chapter 34.05 RCW.

(4) Any appellant who has paid the fine(s) affirmed or set by the citation review committee has forfeited the right to an appeal.

(5) Right to appeal revocation: As established by WAC 132H-108-450(4), parking permit denials or revocations may be appealed to the vice president of administrative services. Appeals are to be submitted in writing through the online form on the public safety website.

#### POLICY

~~Under RCW 28B.50.140(10), the board of trustees of Bellevue College has the authority to establish rules and regulations for pedestrian and vehicular traffic over property owned, operated, or maintained by the college district.~~

~~Bellevue College manages parking and traffic to assure a safe, accessible and financially and environmentally sustainable learning, working and living environment. Bellevue College supports commute trip reduction as a cost effective method to provide adequate parking.~~

~~No person shall park or leave any vehicle, whether attended or unattended, upon the campus of Bellevue College without a valid permit or authorization.~~

~~Parking is provided as a service to the students, faculty and staff without liability for damage or loss incurred. The issuance of a parking permit does not guarantee the availability of a parking space.~~

~~Drivers of vehicles shall obey the signs, barricades, structures, markings, and directions erected. Drivers shall also comply with the directions given them by a public safety officer or other public safety personnel controlling and regulating traffic or parking.~~

~~No person shall move, deface, or in any way change a permit, sign, barricade, structure, marking, or direction so placed, or previously placed, for the purpose of regulating traffic or parking.~~

~~Upon probable cause to believe that a violation of these rules and regulations has occurred, the vice president of administrative services and his or her designees may issue citations. If any citation remains unpaid Bellevue College may take additional actions.~~

#### DEFINITIONS

##### Valid Permit

- A current student or faculty/staff permit; or
- A temporary permit authorized by public safety



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

- The motor vehicle and other traffic laws of the state of Washington
- WAC 132H-116 Parking and Traffic Rules
- ~~WAC 132H 116 300 through 790~~
- ~~Bellevue College Procedure 6200P Parking and Traffic~~
- Bellevue College Policy 4850 Commute Trip Reduction Program

### **REVISION HISTORY**

Original 6/11/1992

Revisions 1/11/2004; 5/10/2005; 5/21/2009; 11/30/2011; 5/13/2015

### **APPROVED BY**

Board of Trustees



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REGULAR MEETING AGENDA ITEM

**EMERGENCY REVISION OF WAC 132H-126 (POLICY 2050 STUDENT CONDUCT CODE)**

INFORMATION

FIRST READ

ACTION

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**Description**

Bellevue College needs to revise the Student Conduct Code (WAC 132H-126) based on three recent legal actions.

- On August 10, 2021, a decision from a federal district vacated a portion of the 2020 amendments to the Title IX regulations related to cross-examination. This needs to be removed from the Code.
- On March 15, 2022, President Biden signed the Violence Against Women Act Reauthorization Act of 2022 (“VAWA”) into law. This changed the definition of domestic violence and added definitions for different aspects of domestic abuse. VAWA takes effect October 1, 2022.
- On March 30, 2022, Governor Inslee signed Sam’s Law (HB 1751) into law. This bill requires the College to update the definition of hazing and extend the prohibition to include off-campus hazing. The College must be compliant before the start of fall term.

Because of the federal and state deadlines, these changes will need to be put into effect using the emergency code revising process. After approval from the Board, the revised WAC 132H-126 will be submitted as an emergency revision to the WA State Office of the Code Revisor. The College will then have 120 days to update WAC 132H-126 using the regular process.

**Key Questions**

- \* Why is there urgency about updating this rule and when can the board expect to see it again?
- \* What changes have been made to the student conduct code?

**Background/Supplemental Information**

[Update on Court Ruling about the Department of Education’s Title IX Regulations](#)

[Fact Sheet: Reauthorization of the Violence Against Women Act \(VAWA\)](#)

[House Bill 1751](#) (Sam’s Law)

**Recommendation/Outcomes**

That the Board of Trustees of Community College District VIII approves the revisions to WAC 132H-126 (BC Policy 2050 Student Conduct Code) for emergency submission to the WA State Office of the Code Revisor.

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**Chapter 132H-126 WAC**

**STUDENT CONDUCT CODE OF BELLEVUE COLLEGE**

(Formerly: Chapter 132H-125 WAC)

**Last Update:** 12/2/20

**WAC**

- 132H-126-010 Authority.
- 132H-126-020 Statement of student rights.
- 132H-126-030 Statement of jurisdiction.
- 132H-126-040 Definitions.
- 132H-126-100 Prohibited student conduct.
- 132H-126-110 Disciplinary sanctions—Terms and conditions.
- 132H-126-120 Initiation of disciplinary action.
- 132H-126-130 Appeal from disciplinary action.
- 132H-126-140 Conduct hold on student records.
- 132H-126-150 Amnesty policy.
- 132H-126-160 Interim measures.
- 132H-126-170 Summary suspension.
- 132H-126-180 Records.

132H-126-200 Brief adjudicative proceedings—Initial hearing.

132H-126-210 Brief adjudicative proceedings—Review of an  
initial decision.

132H-126-300 Student conduct committee.

132H-126-310 Student conduct committee—Prehearing.

132H-126-320 Student conduct committee—Presentation of  
evidence.

132H-126-330 Student conduct committee—Initial decision.

132H-126-340 Student conduct committee—Review of an initial  
decision.

#### SUPPLEMENTAL TITLE IX STUDENT CONDUCT PROCEDURES

132H-126-400 Order of precedence.

132H-126-410 Prohibited conduct under Title IX.

132H-126-420 Title IX jurisdiction.

132H-126-430 Initiation of discipline.

132H-126-440 Prehearing procedure.

132H-126-450 Rights of parties.

132H-126-460 Evidence.

132H-126-470 Initial order.

132H-126-480 Appeals.

**WAC 132H-126-010 Authority.** The board of trustees, acting pursuant to RCW 28B.50.140, delegates to the president of Bellevue College the authority to administer student disciplinary action. Administration of the disciplinary procedures is the responsibility of the provost for academic and student affairs or designee and/or the designated student conduct officer. The student conduct officer shall serve as the principal investigator and administrator for reported violations of this code.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-010, filed 12/2/20, effective 1/2/21; WSR 19-01-082, § 132H-126-010, filed 12/17/18, effective 1/17/19.]

**WAC 132H-126-020 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 student affairs, subject to the limitations of RCW 28B.50.090

(3) (b) .

(c) Students shall be protected from academic evaluation that 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 that 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.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 19-01-082, § 132H-126-020, filed 12/17/18, effective 1/17/19.]



**WAC 132H-126-030 Statement of jurisdiction.** (1) The

student conduct code shall apply to student conduct that occurs:

(a) On college premises;

(b) At or in connection with college-sponsored activities;

or

(c) Off-campus, if in the judgment of the college the conduct adversely affects the college community or the pursuit of its objectives.

(2) Jurisdiction extends to locations in which students are engaged in official college activities including, but not limited to, foreign or domestic travel, activities funded by the Bellevue College's associated student government, athletic events, training internships, cooperative and distance education, online education, internships, practicums, supervised work experiences, or any other college-sanctioned social or club activities.

(3) 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.

(4) 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.

(5) These standards shall apply to a student's conduct even if the student withdraws from college while a disciplinary matter is pending.

(6) 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. [Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 19-01-082, § 132H-126-030, filed 12/17/18, effective 1/17/19.]

**WAC 132H-126-040 Definitions.** The following definitions shall apply for the purposes of this student conduct code:

(1) "**Business day**" means a weekday, excluding weekends and college holidays.

(2) "**College official**" is an employee of the college performing assigned administrative, security, professional, or paraprofessional duties.

(3) "**College premises**" shall include all campuses of the college, wherever located, and includes all land, buildings, facilities, vehicles, equipment, other property owned, used, or controlled by the college, study abroad program, retreat, and conference sites, and college-sponsored and/or college-hosted online platforms.

(4) "**Complainant**" is a student or another member of the college community who is allegedly directly affected by a reported violation of this student conduct code. The complainant may be the reporting party, but not necessarily; witnesses or other third parties may report concerns. In any case involving a report of sexual misconduct as defined in this student conduct code, a complainant is afforded certain rights under this student conduct code including, but not limited to:

(a) The right to be informed of all orders issued in the disciplinary case in which this person is a complainant;

(b) The right to appeal a disciplinary decision; and

(c) The right to be accompanied by a process advisor.

(5) "**Conduct review officer**" is the provost for academic and student affairs or designee or other college administrator designated by the president to be responsible for receiving and 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.

(6) "**Disciplinary action**" is the process by which the student conduct officer imposes discipline against a student for a violation of the student conduct code.

(7) "**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 instructional days or a dismissal are heard by the student conduct committee. Appeals of all other appealable

disciplinary action shall be reviewed through brief adjudicative proceedings (BAP).

(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) Sending the document by email and first class mail to the specified college official's college email and office address.

(9) "**Process advisor**" is a person selected by a respondent or a complainant to provide support and guidance during disciplinary proceedings under this student conduct code.

(10) "**Respondent**" is a student against whom disciplinary action is initiated. Each respondent is afforded certain rights including, but not limited to:

(a) The right to be presumed not responsible for the reported misconduct unless or until a determination of responsibility is reached after completion of the disciplinary process;

(b) The right to be informed of all orders issued in the respondent's disciplinary case;

(c) The right to appeal a disciplinary decision; and

(d) The right to be accompanied by a process advisor.

(11) "**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) Sending the document by email and by certified mail or first class mail to the party's last known address.

(12) "**Sexual misconduct**" includes prohibited sexual- or gender-based conduct by a student including, but not limited to, sexual harassment, sexual violence, sexual exploitation, indecent exposure, dating violence, or domestic violence.

(13) "**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, noncredit courses, online courses, or otherwise. Persons who withdraw, graduate, or complete courses after the date of a reported violation, who are not officially enrolled for a particular term but who have a continuing relationship with the college, or who have been notified of their acceptance for admission are considered "students."

(14) "**Student conduct officer**" is a college administrator designated by the president or provost for academic and student affairs or designee to be responsible for implementing and enforcing the student conduct code. The president or provost for academic and student affairs or designee 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.

(15) "**The president**" is the president of the college. The president is authorized to delegate any and all of their

responsibilities, as set forth in this chapter, as may be reasonably necessary.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-040, filed 12/2/20, effective 1/2/21; WSR 19-01-082, § 132H-126-040, filed 12/17/18, effective 1/17/19.]

**WAC 132H-126-100 Prohibited student conduct.** The college may impose disciplinary sanctions against a student who commits or attempts to commit, or aids, abets, incites, encourages, or assists another person to commit the following acts of misconduct:

(1) **Abuse of others.** Assault, physical abuse, verbal abuse, threat(s), intimidation, or other conduct that harms, threatens, or is reasonably perceived as threatening the health or safety of another person or another person's property unless otherwise protected by law.

(a) Abuse in later life.



(i) Neglect, abandonment, economic abuse, or willful harm of an adult aged 50 or older by an individual in an ongoing relationship of trust with the victim; or

(ii) domestic violence, dating violence, sexual assault, or stalking of an adult aged 50 or older by any individual;

and

(iii) does not include self-neglect.

(2) **Abuse of the student conduct process.**

(a) Abuse of the student conduct process includes:

(i) Attempting to influence the impartiality or participation of any decision maker including a student conduct officer, conduct review officer, or presiding student conduct committee member;

(ii) Influencing or attempting to influence another person to commit an abuse of the student conduct process;

(iii) Harassment or intimidation of any participant in the student conduct process; or

(iv) Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in the conduct process.

(b) This provision does not apply to reports made or information provided in good faith, even if the respondent is ultimately found not responsible in that conduct proceeding.

(3) **Academic dishonesty.** Any act of academic dishonesty including, but not limited to, cheating, plagiarism, and fabrication. The decision to bring a student conduct proceeding under this code for academic dishonesty is at the sole discretion of the student conduct officer. Nothing in this code prohibits instructors and/or academic divisions or departments from imposing academic consequences, up to and including a failing grade in an academic course or dismissal from an academic program, in response to academic dishonesty. Policies and procedures governing the imposition of academic consequences for academic dishonesty can be found in the course syllabus and any applicable program handbook.

(a) **Cheating.** Any attempt to give or obtain unauthorized assistance relating to the completion of an academic assignment.

(b) **Plagiarism.** 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.** Falsifying data, information, or citations in completing an academic assignment. Fabrication also includes providing false or deceptive information to an instructor concerning the completion of an assignment.

(d) **Multiple submissions.** Submitting the same work in separate courses without the express permission of the instructor(s).

(e) **Deliberate damage.** Taking deliberate action to destroy or damage another's academic work or college property in order to gain an advantage for oneself or another.

(4) **Acts of dishonesty.** Acts of dishonesty 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 reasonable request or requirement of a college official or employee.

(5) **Alcohol.** Use, possession, manufacture, or distribution of alcoholic beverages or paraphernalia (except as expressly permitted by college policies, and federal, state, and local laws), or public intoxication on college premises or at college-sponsored events. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person not of legal age.

(6) **Cyber misconduct.** Cyberstalking, cyberbullying, or online harassment. Use of electronic communications including, but not limited to, electronic mail, text messaging, social media sites, or applications (apps), to harass, abuse, bully, or engage in other conduct that 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 electronic communications or computer activities directly or through spyware, sending threatening emails or texts, disrupting electronic

communications with spam or by sending a computer virus, or sending false emails or texts to third parties using another's identity (spoofing).

(7) **Dating violence.** Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person:

(a) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(b) Where the existence of such a relationship shall be determined based on a consideration of the following factors:

(i) The length of the relationship;

(ii) The type of relationship; and

(iii) The frequency of interaction between the persons involved in the relationship.

(8) **Discriminatory harassment.**

(a) Unwelcome and offensive conduct, including verbal, nonverbal, or physical conduct, not otherwise protected by law, that is directed at a person because of such person's protected status and that is sufficiently severe, persistent, or pervasive so as to:

(i) Limit the ability of a student to participate in or benefit from the college's educational and/or social programs and/or student housing;

(ii) Alter the terms of an employee's employment; or

(iii) Create an intimidating, hostile, or offensive environment for other campus community members.

(b) Protected status includes a person's race; color; creed/religion; national origin; presence of any sensory, mental or physical disability; use of a trained service animal; sex, including pregnancy; marital status; age; genetic information; sexual orientation; gender identity or expression; honorably discharged veteran or military status; HIV/AIDS and hepatitis C status; or membership in any other group protected by federal, state, or local law.

(c) Discriminatory harassment may be physical, verbal, or nonverbal conduct and may include written, social media, and electronic communications not otherwise protected by law.

(9) **Disorderly conduct.** Conduct that is disorderly, lewd, or indecent; disturbing the peace; or assisting or encouraging another person to disturb the peace.

(10) **Disruption or obstruction.** Disruption or obstruction of 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 any activity that is authorized to occur on college property, whether or not actually conducted or sponsored by the college.

(11) **Domestic violence.** Use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person:

(a) who is a current or former spouse or intimate partner of the victim, or a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Washington;

(b) who is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;

(c) who shares a child in common with the victim; or

~~(d) who commits acts against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the state of Washington, RCW 26.50.010. Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Washington, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the state of Washington, RCW 26.50.010.~~

(12) **Economic abuse.** In the context of domestic violence dating violence, economic abuse includes behavior that is coercive, deceptive, or unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which they are entitled, including using coercion, fraud, or manipulation to:



(a) restrict a person's access to money, assets, credit, or financial information;

(b) unfairly use a person's personal economic resources, including money, assets, and credit, for one's own advantage; or

(c) exert undue influence over a person's financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty.

**(13) 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.

**(1314) Failure to comply with directive.** Failure to comply with the reasonable direction of a college official or employee who is acting in the legitimate performance of their duties,

including failure to properly identify oneself to such a person when requested to do so.

(~~4~~15) **Harassment or bullying.** Conduct unrelated to a protected class that is unwelcome and sufficiently severe, persistent, or pervasive such that it could reasonably be expected to create an intimidating, hostile, or offensive environment, or has the purpose or effect of unreasonably interfering with a person's academic or work performance, or a person's ability to participate in or benefit from the college's programs, services, opportunities, or activities.

(a) Harassing conduct may include, but is not limited to, physical, verbal, or nonverbal conduct, including written, social media and electronic communications unless otherwise protected by law.

(b) For purposes of this code, "bullying" is defined as repeated or aggressive unwanted behavior not otherwise protected by law when a reasonable person would feel humiliated, harmed, or intimidated.

(c) For purposes of this code, "intimidation" is an implied threat. Intimidation exists when a reasonable person would feel

threatened or coerced even though an explicit threat or display of physical force has not been made. Intimidation is evaluated based on the intensity, frequency, or duration of the comments or actions.

(~~1516~~) **Hazing.** Hazing includes, but is not limited to, any act committed as part of a person's recruitment, initiation, pledging, admission into, or affiliation with a student organization, athletic team, or living group, or any pastime or amusement engaged in with respect to such an organization, athletic team, or living group that causes, or is likely to cause, bodily danger or physical harm, or serious psychological or emotional harm, to any student or other person attending a public or private institution of higher education or other postsecondary educational institution in this state, including causing, directing, coercing, or forcing a person to consume any food, liquid, alcohol, drug, or other substance which subjects the person to risk of such harm, regardless of the person's willingness to participate. Hazing does not include customary athletic events or other similar contests or competitions. Hazing is prohibited both on and off campus. ~~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.~~

(~~16~~17) **Indecent exposure.** The intentional or knowing exposure of a person's genitals or other private body parts when done in a place or manner in which such exposure is likely to cause affront or alarm. Breastfeeding or expressing breast milk is not indecent exposure.

(~~17~~18) ~~**Marijuana**~~ **Cannabis** or other drugs.

(a) ~~**Marijuana**~~**Cannabis**. The parts, product, and derivatives of the plant Cannabis sativa, indica, ruderalis, and hybrid strains, regardless of the delta-9-tetrahydrocannabinol level, and is a federally controlled substance. Pursuant to federal law, the use of cannabis, including medical use, is prohibited on college premises and at college-sponsored activities.

Cannabis, for the purpose of this policy, does not include FDA-approved substances or industrial hemp as permitted by federal law. The following is prohibited:

(i) The use, possession, or procurement of cannabis or cannabis-related products. ~~The use, possession, growing, 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, or~~ While state law permits the recreational use of marijuana, federal law prohibits such use on college premises or in connection with college activities.

(ii) ~~¶~~The possession of marijuana or cannabis paraphernalia on college premises or college-sponsored events. ~~While state law permits the recreational use of marijuana, federal law prohibits such use on college premises or in connection with college activities.~~

(iii) Causing another to ingest cannabis without consent.

(b) **Drugs.** The use, possession, production, delivery, sale, or being under the influence of any prescription drug or possession of drug paraphernalia, including anabolic steroids, androgens, or human growth hormones as defined in chapter 69.41 RCW, or any other controlled substance under chapter 69.50 RCW,

except as prescribed for a student's use by a licensed practitioner.

(18) **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 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 computer time or resources to interfere with someone else's work;
- (e) Use of computer time or resources to send, display, or print an obscene or abusive message, text, or image;
- (f) Use of computer time or resources to interfere with normal operation of the college's computing system or other electronic information resources;
- (g) Use of computer 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.

(19) **Property violation.** Damage to, misappropriation of, unauthorized use or possession of, vandalism of, or other nonaccidental damaging or destruction of college property or the property of another person. Property, for purposes of this subsection, also includes computer passwords, access codes, identification cards, personal financial account numbers, other confidential personal information, intellectual property, and college trademarks.

(20) **Retaliation.** Harming, threatening, intimidating, coercing, or taking adverse action of any kind against a person because such person reported a violation of this code or college policy, provided information about a reported violation, or participated as a witness or in any other capacity in a college investigation or disciplinary proceeding.

(21) **Safety violations.** Safety violations include committing any reckless or unsafe act that endangers others, failing to follow established safety procedures (e.g., failing to evacuate during a fire alarm), or interfering with or otherwise compromising any college equipment relating to the safety and security of the campus community including, but not limited to, tampering with fire safety or first-aid equipment, or triggering false alarms or other emergency response systems.

(22) **Sexual exploitation.** Taking nonconsensual or abusive sexual advantage of another for the respondent's own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, when the behavior does not otherwise constitute one of the other sexual misconduct offenses described herein. Examples of sexual exploitation may include, but are not limited to:

(a) Invading another person's sexual privacy;

(b) Prostituting another person;

(c) Nonconsensual photography and digital or video recording of nudity or sexual activity, or nonconsensual audio recording of sexual activity;



(d) Unauthorized sharing or distribution of photographs or digital or video recording of nudity or sexual activity, or audio recording of sexual activity, unless otherwise protected by law;

(e) Engaging in voyeurism. A person commits voyeurism if they knowingly view, photograph, record, or film another person, without that person's knowledge and consent, while the person being viewed, photographed, recorded, or filmed is in a place where the person has a reasonable expectation of privacy;

(f) Knowingly or recklessly exposing another person to a significant risk of sexually transmitted disease or infection; or

(g) Causing the nonconsensual indecent exposure of another person, as defined by subsection (13) of this section.

(23) **Sexual harassment.** Unwelcome sexual- or gender-based conduct, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual- or gender-based nature that is sufficiently severe, persistent or pervasive as to:

(a) Deny or limit the ability of a student to participate in or benefit from the college's educational program;

(b) Alter the terms or conditions of employment; or

(c) Create an intimidating, hostile, or offensive environment for other campus community members.

For sexual harassment prohibited under Title IX, refer to WAC 132H-126-410.

(24) **Sexual violence.** A type of sexual harassment that includes nonconsensual intercourse, nonconsensual sexual contact, and sexual coercion.

(a) Consent is knowing, voluntary, and clear permission by word or action to engage in mutually agreed upon sexual activity.

(i) Effective consent cannot result from force, or threat of physical force, coercion, dishonesty, or intimidation.

(ii) Physical force means someone is physically exerting control of another person through violence. Physical force includes, but is not limited to, hitting, kicking, and restraining.

(iii) Threatening someone to obtain consent for a sexual act is a violation of this policy. Threats exist where a reasonable person would have been compelled by the words or actions of another to give permission to sexual activity to which they otherwise would not have consented.

(iv) 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.

(v) A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has engaged in nonconsensual conduct. Intoxication is not a defense against allegations that an individual has engaged in nonconsensual sexual conduct.

(b) **Nonconsensual sexual intercourse.** 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.

(c) **Nonconsensual sexual contact.** 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.

(d) **Sexual coercion.** Unreasonably pressuring another for sexual contact. When a complainant makes it clear through words or actions that they do not want to engage in sexual contact, want to stop, or do not want to go past a certain point of sexual interaction, continued pressure beyond that point is presumptively unreasonable and coercive. Other examples of coercion may include using blackmail or extortion, or

administering drugs and/or alcohol to overcome resistance or gain consent to sexual activity. Sexual contact that is the result of coercion is nonconsensual.

(e) **Incest.** Sexual intercourse or sexual contact with a person known to be related to them, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either wholly or half related. Descendant includes stepchildren and adopted children under the age of eighteen.

(f) **Statutory rape.** Consensual sexual intercourse between someone who is eighteen years of age or older and someone who is under the age of sixteen.

(25) **Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress. 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.

(26) **Technological abuse.** An act or pattern of behavior that occurs within domestic violence, sexual assault, dating

violence, or stalking and is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of technology, including but not limited to: internet-enabled devices, online spaces and platforms, computers, mobile devices, cameras and imaging programs, apps, location tracking devices, or communication technologies, or any other emerging technologies.

**( ) Tobacco, electronic cigarettes, and related products.**

The use of tobacco, electronic cigarettes, and related products is prohibited 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.

(27) **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. Providing keys to an unauthorized person or providing access to an unauthorized person is also prohibited.

(28) **Unauthorized recording.** The following conduct is prohibited:

(a) Making audio, video, digital recordings, or photographic images of a person without that person's consent in a location where that person has a reasonable expectation of privacy (e.g., restroom or residence hall room).

(b) Storing, sharing, publishing, or otherwise distributing such recordings or images by any means.

(29) **Violation of other laws or policies.** Violation of any federal, state, or local law, rule, or regulation or other college rules or policies, including on-campus housing policies and college traffic and parking rules.

(30) **Weapons.**

(a) 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 campus, subject to the following exceptions:

(i) Commissioned law enforcement personnel; or

(ii) Legally authorized military personnel while in performance of their official duties.

(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.

(c) The president or 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.

(d) Possession and/or use of disabling chemical sprays for purposes of self-defense is not prohibited.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-100, filed 12/2/20, effective 1/2/21; WSR 19-01-082, § 132H-126-100, filed 12/17/18, effective 1/17/19.]



**WAC 132H-126-110 Disciplinary sanctions—Terms and**

**conditions.** (1) The following disciplinary sanctions may be imposed upon students found to have violated the student conduct code:

(a) **Disciplinary warning.** A verbal statement to a student that they are violating or have violated the student conduct code and that continuation of the same or similar behavior may result in more severe discipline.

(b) **Written reprimand.** Notice in writing that the student has violated one or more terms of the student conduct code and that continuation of the same or similar behavior may result in more severe disciplinary action.

(c) **Disciplinary probation.** Formal action placing specific conditions and restrictions upon the student's continued attendance, depending upon the seriousness of the violation, which may include a deferred disciplinary sanction.

(i) Probation may be for a limited period of time or may be for the duration of the student's attendance at the college.

(ii) 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.

(d) **Disciplinary suspension.** Separation from the college and from the student status for a stated period of time.

(i) There will be no refund of tuition or fees for the quarter in which the action is taken.

(ii) Conditions of suspension may be imposed and will be specified. Except as otherwise specified in the final order, all conditions must be fulfilled before the end of the suspension period. Failure to fulfill all conditions of suspension in a timely manner will extend the suspension period and any conditions, and may result in additional disciplinary sanctions.

(iii) The college may put a conduct hold in place during the suspension period.

(e) **Dismissal.** The revocation of all rights and privileges of membership in the college community and exclusion from the campus and college-owned or college-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.

(2) 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:

(a) **Education.** Participation in or successful completion of an educational assignment designed to create an awareness of the student's misconduct.

(b) **Loss of privileges.** Denial of specified privileges for a designated period of time.

(c) **No contact order.** A prohibition of direct or indirect physical, verbal, electronic, and/or written contact with another individual or group.

(d) **Not in good standing.** A student found to be "not in good standing" with the college shall be subject to the following restrictions:

(i) Ineligible to hold an office in any student organization recognized by the college or to hold any elected or appointed office of the college.

(ii) 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.

(e) **Professional evaluation.** Referral for drug, alcohol, psychological, or medical evaluation by an appropriately certified or licensed professional.

(i) The student may choose the professional within the scope of practice and with the professional credentials as defined by the college.

(ii) The student will sign all necessary releases to allow the college access to any such evaluation.

(iii) 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.

(f) **Residence hall suspension.** Separation of the student from a residence hall or halls for a definite period of time, after which the student may be eligible to return. Conditions for reacceptance may be specified.

(g) **Residence hall dismissal.** Permanent separation of the student from a residence hall or halls.

(h) **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.

(i) **Trespass or restriction.** A student may be restricted from any or all college premises and/or college-sponsored activities based on the violation.

(3) More than one of the disciplinary terms and conditions listed above may be imposed for any single violation.

(4) If a student withdraws from the college or fails to reenroll before completing a disciplinary sanction or condition, the disciplinary sanction or condition must be completed either prior to or upon the student's reenrollment, depending on the nature of the sanction, condition, and/or the underlying violation. Completion of disciplinary sanctions and conditions may be considered in petitions for readmission to the college. [Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 19-01-082, § 132H-126-110, filed 12/17/18, effective 1/17/19.]

**WAC 132H-126-120 Initiation of disciplinary action. (1)**

Any member of the college community may file a complaint against a student for possible violations of the student conduct code.

(2) Upon receipt, a student conduct officer, or designee, may review and investigate any complaint to determine whether it appears to state a violation of the student conduct code.

(a) **Student on student sexual misconduct.** The college's Title IX coordinator or designee shall investigate complaints or

other reports of sexual misconduct by a student against a student.

(b) **Sexual misconduct involving an employee.** The college's human resource office or designee shall investigate complaints or other reports of sexual misconduct in which an employee is either the complainant or respondent.

(c) Investigations will be completed in a timely manner and the results of the investigation shall be referred to the student conduct officer for student disciplinary action.

(d) College personnel will honor requests to keep sexual misconduct complaints confidential to the extent this can be done in compliance with federal and state laws and without unreasonably risking the health, safety, and welfare of the complainant or other members of the college community.

(3) If a student conduct officer determines that a complaint appears to state a violation of the student conduct code, the student conduct officer will consider whether the matter might be resolved through agreement with the respondent or through alternative dispute resolution proceedings involving the complainant and the reporting party.

(a) Informal dispute resolution shall not be used to resolve sexual misconduct complaints without written permission from both the complainant and the respondent.

(b) If the parties elect to mediate a dispute, either party shall be free to discontinue mediation at any time.

(4) If the student conduct officer has determined that a complaint has merit and if the matter is not resolved through agreement or alternative dispute resolution, the student conduct officer may initiate disciplinary action against the respondent.

(a) 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.

(b) The student conduct officer, prior to initiating disciplinary action in cases involving allegations of sexual misconduct, 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.

(5) All disciplinary actions will be initiated by a student conduct officer. If that officer is the subject of a complaint initiated by the respondent or the complainant, the president shall, upon request and when feasible, designate another person to fulfill any such disciplinary responsibilities.

(6) A student conduct officer shall initiate disciplinary action by serving the respondent with written notice directing them to attend a disciplinary meeting.

(a) The notice shall briefly describe the factual allegations, the provision(s) of the student conduct code the respondent is reported to have violated, the range of possible sanctions for the reported violation(s), and it will specify the time and location of the meeting.

(b) At the disciplinary meeting, the student conduct officer will present the allegations to the respondent, and the respondent shall be afforded an opportunity to explain what occurred.

(c) If the respondent fails to attend the meeting, the student conduct officer may take disciplinary action based upon the available information.

(7) 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 the 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. This period may be extended if the student conduct officer, based on information presented at the disciplinary meeting, concludes that additional investigation is necessary. If the period is extended, the student conduct officer will notify the respondent, and the complainant in cases involving allegations of sexual misconduct, of this extension, the reason(s), and the anticipated extension time frame.

(8) A 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), with or without condition(s), as described in WAC 132H-126-110.

(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.

(9) In cases involving allegations of sexual misconduct, 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 of the decision, the reasons for the decision, and any disciplinary sanctions and/or conditions that may have been imposed upon the respondent, including disciplinary suspension or dismissal of the respondent. The notice will also inform the complainant of their 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 prompt notice of the protective disciplinary sanctions and/or conditions.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-120, filed 12/2/20, effective 1/2/21; WSR 19-01-082, § 132H-126-120, filed 12/17/18, effective 1/17/19.]

**WAC 132H-126-130 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 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 student conduct officer. If a case involves allegations of sexual misconduct, a complainant also has a right to appeal a disciplinary decision or to intervene in the respondent's appeal of a disciplinary decision to the extent the disciplinary

decision, sanctions or conditions relate to allegations of sexual misconduct against the respondent.

(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 the respondent has been summarily suspended.

(7) The student conduct committee shall hear appeals regarding:

(a) The imposition of disciplinary suspensions in excess of ten 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) Residence hall dismissals;

(b) Residence hall suspensions;

(c) Suspensions of ten instructional days or less;

(d) Disciplinary probation;

(e) Written reprimands;

(f) Any conditions or terms imposed in conjunction with one of the foregoing disciplinary actions; and

(g) Appeals by a complainant in student disciplinary proceedings involving allegations of sexual misconduct in which the student conduct officer:

(i) Dismisses disciplinary proceedings based upon a finding that the allegations of sexual misconduct have no merit; or

(ii) Issues a verbal warning to the respondent.

(9) Except as provided elsewhere in these rules, disciplinary warnings and dismissals of disciplinary complaints are final actions and are not subject to appeal.

(10) In cases involving allegations of sexual misconduct, the complainant has the right to appeal the following actions by the student conduct officer following the same procedures as set forth above for the respondent:

(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.

(11) 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.

(12) Except as otherwise specified in this chapter, 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.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, §

132H-126-130, filed 12/2/20, effective 1/2/21; WSR 19-01-082, §  
132H-126-130, filed 12/17/18, effective 1/17/19.]

**WAC 132H-126-140 Conduct hold on student records.** (1) A student conduct officer or other designated college official may place a conduct hold on the student's record if the student is the respondent in a pending complaint of prohibited conduct, a pending conduct proceeding under this code, or in conjunction with a disciplinary sanction or condition under this code.

(2) A conduct hold may restrict the student from registering for classes, requesting an official transcript, or receiving a degree from the college until the hold has been removed.

(3) If the conduct hold is placed pending or during a conduct proceeding, the student will be notified of the hold and be advised how to raise an objection about the hold or request that it be made less restrictive. The hold will remain in place until lifted by the student conduct officer or other designated college official with authority to do so.



(4) Implementation of any conduct hold prior to disciplinary action does not assume any determination of, or create any expectation of, responsibility for prohibited conduct under this conduct code.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-140, filed 12/2/20, effective 1/2/21; WSR 19-01-082, § 132H-126-140, filed 12/17/18, effective 1/17/19.]

**WAC 132H-126-150 Amnesty policy.** (1) Bellevue College values the health, safety and wellness of those in our college community. Students are encouraged to report crimes, share concerns, and seek medical attention for themselves or others in need.

(2) A student conduct officer may elect not to initiate disciplinary action against a student who, while in the course of helping another person seek medical or other emergency assistance, admits to a possible policy violation under this student conduct code, provided that any such violations did not

and do not place the health or safety of any other person at risk.

(3) A student conduct officer may elect not to initiate disciplinary action against a student who, while in the course of reporting violence, sexual misconduct, or a crime in progress, admits to personal consumption of alcohol or drugs at or near the time of the incident, provided that any such use did not place the health or safety of any other person at risk.

(4) While policy violations cannot be overlooked, the college may elect to offer educational options or referrals, rather than initiating disciplinary action against students who report crimes, serve as witnesses, or seek medical attention as described in this section.

(5) This amnesty policy may not apply to students who repeatedly violate college policies in regards to alcohol, drugs, or other prohibited conduct.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 19-01-082, § 132H-126-150, filed 12/17/18, effective 1/17/19.]

**WAC 132H-126-160 Interim measures.** (1) After receiving a report of sexual misconduct or other serious student misconduct, a student conduct officer or designee may implement interim measures which may include, but are not limited to:

(a) A no-contact order prohibiting direct or indirect contact, by any means, with a complainant, a respondent, a reporting party, other specified persons, and/or a specific student organization;

(b) Reassignment of on-campus housing;

(c) Changes to class schedules, assignments, or test schedules;

(d) Modified on-campus employment schedule or location;

(e) Restrictions on access to portions of campus including, but not limited to, on-campus housing; or

(f) Alternative safety arrangements such as campus safety escorts.

(2) If an interim measure is put in place pending or during a conduct proceeding, the student will be notified of the interim measure and be advised how to raise an objection about the interim measure or request that it be made less restrictive.

The student conduct officer may adjust or modify interim measures as students' situations and schedules change and evolve over time. Interim measures will remain in place until the student receives notice they have been lifted or modified from the student conduct officer.

(3) Implementation of any interim measure does not assume any determination of, or create any presumption regarding responsibility for, a violation under this student conduct code. [Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-160, filed 12/2/20, effective 1/2/21; WSR 19-01-082, § 132H-126-160, filed 12/17/18, effective 1/17/19.]

**WAC 132H-126-170 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 reasonable basis to believe that the respondent:

(a) Has violated a provision of the student conduct code;  
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 notice 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 reportedly 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 their privilege to enter or remain on college premises has been withdrawn and that the respondent shall be considered to be trespassing and subject to arrest for criminal trespass if the respondent enters the college campus. The respondent may be authorized to access college premises for the limited purpose of meeting with the student conduct officer, the conduct review officer, or to attend a disciplinary hearing. All such meetings and hearings shall be confirmed in writing in advance and the respondent entering college premises shall be required to produce the written permission to a college official on request.

(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 the 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.

(6) In cases involving allegations of sexual misconduct, the complainant shall be notified that a summary suspension has been imposed on the same day that the summary suspension notice is served on the respondent. The college will also provide the complainant with timely notice of any subsequent changes to the summary suspension order.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-170, filed 12/2/20, effective 1/2/21; WSR 19-01-082, § 132H-126-170, filed 12/17/18, effective 1/17/19.]

**WAC 132H-126-180 Records.** (1) Student conduct code records are maintained in accordance with the college's records retention schedule.



(2) The disciplinary record is confidential, and is released only as authorized under the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. Sec. 1232g; 34 C.F.R. Part 99).

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 19-01-082, § 132H-126-180, filed 12/17/18, effective 1/17/19.]

**WAC 132H-126-200 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 they are 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 the parties within ten business 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 days of service of the initial decision, the initial decision shall be deemed the final decision.

(4) If the matter is an appeal by the respondent, or the complainant in the case of sexual misconduct, the conduct review officer may affirm, reverse, or modify the disciplinary sanctions and/or conditions imposed by the student conduct officer and/or impose additional disciplinary sanctions or conditions as authorized herein. If the conduct review officer, upon review, determines that the respondent's conduct may warrant imposition of a disciplinary suspension of more than ten instructional days or expulsion, the matter shall be referred to the student conduct committee for a disciplinary hearing.

(5) In cases involving allegations of sexual misconduct, the conduct review officer, on the same date as the initial decision is served on the respondent, will serve a written notice upon the complainant of the decision, the reasons for the decision, and a description of any disciplinary sanctions and/or conditions that may have been imposed upon the respondent. The notice will also inform the complainant of their appeal rights. [Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-200, filed 12/2/20, effective 1/2/21; WSR 19-01-082, § 132H-126-200, filed 12/17/18, effective 1/17/19.]

**WAC 132H-126-210 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 days of service of the initial decision.

(2) The president shall not participate in any case in which they are 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.

(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 findings or 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, include a brief statement of the reasons for the decision and typically must be served on the parties within twenty days of the request for review. 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 days after the request is submitted without a response from the president.

(5) If the president, upon review, determines that the respondent's conduct may warrant imposition of a disciplinary suspension of more than ten instructional days or dismissal, the

matter shall be referred to the student conduct committee for a disciplinary hearing.

(6) In cases involving allegations of sexual misconduct, the president, on the same date as the final decision is served on the respondent, will serve a written notice upon the complainant informing the complainant of the decision, the reasons for the decision, and a description of any disciplinary sanctions and/or conditions that may have been imposed upon the respondent. The notice will also inform the complainant of their appeal rights.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-210, filed 12/2/20, effective 1/2/21; WSR 19-01-082, § 132H-126-210, filed 12/17/18, effective 1/17/19.]

**WAC 132H-126-300 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:

(a) Are a complainant or witness;

(b) Have direct or personal interest, prejudice, or bias;

or

(c) Have acted previously in an advisory capacity.

(5) Any party may petition for disqualification of a committee member pursuant to RCW 34.05.425(4).

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-300, filed 12/2/20, effective 1/2/21; WSR 19-01-082, § 132H-126-300, filed 12/17/18, effective 1/17/19.]

**WAC 132H-126-310 Student conduct committee—Prehearing.**

(1) Proceedings of the student conduct committee shall be governed by the Administrative Procedure 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 notice of discipline, or referral to the committee; and (b) the notice of appeal, or any response to referral, by the respondent or, in a case involving allegations of sexual misconduct, the complainant. 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 and complainant 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 necessary to maintain an orderly process, are generally prohibited without notice and opportunity for all parties to participate. Any improper "ex parte" communication shall be placed on the record, as further provided in RCW 34.05.455.

(9) All parties may be accompanied at the hearing by a process advisor of their choice.

(10) The respondent, in all appeals before the committee, and the complainant, in an appeal involving allegations of sexual misconduct before the committee, may elect to be represented by an attorney at their own expense. The respondent and/or complainant will be deemed to have waived the right to be represented by an attorney unless, at least four 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.

(11) The committee will ordinarily be advised by an assistant attorney general. If the respondent and/or the complainant is represented by an attorney, the student conduct officer may also be represented by a second, appropriately screened, assistant attorney general.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-310, filed 12/2/20, effective 1/2/21; WSR 19-01-082, § 132H-126-310, filed 12/17/18, effective 1/17/19.]

**WAC 132H-126-320 Student conduct committee—Presentation 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 they select, 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.

(7) In cases involving reports of sexual misconduct, the respondent and complainant shall not directly question or cross-examine one another. Attorneys for the respondent and complainant are also prohibited from directly questioning opposing parties absent express permission from the committee chair. Subject to this exception, all cross-examination questions by the respondent and complainant shall be directed to the committee chair, who in their discretion shall pose the questions on the party's behalf. All cross-examination questions

submitted to the chair in this manner shall be memorialized in writing and maintained as part of the hearing record.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-320, filed 12/2/20, effective 1/2/21; WSR 19-01-082, § 132H-126-320, filed 12/17/18, effective 1/17/19.]

**WAC 132H-126-330 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 conclusion of the hearing or the committee's receipt of closing arguments, whichever is later, 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 sanctions or conditions, if any, as authorized in the student conduct code. If the matter is an appeal by the respondent or the complainant in the case of sexual misconduct, the committee may affirm, reverse, or modify the disciplinary sanctions and/or conditions imposed by the student conduct officer and/or impose additional disciplinary sanctions or conditions as authorized herein. The notice will also inform the respondent of their appeal rights.

(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.

(5) In cases involving allegations of sexual misconduct, the chair of the student conduct committee will make arrangements to have a written notice served on the complainant informing the complainant of the decision, the reasons for the decision, and a description of any disciplinary sanctions and/or conditions that may have been imposed upon the respondent, including suspension or dismissal of the respondent. The notice will also inform the complainant of their appeal rights. This notice shall be served on the complainant on the same date as the initial decision is served on the respondent. 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.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-330, filed 12/2/20, effective 1/2/21; WSR 19-01-082, § 132H-126-330, filed 12/17/18, effective 1/17/19.]

**WAC 132H-126-340 Student conduct committee—Review of an initial decision.** (1) A respondent, or a complainant in a case

involving allegations of sexual misconduct, who is aggrieved by the findings or conclusions issued by the student conduct committee may request a review of the committee's initial decision to the president by filing a notice of appeal with the president's office within twenty-one days of service of the committee's initial decision or a written notice. Failure to file a timely appeal request within this time frame 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 an argument as to 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 those issues and arguments raised in the notice of appeal. As part of the review process, the president may ask the nonappealing party(ies) to respond to the arguments contained in the notice of appeal.



(3) The president shall provide a written decision to all parties within thirty days after receipt of the notice of appeal or receipt of the response from nonappealing parties, whichever is later. The president's decision shall be final and shall include a notice of any rights to request reconsideration and/or judicial review.

(4) In cases involving allegations of sexual misconduct, 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.

(5) The president shall not engage in an ex parte communication with any of the parties regarding an appeal.  
[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, §

132H-126-340, filed 12/2/20, effective 1/2/21; WSR 19-01-082, § 132H-126-340, filed 12/17/18, effective 1/17/19.]

#### **SUPPLEMENTAL TITLE IX STUDENT CONDUCT PROCEDURES**

**WAC 132H-126-400 Order of precedence.** This supplemental procedure applies to allegations of sexual harassment subject to Title IX jurisdiction pursuant to regulations promulgated by the United States Department of Education. See 34 C.F.R. Part 106. To the extent these supplemental hearing procedures conflict with the college's standard disciplinary procedures, WAC 132H-126-100 through 132H-126-340, these supplemental procedures shall take precedence. Bellevue College may, at its discretion, contract with an administrative law judge or other person to act as presiding officer and assign such presiding officer to exercise any or all of the duties in lieu of the student conduct committee and committee chair.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-400, filed 12/2/20, effective 1/2/21.]

**WAC 132H-126-410 Prohibited conduct under Title IX.**

Pursuant to RCW 28B.50.140(13) and Title IX of the Education Amendments Act of 1972, 20 U.S.C. Sec. 1681, the college may impose disciplinary sanctions against a student who commits, attempts to commit, or aids, abets, incites, encourages, or assists another person to commit, an act(s) of "sexual harassment."

For purposes of this supplemental procedure, "sexual harassment" encompasses the following conduct:

(1) **Quid pro quo harassment.** A college employee conditioning the provision of an aid, benefit, or service of the college on an individual's participation in unwelcome sexual conduct.

(2) **Hostile environment.** Unwelcome conduct that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the college's educational programs or activities, or employment.

(3) **Sexual assault.** Sexual assault includes the following conduct:

(a) **Nonconsensual sexual intercourse.** Any actual or attempted sexual intercourse (anal, oral, or vaginal), however slight, with any object or body part, 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.

(b) **Nonconsensual sexual contact.** Any actual or attempted sexual touching, however slight, with any body part or 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.

(c) **Incest.** Sexual intercourse or sexual contact with a person known to be related to them, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either wholly or half related. Descendant includes stepchildren and adopted children under the age of eighteen.

(d) **Statutory rape.** Consensual sexual intercourse between someone who is eighteen years of age or older and someone who is under the age of sixteen.

(4) **Domestic violence.** ~~Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person with whom~~Use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person:

(a) who is a current or former spouse or intimate partner of the victim, or a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Washington;

(b) who is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;

(c) who ~~the victim~~ shares a child in common with the victim; ~~, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person~~

~~similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Washington, or~~

(d) who by any other person commits acts against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the state of Washington, RCW 26.50.010.

(5) **Dating violence.** Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person:

(a) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(b) Where the existence of such a relationship shall be determined based on a consideration of the following factors:

(i) The length of the relationship;

(ii) The type of relationship; and

(iii) The frequency of interaction between the persons involved in the relationship.

(6) **Economic abuse.** In the context of domestic violence

dating violence, economic abuse includes behavior that is coercive, deceptive, or unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which they are entitled, including using coercion, fraud, or manipulation to:

(a) restrict a person's access to money, assets, credit, or financial information;

(b) unfairly use a person's personal economic resources, including money, assets, and credit, for one's own advantage; or

(c) exert undue influence over a person's financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty.

(7) **Technological abuse.** An act or pattern of behavior that occurs within domestic violence, sexual assault, dating violence, or stalking and is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit,

extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of technology, including but not limited to: internet-enabled devices, online spaces and platforms, computers, mobile devices, cameras and imaging programs, apps, location tracking devices, or communication technologies, or any other emerging technologies.

(8) Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress.

[Statutory Authority: Chapter 34.05 RCW; and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-410, filed 12/2/20, effective 1/2/21.]

**WAC 132H-126-420 Title IX jurisdiction.** (1) This supplemental procedure applies only if the reported misconduct:

(a) Occurred in the United States;

(b) Occurred during a college educational program or activity; and



(c) Meets the definition of sexual harassment as that term is defined in this supplemental procedure.

(2) For purposes of this supplemental procedure, an "educational program or activity" is defined as locations, events, or circumstances over which the college exercised substantial control over both the respondent and the context in which the reported sexual harassment occurred. This definition includes any building owned or controlled by a student organization that is officially recognized by the college.

(3) Proceedings under this supplemental procedure must be dismissed if the decision maker determines that one or all of the requirements of subsection (1)(a) through (c) of this section have not been met. Dismissal under this supplemental procedure does not prohibit the college from pursuing other disciplinary action based on allegations that the respondent violated other provisions of the college's student conduct code, chapter 132H-126 WAC.

(4) If the student conduct officer determines the facts in the investigation report are not sufficient to support Title IX jurisdiction and/or pursuit of a Title IX violation, the student

conduct officer will issue a notice of dismissal in whole or part to both parties explaining why some or all of the Title IX claims have been dismissed.

[Statutory Authority: Chapter 34.05 RCW; and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-420, filed 12/2/20, effective 1/2/21.]

**WAC 132H-126-430 Initiation of discipline.** (1) Upon receiving the Title IX investigation report from the Title IX coordinator, the student conduct officer will independently review the report to determine whether there are sufficient grounds to pursue a disciplinary action against the respondent for engaging in prohibited conduct under Title IX.

(2) If the student conduct officer determines that there are sufficient grounds to proceed under these supplemental procedures, the student conduct officer will initiate a Title IX disciplinary proceeding by filing a written disciplinary notice with the chair of the student conduct committee and serving the notice on the respondent, the complainant, and their respective advisors. The notice must:

(a) Set forth the basis for Title IX jurisdiction;

(b) Identify the reported Title IX violation(s);

(c) Set forth the facts underlying the allegation(s);

(d) Identify the range of possible sanctions that may be imposed if the respondent is found responsible for the reported violation(s); and

(e) Explain that the parties are entitled to be accompanied by their chosen advisors during the hearing and that:

(i) The advisors will be responsible for questioning all witnesses on their party's behalf;

(ii) An advisor may be an attorney; and

(iii) The college will appoint the party an advisor of the college's choosing at no cost to the party, if the party fails to do so; and

(3) Explain that if a party fails to appear at the hearing, a decision of responsibility may be made in their absence.

[Statutory Authority: Chapter 34.05 RCW; and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-430, filed 12/2/20, effective 1/2/21.]

**WAC 132H-126-440 Prehearing procedure.** (1) Upon receiving the disciplinary notice, the chair of the student conduct committee will send a hearing notice to all parties, in compliance with WAC 132H-126-310. In no event will the hearing date be set less than ten days after the Title IX coordinator provided the final investigation report to the parties.

(2) A party may choose to have an attorney serve as their advisor at the party's own expense. This right will be waived unless, at least five days before the hearing, the attorney files a notice of appearance with the committee chair with copies to all parties and the student conduct officer.

(3) In preparation for the hearing, the parties will have equal access to all evidence gathered by the investigator during the investigation, regardless of whether the college intends to offer the evidence at the hearing.

[Statutory Authority: Chapter 34.05 RCW; and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-440, filed 12/2/20, effective 1/2/21.]

**WAC 132H-126-450 Rights of parties.** (1) The student conduct code of Bellevue College, chapter 132H-126 WAC, and this supplemental procedure shall apply equally to all parties.

(2) The college bears the burden of offering and presenting sufficient testimony and evidence to establish that the respondent is responsible for a Title IX violation by a preponderance of the evidence.

(3) The respondent will be presumed not responsible until such time as the disciplinary process has been finally resolved.

(4) During the hearing, each party shall be represented by an advisor. The parties are entitled to an advisor of their own choosing and the advisor may be an attorney. If a party does not choose an advisor, then the Title IX coordinator will appoint an advisor of the college's choosing on the party's behalf at no expense to the party.

[Statutory Authority: Chapter 34.05 RCW; and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-450, filed 12/2/20, effective 1/2/21.]

**WAC 132H-126-460 Evidence.** The introduction and consideration of evidence during the hearing is subject to the following procedures and restrictions:

(1) **Relevance:** The committee chair shall review all questions for relevance and shall explain on the record their reasons for excluding any question based on lack of relevance.

(2) Relevance means that information elicited by the question makes facts in dispute more or less likely to be true.

(3) Questions or evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant and must be excluded, unless such question or evidence:

(a) Is asked or offered to prove someone other than the respondent committed the reported misconduct; or

(b) Concerns specific incidents of prior sexual behavior between the complainant and the respondent, which are asked or offered on the issue of consent.

~~(4) Cross examination required: If a party or witness does not submit to cross examination during the live hearing, the committee must not rely on any statement by that party or witness in reaching a determination of responsibility.~~

(5) No negative inference: The committee may not make an inference regarding responsibility solely on a witness's or party's absence from the hearing or refusal to answer questions.

(6) Privileged evidence: The committee shall not consider legally privileged information unless the holder has effectively waived the privilege. Privileged information includes, but is not limited to, information protected by the following:

(a) Spousal/domestic partner privilege;

(b) Attorney-client and attorney work product privileges;

(c) Privileges applicable to members of the clergy and priests;

(d) Privileges applicable to medical providers, mental health therapists, and counselors;

(e) Privileges applicable to sexual assault and domestic violence advocates; and

(f) Other legal privileges identified in RCW 5.60.060.

[Statutory Authority: Chapter 34.05 RCW; and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-460, filed 12/2/20, effective 1/2/21.]

**WAC 132H-126-470 Initial order.** (1) In addition to complying with WAC 132H-126-330, the student conduct committee will be responsible for conferring and drafting an initial order that:

(a) Identifies the allegations of sexual harassment;

(b) Describes the grievance and disciplinary procedures, starting with filing of the formal complaint through the determination of responsibility, including notices to parties, interviews with witnesses and parties, site visits, methods used to gather evidence, and hearings held;

(c) Makes findings of fact supporting the determination of responsibility;

(d) Reaches conclusions as to whether the facts establish whether the respondent is responsible for engaging in sexual harassment in violation of Title IX;

(e) Contains a statement of, and rationale for, the committee's determination of responsibility for each allegation;

(f) Describes any disciplinary sanction or conditions imposed against the respondent, if any;



(g) Describes to what extent, if any, complainant is entitled to remedies designed to restore or preserve complainant's equal access to the college's education programs or activities; and

(h) Describes the process for appealing the initial order to the president.

(2) The committee chair will serve the initial order on the parties simultaneously.

[Statutory Authority: Chapter 34.05 RCW; and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-470, filed 12/2/20, effective 1/2/21.]

**WAC 132H-126-480 Appeals.** (1) The parties shall have the right to appeal from the initial order's determination of responsibility and/or dismissal of an allegation(s) of sexual harassment in a formal complaint. The right to appeal will be subject to the same procedures and time frames set forth in WAC 132H-126-340.

(2) The president or their delegate will determine whether the grounds for appeal have merit, provide the rationale for

this conclusion, and state whether the disciplinary sanction and condition(s) imposed in the initial order are affirmed, vacated, or amended, and, if amended, set forth any new disciplinary sanction and/or condition(s).

(3) President's office shall serve the final decision on the parties simultaneously.

[Statutory Authority: Chapter 34.05 RCW; and RCW 28B.50.140(13); P.L. 113-4, 20 U.S.C. § 1092(f); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. WSR 21-01-008, § 132H-126-480, filed 12/2/20, effective 1/2/21.]



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## REGULAR MEETING AGENDA ITEM

### 2022-2023 COLLEGE BUDGET

INFORMATION

FIRST READ

ACTION

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#### Description

The Bellevue College Operating Budget for fiscal year 2022-23 is presented to the Board of Trustees for consideration of approval at their June 15th, 2022 meeting. To assist the Board in considering the proposed budget, a comparison of the initial 2021-22 and the 2022-23 budget is provided.

Attachment 1: Proposed 2022-23 College Budget and Reserve Report

Attachment 2: Operating Projection Model

#### Key Questions

- \* What is the College's 2022-23 budgetary plan for all funds, excluding Capital?

The fiscal year 2022-23 budget highlights

### 2022-23 Revenue

#### Tuition Rate Increase

- +2.4% State Tuition
- +7.0 % Running Start

#### Enrollment Changes

- - 2.0 % Total Enrollment

### 2022-23 Expenses

- +3.25% COLA's – Staff
- +4.67% COLA's – Faculty
- +2.00% Adjuncts (additional Increase)
- +\$2,000 Classified onetime payment
- +\$300K Guided Pathways Funding (\$2.47M total)
- + 800K Marketing investment (Funded by last year's surplus fund balance)
- +\$1.01M CTC-link Staffing Gap funding (Funded by last year's surplus fund balance)

## Recommendation/Outcomes

It is recommended that the Board of Trustees of Community College District VIII approves the following budget plan for the fiscal year July 1, 2022 through June 30, 2023.

<b>Annual Budget</b>	
Operating Funds	\$ 120,096,412
Proprietary Funds	\$ 15,225,634
Financial Aid Funds	<u>\$ 20,057,648</u>
<b>Total 2021-22 Annual Budget</b>	<u><b>\$ 155,379,694</b></u>
<b>Reserve Funds</b>	
Contingency Fund	\$ 3,595,075
Operating Reserve	\$ 30,024,103
Proprietary Reserve	<u>\$ 2,039,833</u>
<b>Total 2021-22 Reserve Funds</b>	<u><b>\$ 35,659,011</b></u>

## Recommended Motion

That the Board of Trustees of Community College District VIII approve the college budget plan, as proposed, for fiscal period 2022-2023 at their next meeting. This recommendation of the budget includes the Board of Trustees authorizing:

- the College President to proceed with the **execution of the planned program**;
- the College President to **transfer funds** within the General Fund, or from local and other funds, to eliminate any cash deficit as required by RCW 43.88.2601, **to provide working capital, and to support approved projects and activities**;
- the **tuition and fee schedule** as established by law, by the State Board for Community and Technical Colleges, as implemented by the College President, and as listed in the College catalog;
- the College President to **accept allocation amendments** from the State Board for Community and Technical Colleges, to accept such grants and contracts as may be acquired during the budget period, and to report on such changes, at least quarterly, to the Board of Trustees;
- the **addition of staff and faculty positions if necessary**, to carry out the College's programs; and
- the College President to determine the **fee schedule for contract courses and programs**.

## Proposed Revenue Plan by Fund

Includes comparison to initial 2021-22 college budget

2021-22				2022-23	
	INITIAL BUDGET	Increase/(Decrease)	INITIAL BUDGET		
<b>OPERATING FUND:</b>					
STATE ALLOCATION	\$46,764,271	\$5,765,815	\$52,530,086		
LOCAL OPERATING	\$25,003,702	-\$3,569,708	\$21,433,994		
DEDICATED LOCAL FUND	\$11,029,554	-\$1,770,267	\$9,259,287		
GRANTS & CONTRACTS	\$38,841,754	-\$1,968,709	\$36,873,045		
<b>TOTAL OPERATING FUNDS:</b>	<b>\$121,639,281</b>	<b>-\$1,542,869</b>	<b>\$120,096,412</b>		
<b>PROPRIETARY FUNDS:</b>					
COMPUTER SERVICE FUND	\$10,001	\$0	\$10,001		
PRINTING FUND	\$539,071	\$7,520	\$546,591		
ASSOCIATED STUDENTS (non S&A)	\$334,750	\$5,508	\$340,258		
BOOKSTORE	\$2,450,000	-\$2,450,000	\$0		
PARKING	\$2,838,967	\$0	\$2,838,967		
FOOD SERVICES	\$2,060,240	\$0	\$2,060,240		
OTHER AUXILIARY ENTERPRISES	\$5,020,316	\$370,309	\$5,390,625		
HOUSING	\$4,393,433	-\$354,481	\$4,038,952		
<b>TOTAL PROPRIETARY FUNDS:</b>	<b>\$17,646,778</b>	<b>-\$2,421,144</b>	<b>\$15,225,634</b>		
<b>FINANCIAL AID FUNDS:</b>					
GRANTS IN AID	18,186,712	-\$6,864,081	11,322,631		
STUDENT LOAN	7,500,000	\$0	7,500,000		
STATE WORK STUDY	285,922	-\$905	285,017		
FINANCIAL AID FUND	950,000	\$0	950,000		
<b>TOTAL FINANCIAL AID FUNDS:</b>	<b>\$26,922,634</b>	<b>-\$6,864,986</b>	<b>\$20,057,648</b>		
<b>TOTAL ANNUAL REVENUE:</b>	<b>\$166,208,693</b>	<b>-\$10,828,999</b>	<b>\$155,379,694</b>		
<b>2022-23 COLLEGE RESERVE REPORT</b>					
			Reserve		
<b>RESERVE FUND BALANCES</b>					
Contingency Fund				\$3,595,075	
Operating Reserve 25%				\$30,024,103	
Proprietary Reserve 25% (\$1.7 M underfunded)				\$2,039,833	
Debt Reserve				\$10,689,394	
Student Housing Reserve				\$0	
<b>TOTAL RESERVED</b>				<b>\$46,348,405</b>	

# BC Projection Model

05/01/22

		5/1/22				Budget	
		Actual	Actual	Actual	Projected	Budget	Projected
		FY18-19	FY19-20	FY20-21	FY21-22	FY22-23	FY22-23
<b>Revenue</b>	<b>Total Tuition Revenue</b>	<b>51,057,566</b>	<b>52,860,642</b>	<b>53,088,568</b>	<b>47,385,801</b>	<b>49,404,794</b>	<b>49,404,794</b>
1	State Tuition	22,308,879	21,052,897	20,187,058	17,715,917	17,538,644	17,538,644
3	Bachelor Programs	2,440,978	2,723,811	3,298,827	3,585,528	3,895,350	3,895,350
4	Running Start	15,592,807	18,888,385	21,387,080	18,245,892	19,737,778	19,737,778
5	International(With ELI)	10,714,902	10,195,549	8,215,604	7,838,464	8,233,022	8,233,022
6	Other Student Fees & Grant Revenue	16,267,929	17,183,316	16,186,691	11,228,864	14,040,805	11,228,864
7	State Operating Appropriation	36,805,694	43,332,221	44,464,010	43,492,932	48,161,368	48,161,368
	Additional State Appropriation			3,112,657	3,483,474	3,778,418	3,778,418
8	Capital Approp- for Operating	393,533	590,300	590,300	590,300	590,300	590,300
9	Reimbursements other agencies/carryover	1,448,037	1,676,903	1,530,842	1,719,402	4,120,727	4,120,727
<b>Total Operating Revenue Sources</b>		<b>105,972,760</b>	<b>115,643,383</b>	<b>118,973,068</b>	<b>107,900,773</b>	<b>120,096,412</b>	<b>117,284,471</b>
	<b>% Change Over Prior Year</b>	<b>4%</b>	<b>2%</b>	<b>3%</b>	<b>-9%</b>	<b>11%</b>	
<b>Expenses</b>	<b>Total Wages &amp; Benefits</b>	<b>\$ 82,038,774</b>	<b>\$ 87,053,535</b>	<b>90,369,347</b>	<b>90,671,347</b>	<b>93,904,682</b>	<b>94,603,220</b>
	Full-Time Faculty	15,418,267	16,787,278	17,397,038	18,468,000	20,499,067	20,499,067
	Adjunct Faculty	17,905,343	17,994,635	16,906,038	15,571,000	13,273,500	13,273,500
	Cost of Stipends	1,356,117	1,422,985	3,729,290	2,675,000	2,779,007	2,779,007
	Exempt Salaries	13,165,647	14,366,397	14,052,725	15,328,000	17,844,113	16,074,673.36
	Classified Salaries	11,421,440	12,970,879	13,678,385	15,252,000	17,399,264	16,408,370.55
	Unfilled Positions Budget	-	-	-	-	(2,760,333)	-
	Other Salaries	3,028,848	2,898,838	2,359,069	2,701,000	2,622,200	2,612,291
	Benefits	20,465,214	21,465,460	23,235,579	21,437,073	23,234,550	23,942,996
	Salary/Benefit Transfers	(722,101)	(852,938)	(988,777)	(760,726)	(986,685)	(986,685)
	Goods & Services/ Personal Svcs	11,793,901	12,609,961	11,977,696	12,582,709	19,865,758	13,478,110
	Student Services	2,549,232	2,402,584	1,957,233	1,847,757	1,926,144	1,926,144
	Equipment, Furniture	1,433,049	2,546,010	2,544,826	559,046	95,094	559,046
	Travel	803,506	506,450	33,689	185,000	479,004	479,004
	Non Salary Transfers	(580,778)	(252,157)	(237,735)	(237,735)	(263,958)	(263,958)
	Old Building Renovation Fund (5%)	3,884,529	5,298,744	5,387,659	5,335,831	4,619,093	4,475,603
	Other Adjustments	1,282,650				(1,637,905)	
	Student Success COP and other	167,000	1,108,500	1,108,125	1,108,500	1,108,500	1,108,500
<b>Total Expenses</b>		<b>103,371,863</b>	<b>111,273,628</b>	<b>113,140,840</b>	<b>112,052,455</b>	<b>120,096,412</b>	<b>116,365,669</b>
	<b>% Change Over Prior Year</b>	<b>5%</b>	<b>8%</b>	<b>2%</b>	<b>-1%</b>	<b>7%</b>	<b>5%</b>
<b>Operating Margin (No Depreciation)</b>		<b>2,600,897</b>	<b>4,369,755</b>	<b>5,832,229</b>	<b>(4,151,682)</b>	<b>0</b>	<b>918,802</b>

Prepared by: Jim Craswell, Interim Executive Director of Finance & Auxiliary Services

[james.craswell@bellevuecollege.edu](mailto:james.craswell@bellevuecollege.edu)

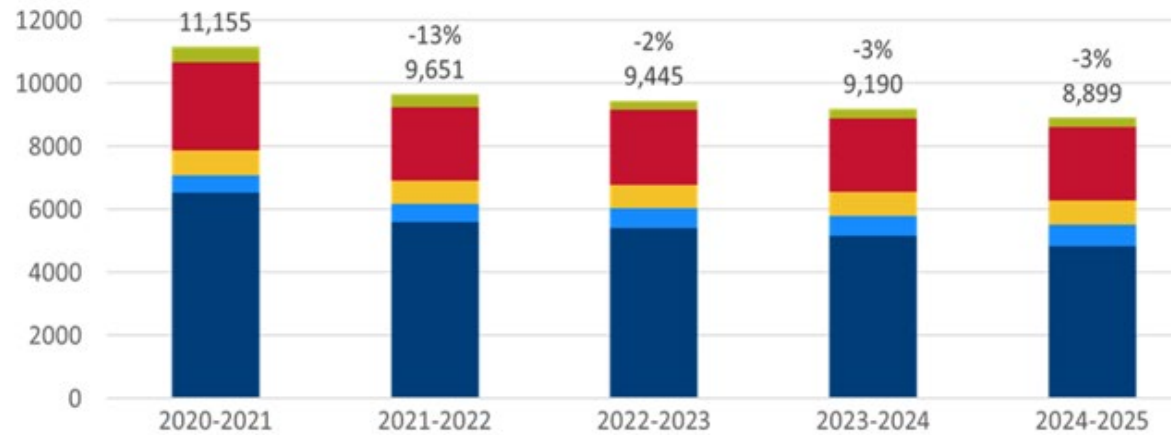
# BC Budget Update 06-01-22

- Financial update
  - \$ 4.1 million operating loss 2021-22 projection
  - \$ Balanced **Proposed** 2022-23 budget summary
- Development process and reductions
- Budget summary
- Questions and comments



BELLEVUE  
COLLEGE

## 2022-23 Budget Development Enrollment Projections



	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025
<b>Total</b>	<b>11155</b>	<b>9651</b>	<b>9445</b>	<b>9190</b>	<b>8899</b>
Contract & Self-Support	494	397	294	294	294
Running Start	2789	2337	2363	2334	2334
International	790	736	755	760	765
State & WR Bachelors	555	589	625	647	688
State & WR Non-Bachelors	6527	5592	5408	5155	4818

<b>Enrollment Forecast</b>	<b>2021-22</b>	<b>2022-23</b>
Grand Total	-13.2% 9,254	-1.1% 9,151
Allocation Eligible	-14.3% 5,592	-3.3% 5,408
Running Start	-16.2% 2,337	1.1% 2,363
International & International Bachelors	-6.8% 736	2.6% 755
State Bachelors	6.1% 589	6.1% 625

<b>Tuition Revenue by Enrollment Type</b>	<b>2021-22</b>	<b>2022-23</b>
Grand Total	-10.7% 47,385,801	4.3% 49,404,793
Allocation Eligible	-12.2% 17,715,917	-1.0% 17,538,644
Running Start	-14.7% 18,245,892	8.2% 19,737,778
International & International Bachelors	-4.6% 7,838,464	5.0% 8,233,022
State Bachelors	8.7% 3,585,528	8.6% 3,895,350



## 2022-23 Budget Development

### Cabinet Members

- Gary Locke; President
- Frances Dujon-Reynolds; Human Resources
- Rebecca Chawgo; Institutional Advancement
- Consuelo Grier; Diversity, Equity & Inclusion
- Dennis Curran; Administrative Services
- Rodger Harrison; Information Technology
- Rob Viens; Academic Affairs
- Brenda Ivelisse; Student Affairs

### Budget Office Support

- Sharon Kussy
- Loanne Wang
- Jim Craswell

### Budget Review and Advisory Committee (BRAC)

- Elisabeth Bothwell – Chair; Classified, Early Learning Ctr.
- Jessica Rohm – Vice Chair; Classified, A&H
- Christa Jech – Secretary; Exempt, Library
- Kyle Barber; Faculty, IBIT
- Miranda Kato; Adjunct, HSEWI
- Glenn Jackson; Exempt, Student Affairs
- Rebecca Cory; Exempt, Academic Affairs
- Chris Bell; Exempt, Social Science

### **BRAC Recommendations**

Concurred	8	73%
Adjusted	1	9%
Non Concur	2	18%
<b>Total</b>	<b>11</b>	<b>100%</b>

## 2022-23 Budget Development Reductions by Division

Student Facing  
Primarily  
Variable Expense

Student Support  
Partially  
Variable/Fixed

Institution Support  
Primarily  
Fixed Expense



Student Facing Reductions		-15%
26 - Continuing Ed	-1,894,629	-55%
21 - Academic Affairs	-5,726,161	-12%

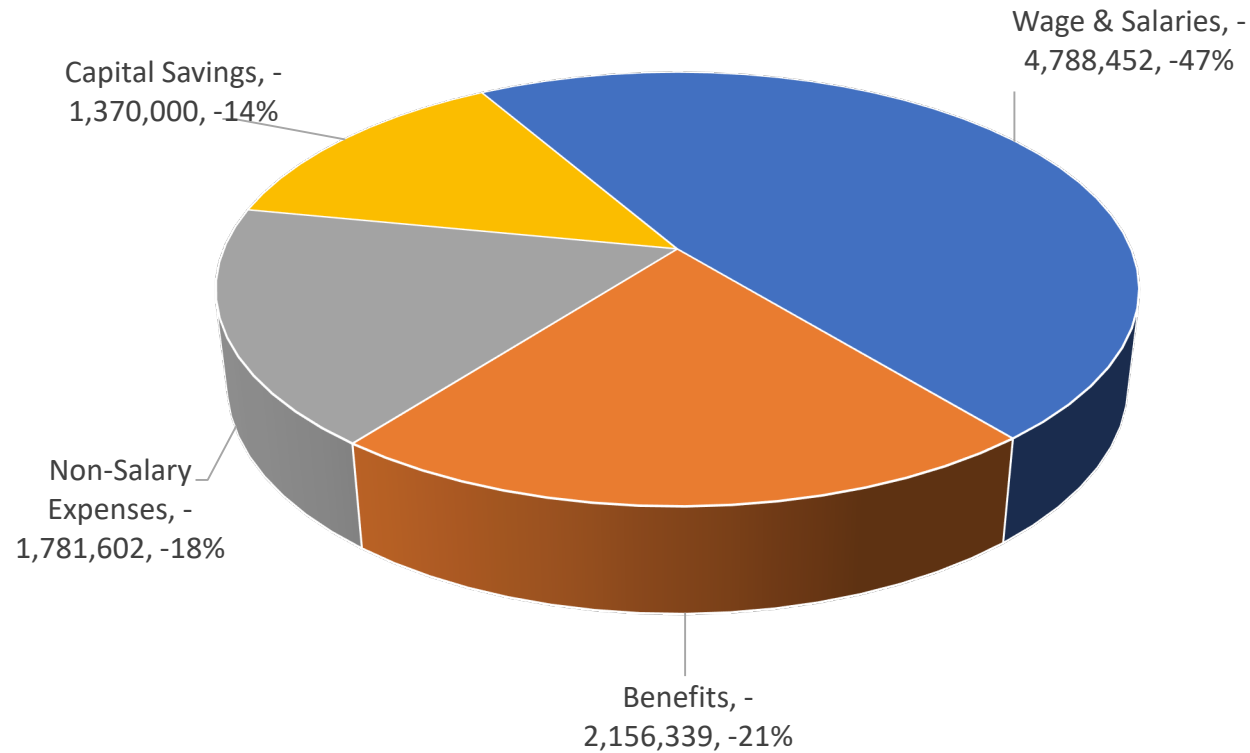
Student Support Reductions		-7%
24 - International	-305,779	-14%
22 - Student Affairs	-711,870	-7%
21 - Connected Learning	-195,028	-5%

Staff Support Reductions		-5%
10 - President	-315,152	-20%
13 - Diversity Equity & Inclusion	-112,740 ***	-7%
15 - Information Technology Svcs	-304,915	-4%
14 - Administrative Services	-351,422	-3%
11 - Human Resources	35,500	2%
25 - Effectiveness Research&Grar	-9,486	-1%
12 - Institutional Advancement	-1,000	0%

-9,892,682

\*\*\*DEI reduction of \$112,740 offset by \$328,790  
in new state funding for a net gain of \$216,050.

## 2022-23 Budget Development Reductions by Expense Type



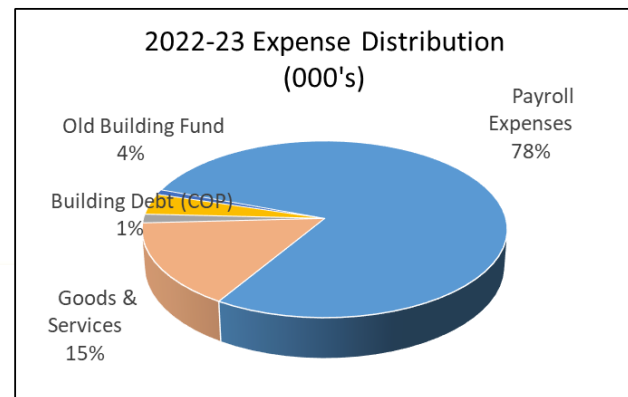
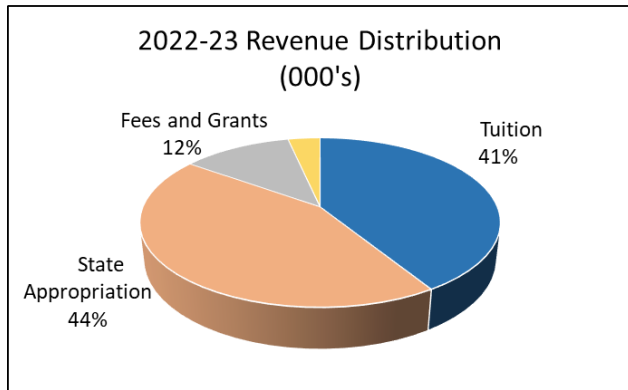
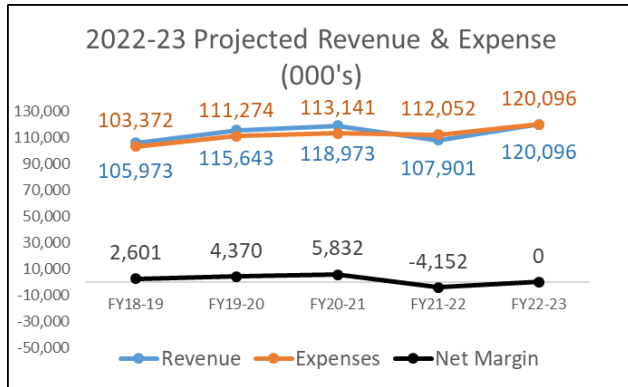
### Reduction Summary

-4,788,452	47%	Wage & Salaries
-2,156,339	21%	Benefits
-1,781,602	18%	Non-Salary Expenses
-1,370,000	14%	Capital Savings
<b>-10,096,392</b>	<b>100%</b>	<b>Total Reductions</b>

### FTE Staffing Reductions

- 94 Adjunct Faculty
- 8 Classified Vacant Positions
- 5 Classified Occupied Positions
- 8 Exempt Vacant Positions

Operations Budget



	Actual	Actual	Actual	5/1/22	Budget
(\$ in Thousands)	FY18-19	FY19-20	FY20-21	Projected FY21-22	Projected FY22-23
<b>Revenue</b>					
Tuition	51,058	52,861	53,089	47,386	49,405
State Appropriation	37,199	43,923	48,167	47,567	52,530
Fees and Grants	16,268	17,183	16,187	11,229	14,041
Other Reimbursements	1,448	1,677	1,531	1,719	4,121
<b>Total Operating Revenue</b>	<b>105,973</b>	<b>115,643</b>	<b>118,973</b>	<b>107,901</b>	<b>120,096</b>
<b>% change over prior year</b>	<b>4%</b>	<b>2%</b>	<b>3%</b>	<b>-9%</b>	<b>11%</b>
<b>Expenses</b>					
Payroll Expenses	82,039	87,054	90,369	90,671	93,905
Goods & Services	14,732	15,410	14,318	13,089	18,538
Student Services	2,549	2,403	1,957	1,848	1,926
Old Building Fund	3,885	5,299	5,388	5,336	4,619
Building Debt (COP)	167	1,109	1,108	1,109	1,109
<b>Total Operating Expenses</b>	<b>103,372</b>	<b>111,274</b>	<b>113,141</b>	<b>112,052</b>	<b>120,096</b>
<b>% change over prior year</b>	<b>5%</b>	<b>8%</b>	<b>2%</b>	<b>-1%</b>	<b>7%</b>
<b>Net Operating Margin</b>	<b>2,601</b>	<b>4,370</b>	<b>5,832</b>	<b>-4,152</b>	<b>0</b>

Revenue Assumptions:

- + 4% Tuition Revenue
- +2.4% Tuition rate increase
- +7.0% R/S rate increase
- +10% State Allocation

Expense Assumptions:

- +3.25% COLA's - Staff
- +4.67% COLA's - Faculty
- +2% Adjuncts (additional)
- +\$2,000 Classified bonus

Savings:

- 8% Lapse Salary-Staff
- 8% Lapse Goods & Services

Note:

Other Reimbursements (Revenue) Includes 1.8M in carry over from surplus fund balance:  
 \$800K Marketing (Temp Fund)  
 \$1.01M ctcLink Staffing (Temp Fund)

Projections based on:

Expenses through 4/30/22

Enrollment through Winter Qtr. 10<sup>th</sup> Day

# BC Projection Model

# 2022-23 Operational Budget

## Operations Budget

		Actual	Actual	Actual	5/1/22 Projected	Budget	Projected
		FY18-19	FY19-20	FY20-21	FY21-22	FY22-23	FY22-23
<b>Revenue</b>	<b>Total Tuition Revenue</b>	<b>51,057,566</b>	<b>52,860,642</b>	<b>53,088,568</b>	<b>47,385,801</b>	<b>49,404,794</b>	<b>49,404,794</b>
1 State Tuition		22,308,879	21,052,897	20,187,058	17,715,917	17,538,644	17,538,644
3 Bachelor Programs		2,440,978	2,723,811	3,298,827	3,585,528	3,895,350	3,895,350
4 Running Start		15,592,807	18,888,385	21,387,080	18,245,892	19,737,778	19,737,778
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Additional State Appropriation				3,112,657	3,483,474	3,778,418	3,778,418
8 Capital Approp- for Operating		393,533	590,300	590,300	590,300	590,300	590,300
9 Reimbursements other agencies\carryover		1,448,037	1,676,903	1,530,842	1,719,402	4,120,727	4,120,727
<b>Total Operating Revenue Sources</b>		<b>105,972,760</b>	<b>115,643,383</b>	<b>118,973,068</b>	<b>107,900,773</b>	<b>120,096,412</b>	<b>117,284,471</b>
	<b>% Change Over Prior Year</b>	<b>4%</b>	<b>2%</b>	<b>3%</b>	<b>-9%</b>	<b>11%</b>	
<b>Expenses</b>	<b>Total Wages &amp; Benefits</b>	<b>\$ 82,038,774</b>	<b>\$ 87,053,535</b>	<b>90,369,347</b>	<b>90,671,347</b>	<b>93,904,682</b>	<b>94,603,220</b>
Full-Time Faculty Salaries		15,418,267	16,787,278	17,397,038	18,468,000	20,499,067	20,499,067
Adjunct Faculty Salaries		17,905,343	17,994,635	16,906,038	15,571,000	13,273,500	13,273,500
Cost of Stipends		1,356,117	1,422,985	3,729,290	2,675,000	2,779,007	2,779,007
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Classified Salaries		11,421,440	12,970,879	13,678,385	15,252,000	17,399,264	16,408,370.55
Unfilled Positions Budget		-				(2,760,333)	
Other Salaries		3,028,848	2,898,838	2,359,069	2,701,000	2,622,200	2,612,291
Benefits		20,465,214	21,465,460	23,235,579	21,437,073	23,234,550	23,942,996
Salary/Benefit Transfers		(722,101)	(852,938)	(988,777)	(760,726)	(986,685)	(986,685)
Goods & Services/ Personal Svcs		11,793,901	12,609,961	11,977,696	12,582,709	19,865,758	13,478,110
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Travel		803,506	506,450	33,689	185,000	479,004	479,004
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	<b>% Change Over Prior Year</b>	<b>5%</b>	<b>8%</b>	<b>2%</b>	<b>-1%</b>	<b>7%</b>	<b>5%</b>
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### Revenue Assumptions:

- + 4% Tuition Revenue
- +2.4% Tuition rate increase
- +7.0% R/S rate increase
- +10% State Allocation

### Expense Assumptions:

- +3.25% COLA's - Staff
- +4.67% COLA's - Faculty
- +2% Adjuncts (additional)
- +\$2,000 Classified bonus
- Savings:
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  - 8% Lapse Goods & Services

### Note:

Other Reimbursements (Revenue)  
Includes 1.8M in carry over from surplus fund balance:  
\$800K Marketing (Temp Fund)  
\$1.01M ctclink Staffing (Temp Fund)

Projections based on:

Expenses through 4/30/22

Enrollment through Winter Qtr. 10<sup>th</sup> Day

Questions



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REGULAR MEETING AGENDA ITEM

**2022-2023 SERVICES & ACTIVITIES FEE BUDGET**

INFORMATION

FIRST READ

ACTION

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**Description**

RCW 28B.15.044 for the State of Washington grants authority to the Board of Trustees to approve the campus Services and Activities (S&A) Budget. Further, it requires students to advance a budgetary recommendation for consideration of the Board of Trustees.

The S&A Budget recommendation is developed by the S&A committee. The committee is comprised of four students, one exempt staff member, one classified staff member and one faculty member. This year's committee members are listed below (asterisks denote voting members):

- \* Adam Brewster (ASG Treasurer)
- \* Jordana Laura Gouveia de Oliveira (Student at Large)
- \* Theint Thu (ASG President)
- \* Agnes Guerry (Student at Large)
- \* Lindsey Powers (Classified)
- \* Abner Pagunuran (Exempt)
- \* Grady Blacken (Faculty)

**Committee Advisors:**

Carrie Moore – Student Programs Director

Jim Craswell – Executive Director of Finance

The committee completed its deliberations and has prepared a recommendation for the 2022-2023 year. The budget recommendation was approved unanimously by the committee.

### Key Questions

- Is the S&A fee budget proposal equitable and does it address the needs of student funded programs?
- How does the S&A fee budget plan reflect a sustainable balanced budget?
- What are some key considerations/strategies to maintain the growth and continued integrity of the S&A budget and the programs it supports?

### Analysis

The new funds for the 2022-23 S&A budget are estimated at \$2,593,113.65. The total 22-23 S&A budget recommendation consists of these new funds plus unused funds from the 2021-22 S&A budget that groups wish to “rollover” to next year’s budget.

Initial asks for S&A funds consisted of \$3,529,552.00 from new 2022-23 funds and authorization to rollover \$1,394,071.00 funds that were not used during 2021-22 fiscal year. The total initial ask for S&A funds for 2022-23 totaled \$4,923,623.00.

<b>Initial Ask Comparison 2022-23 to 2021-22</b>			
	Ask 22-23	Ask 21-22	Delta
Rollover	1,394,071.00	1,603,980.00	86.91%
New ask	3,529,552.00	2,658,916.00	132.74%
Total	4,923,623.00	4,262,896.00	115.50%
<b>Available New Funds</b>			
2021-22	2,871,460.00		
2022-23	2,593,113.65		

Available new funds for 22-23 are about 90% of the 21-22 new funds.

The S &A committee’s guiding principles during this year’s review consisted of the following:

- Does the department/program focus on improving the student experience?
- Does the department/program help students succeed academically?
- Does the department/program offer services and activities that enrich student life outside of class?
- Has the department/program actively engaged students in the past year?
- Is the department/program planning to increase student engagement in the upcoming year?
- Are the department/program services and activities open to all BC students?
- Does the department/program only want money for travel? If so, is this a team that travels to represent the College?



- If they ask for travel, is that all of their request or does the bulk of the request go to student activities and services?
- Is this service/activity sustainable over time? What funding sources would they have if S&A does not fund?
- Is there an equity component to the request? How is DEI factored in?

During the review and deliberations, there were some clarified application numbers and ASG reduced its rollover request. ASG asked for those funds to be integrated into the overall funds available for all 2022-23 applications. The committee also separated out travel funds in their review.

Additionally, the S&A committee stipulated that if there is any non-used 21-22 funds or additional new funds at the end of the fiscal year, those funds will be deposited in ASG's allocation account and will not go into reserves. The funds will be given out to S&A compliant asks during the 22-23 school year.

**The S&A Committee recommends the following S&A budget for the 2022-23 school year:**

22-23 Fund Allocation:	\$ 3,023,940.00
21-22 Rollover (not to exceed):	\$ 803,255.00
22-23 Allocation for Reserves:	\$ 0.00
 22-23 Total Allocation:	 <b>\$ <u>3,827,195.00</u></b>

For comparison, the 21-22 Application Allocation is below:

21-22 Fund Allocation:	\$2,871,460.00
20-21 Rollover (not to exceed):	\$1,492,709.00
21-22 Total Allocation:	\$4,364,169.00

\*\*The 2022-23 recommended budget is approximately 87.70% of the 21-22 allocated budget amount.

ASG voted on April 14th to approve and forward the S&A budget recommendation to President's Cabinet. President's Cabinet reviewed the budget recommendation on April 26<sup>th</sup> and approved that the recommendation be forwarded to the Board of Trustees.

**Background/Supplemental Information**

2022-23 ASG Services and Activities Fee Budget Recommendation table

**Recommendation/Outcomes**

That the Board of Trustees of Community College District VIII consider the Services and Activities budget recommendation of **\$3,827,195.00** for approval at the June 15, 2022 meeting.

Prepared by: Dr. Brenda Ivelisse, Associate Vice President of Student Affairs  
[b.ivelisse@bellevuecollege.edu](mailto:b.ivelisse@bellevuecollege.edu)

**2022-2023 Services and Activities Fee Budget Allocations Summary**

		2022-23 Allocation Items				2022-23 Ask Items		
Budget Items	Budget Number	NEW Non-Travel 22-23 Funds Allocated	Travel Funds Allocated	Rollover Allocated	TOTAL 22-23 Allocation	NEW 22-23 Funds Requested	Rollover Requested	TOTAL 2022-23 Request (22-23 Funds + Rollover)
COMBINED STUDENT ENGAGEMENT		930,684	27,600	272,755	1,231,039	1,013,884	272,755	1,286,639
ALL ATHLETICS PROGRAMS		184000	77000	0	261000	261,000	0	261,000
PUENTE SCHOLARS PROGRAM (NEW)	XXXXX	10520	24750	0	35270	35,270	0	35,270
UMOJA SCHOLARS PROGRAMS (NEW)	XXXXX	16590	6000	0	22590	34,590	0	34,590
LATINO STUDENTS OF BELLEVUE COLLEGE (NEW)	XXXXX	34750	0	0	34750	34,750	0	34,750
BLACK STUDENT UNION (NEW)	XXXXX	38200	17900	0	56100	91,900	0	91,900
BULLDOG FOOD PANTRY (NEW)	XXXXX	41200	0	0	41200	41,200	0	41,200
INTERNATIONAL STUDENT ASSOCIATION (NEW)	XXXXX	50,120	8254	0	58374	95,883	0	95,883
BELLEVUE COLLEGE ENTREPRENUERSHIP CLUB (NEW)	XXXXX	9600	0	0	9600	9,600	0	9,600
SHINE SOCIETY (NEW)	XXXXX	20586	2487	0	23073	28,046	0	28,046
COMPUTER SCIENCE STUDENT ADVISORY BOARD (NEW)	XXXXX	144	0	0	144	5,000	0	5,000
WELLNESS CENTER FITNESS & INTRAMURALS	23116	29400	0	0	29400	29,400	0	29,400
JAPAN CULTURAL EXCHANGE CLUB	23114	16442	0	0	16442	17,062	0	17,062
SPEECH & DEBATE	23129	3500	35000	0	38500	114,500	0	114,500
BRAZILIAN STUDENT ORGANIZATION	23106	25500	0	0	25500	25,500	0	25,500
UNITED NATIONS ASSOCIATION	23104	2200	1857	0	4057	7,022	0	7,022
INFOSEC CLUB (NO 22-23 REQUEST)	190G	0	0	0	0	0	0	0
COLLIMNATORS CLUB (NO 22-23 REQUEST)	1968	0	0	0	0	0	0	0
ASSOCIATED STUDENT GOVERNMENT OPERATIONS	23000	165,304	9,667	50,000	224971	194,305	50,000	244,305
ASG OSLA OPERATIONS	23001	0	0	0	0	0	0	0
CAMPUS ACTIVITIES BOARD	23002	0	0	250,000	250000	24,757	250,000	274,757
ASG CULTURAL EVENTS FUND	23030	0	0	50,000	50000	0	50,000	50,000
STUDENT ENGAGEMENT OPERATIONS	23004	768,588	3,833	85,000	857421	780,088	85,000	865,088
ASG CONTINGENCY EVENTS FUND	23031	0	0	50,000	50000	0	50,000	50,000
INTERNATIONAL STUDENTS AFFINITY COORDINATOR	23113	47,876	6,334	20,000	74210	71,819	20,000	91,819
LGBTQ STUDENT COORDINATOR	23115	35,676	0	10,000	45676	35,676	10,000	45,676

STUDENT BUSINESS CENTER	23005	3,153	0	127,755	130908	3,153	127,755	130,908
BLACK STUDENTS AFFINITY COORDINATOR	23117	68,476	16,174	0	84650	118,497	0	118,497
LATINO STUDENTS AFFINITY COORDINATOR	23119	55,876	8,500	10,000	74376	81,376	10,000	91,376
BUSINESS LEADERSHIP COMMUNITY (BLC)	23120	13,658	0	500	14158	13,658	500	14,158
RISE LEARNING INSTIUTE (MAKERSPACE)	23122	32,269	0	3,000	35269	32,269	3,000	35,269
STUDENT LIFE WEB & SOCIAL MEDIA	23006	10,483	0	0	10483	10,883	0	10,883
VETERAN STUDENTS AFFINITY COORDINATOR	23127	28,676	0	12,000	40676	28,676	12,000	40,676
DISABILITY RESOURCE CENTER (NO 22-23 REQUEST)	1931	0	0	0	0	0	0	0
BC STUDENT HANDBOOK (NO 22-23 REQUEST)	1936	0	0	0	0	0	0	0
BELLEVUE COLLEGE MUSIC ACTIVITIES (NEW COMBINED ASK)	23137	55,650	25,583	0	81233	146,650	0	146,650
ACADEMIC SUCCESS CENTER - ALL TUTORING	23139	400,533	0	0	400533	400,533	0	400,533
WATCHDOG STUDENT NEWSPAPER	23140	27,650	0	20,000	47650	27,650	20,000	47,650
INSTRUMENTAL MUSIC ACTIVITIES (NO 22-23 REQUEST)	1944	0	0	0	0	0	0	0
BC DANCE PRODUCTIONS (NO 22-23 REQUEST)	1945	0	0	0	0	0	0	0
CENTER FOR CAREER CONNECTIONS	23147	29,539	9,500	0	39039	29,539	9,500	39,039
STAGEFRIGHT DRAMA CLUB (NO 22-23 REQUEST)	1948	0	0	0	0	0	0	0
ASIAN PACIFIC ISLANDER STUDENTS AFFINITY COORDINATOR	23153	40,876	6,333	15,000	62209	59,876	15,000	74,876
ARAB STUDENTS AFFINITY COORDINATOR	23154	30,676	0	10,000	40676	30,676	10,000	40,676
DECA (48080 in travel funds taken from Rollover)*	23155	3,580	0	50,000	53580	105,740	50,000	155,740
INTERCOLLEGIATE ATHLETIC	23162	184,000	77,000	0	261000	261,000	0	261,000
WELLNESS CENTER: OUTDOOR RECREATION	23176	31,900	0	0	31900	31,900	0	31,900
STUDENT VOLUNTEER CENTER (NO 22-23 REQUEST)	1980	0	0	0	0	0	0	0
LEADERSHIP INSTITUTE	23181	110,810	23,767	0	134577	182,110	0	182,110
EARLY LEARNING CENTER (CHILDCARE CENTER)	23182	283,250	0	0	283250	283,250	0	283,250
STUDENT ENGAGEMENT SIGNATURE EVENTS	23187	10,000	0	40,000	50000	10,000	40,000	50,000
NURSING STUDENT ASSOCIATION	23193	3,750	0	0	3750	3,750	0	3,750
<b>TOTAL ALLOCATIONS</b>		<b>2,741,001</b>	<b>282,939</b>	<b>803,255</b>	<b>3,827,195</b>	<b>3,537,552</b>	<b>812,755</b>	<b>4,350,307</b>



BELLEVUE  
COLLEGE

S & A Committee

# 2022-2023 Proposed S&A Budget

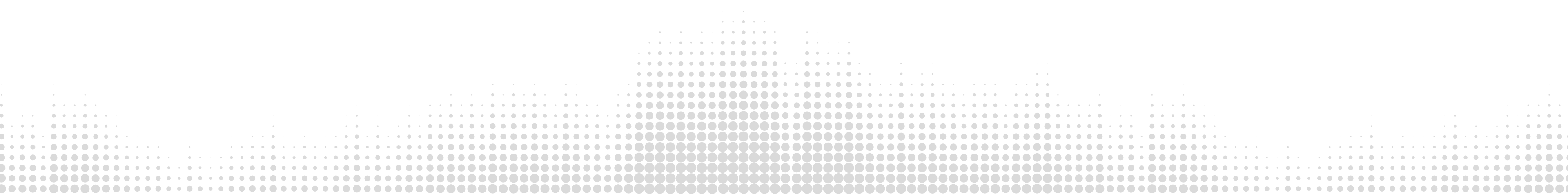
# Proposed Budget

What this report covers

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- 01 Guiding Principles
- 02 Budgetary Overview
- 03 Opinions on Campus





# Guiding Principles



## Improving the on-campus experience

Considering the ~17% drop in enrollement at the college, the committee and ASG found it important to prioritize the experience on campus to attractive more students to the school.

## Considerations for travel

TA significant portion of this year's requests came from groups wishing to travel out of state.

## Collaboration between groups

In order to improve the cost-effectiveness of many of the student groups on campus the committee thought of ways that the new budget could encourage groups to work together.

# Budgetary Overview



Data provided from the Finance Office

**\$3,174,113**

New funds+ASG  
allocation

**\$803,255**

Rollover 2022-2023

**\$TBD**

Funds that exceed  
recommended allocation

Special ASG contribution for this cycle

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ASG authorized the  
reallocation 581,000 from  
it's own accounts into the  
general S&A pot

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25%





# Key Points of the Budget

## Q2

### Funding events on campus

Virtually all proposed events being held for students on campus were approved.

## Q4

### Subsidizing important services on campus

Funds were allocated to keep the costs low for several services I.E the early learning center.

## Q1

### Travel

1/3 of all student group's travel requests were allocated with any unallocated S&A funds at the end of the process being earmarked for an ASG account dedicated to allocating said funds for travel.

## Q3

### Student pay increases

All students paid from S&A fees would receive a hourly compensation rate at or greater than \$16.00 an hour.

## Year-End

### Greater Spending

Spending is comparable to previous years when inflation is taken into account.

# Student Opinions on Campus



## General Support for what's in the budget

In discussions with students and student leaders not in the committee, all approved the majority of spending decisions made by the committee.



## Student Government Position

The proposed S&A budget was passed unanimously by the associated student government.



## Recommended improvements

Certain groups would like to see reforms as to how the S&A process is conducted although these group's, for the most part, do not have any objections to the committee's spending decisions.

# Thank you!

Feel free to reach out to us if you have any questions.



**BELLEVUE  
COLLEGE**  
S & A Committee

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## Email Addresses

ASGtreasurer@bellevuecollege.edu,  
ASGpresident@bellevuecollege.edu



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REGULAR MEETING AGENDA ITEM

**CREATION OF POLICY 6460: COVID-19 VACCINATION REQUIREMENTS**

INFORMATION

FIRST READ

ACTION

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**Description**

The primary rationale for developing Policy 6460: COVID-19 Vaccination Requirements and the two associated procedures: Procedure 6460P: Student COVID-19 Vaccination Requirements and 6460P2: Employee COVID-19 Vaccination Requirements is to protect employees, students, and the campus community from the COVID-19 virus and to establish that Bellevue College (BC) is a fully vaccinated campus based on Governor Inslee’s [Higher Education 20-12.3. Proclamation by the Governor Amending Proclamations 20-05, 20-12, et seq., and 20-25, et seq.](#)

Within the governor’s proclamation is the requirement that institutions of higher education (IHE) establish a policy and develop procedures that relate to being a fully vaccinated campus. The proclamation also indicates that enforcement of the proclamation requirements allows IHEs to provide, “in-person classroom instruction, lectures and similar educational gatherings at public and private universities, colleges, community colleges, and technical colleges.” (pg. 3) Implementation of this policy and the procedures allows the campus to move towards a safe return to on campus instruction and operations, and to hold on campus events and activities.

**Background/Supplemental Information**

[Procedure 6460P: Students COVID-19 Vaccination Requirements](#) (approved by President’s Cabinet on May 24, 2022)

[Procedure 6460P2: Employee COVID-19 Vaccination Requirements](#) (approved by President’s Cabinet on May 24, 2022)

**Recommendation/Outcomes**

That the Board of Trustees of Community College District VIII approves the creation of Policy 6460: COVID-19 Vaccination Requirements at their meeting on June 15, 2022.

Prepared by: Alicia Keating Polson, Executive Director of the President’s Office  
[Alicia.keatingpolson@bellevuecollege.edu](mailto:Alicia.keatingpolson@bellevuecollege.edu)

# 6460 COVID-19 Vaccination Requirements

Original Date: 12/21/21 (expires 6/21/22) \* Last Revision Effective:  
Policy Contact: Vice President of Administrative Services

## PURPOSE

This policy establishes COVID-19 vaccination requirements needed to comply with the Washington Higher Education Vaccinated Campus rules, the Labor & Industries workplace safety policies, and public health requirements. This policy is also intended to protect the health and safety of the public and the campus community. In developing this policy, the college worked in accordance with federal, state, and local guidance and rules related to COVID-19, and proclamations issued by the Washington State Governor.

## POLICY

The college requires faculty, staff, volunteers, and *students* (defined below) to either:

- Be fully vaccinated against COVID-19 using an *authorized vaccine* (defined below) OR
- To ask and be approved for an *authorized exemption* (defined below).

## VERIFICATION AND DOCUMENTATION

All faculty, staff, volunteers, and students must complete a Vaccination Attestation form and provide documentation as indicated within the form. In the event Human Resources or Student Affairs requests additional documentation or information needed to resolve missing, unclear, inconsistent, or incongruent information submitted initially with the Vaccination Attestation form, such subsequent information must also be provided to be in compliance with this policy.

Exemptions approved due to a temporary condition or circumstance will be reviewed and reevaluated based on the stated timeframe noted in the original approval.

The college randomly collects documentation verifying the vaccination status of individual students.

## AUTHORIZED EXEMPTIONS

Faculty, staff, volunteers, and students are exempt from the vaccination requirement if they ask for and are approved, and a reasonable accommodation is granted, as appropriate, for at least one of the following authorized exemptions:

1. Medical Exemption
  - Requires documentation from a healthcare provider who determines that a medical reason or condition exists for which the vaccination should not be given for health and safety reasons.
2. Religious Exemption
  - Requires that there be a conflict between receiving the vaccine and sincerely held religious beliefs or practices.
3. College in the High School, and Pacific NW College Credit Exemption (students only)
  - For high school students in these programs who are exclusively taking classes in their home high school.

## RESPONSIBILITIES

Human Resources and Student Affairs jointly share responsibilities in the following manner:

### Human Resources

- Manages the tracking, collection of documentation, exemptions, verification, reasonable accommodations, confidentiality, and enforcement of this policy and the related procedures for all faculty, staff, student employees, and volunteers.

### Student Affairs

- Manages the tracking, collection of documentation, exemptions, verification, confidentiality, and enforcement of this policy, reasonable accommodations, and the related procedures for all students who are not employees or volunteers.

## DEFINITIONS

### Authorized Vaccines

- Include COVID-19 vaccines approved by the federal [Food & Drug Administration \(FDA\)](#), including those approved under Emergency Use Authorization and the [World Health Organization \(WHO\)](#).

### Enrollment/Enrolled

- A student who has applied for admission or has registered or signed up to take classes.

### Fully Vaccinated

- A person is fully vaccinated two weeks after receiving:
  - The second dose in a two-dose series OR
  - A single-dose vaccine.
- Being fully vaccinated may include a COVID-19 booster if deemed necessary to be compliant with *'Institutions of Higher Education (IHEs) Fully Vaccinated Campuses'* requirements as set forth by the state, or if the college determines that federal, state, and local requirements or recommendations are needed to help keep the campus community safe from COVID-19.

### Students

- 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, noncredit courses, online courses, or otherwise. Persons who withdraw, graduate, or complete courses who are not officially enrolled for a particular term but who have a continuing relationship with the college, or who have been notified of their acceptance for admission may be considered "students." These persons include those under the age of 18, continuing education students, and those taking courses through tombolo.

### Volunteer

- An uncompensated person who is scheduled to come to campus to perform work related tasks or work connected to a college project but receives no pay or stipend.

## RELEVANT LAWS AND OTHER RESOURCES

[Washington Department of Labor & Industries \(L & I\) Workplace Health and Safety Rules](#)

[Food & Drug Administration \(FDA\) Vaccine Approval](#)

[World Health Organization \(WHO\) Vaccine Approval](#)

[State of Washington Office of the Governor Proclamation COVID-19 Vaccination Requirement](#)

[State of Washington Office of the Governor Proclamation for Higher Education](#)

[2050 Student Conduct Code](#)

[U.S. Equal Employment Opportunity Commission](#)

[Washington State Department of Health: Building Confidence and Busting Myths](#)

[Centers for Disease Control and Prevention: COVID-19 Vaccines are Safe and Effective](#)

## REVISION HISTORY

Original: 12/21/2021 (temporary approval)

## APPROVED BY

Temporary approval granted by President's Cabinet on 12/21/2021. Temporary approval expires 06/21/22.  
Seeking Board of Trustees approval on 06/15/22.