



## **Board of Trustees**

**December 12, 2024  
1:30 p.m.**

Big Bend Community College  
Othello School District Boardroom  
1025 South 1<sup>st</sup> Avenue  
Othello WA 99344

# **Big Bend Community College District #18**

## **Governing Board:**

**Chair Amy Parris, Vice Chair Bethany Martinez,  
Rosendo Alvarado, Gary Chandler, Anna Franz**

**President Sara Tweedy**

## **2024 Meeting Schedule**

**Thursday, February 1, 2024, at 1:30 p.m.**

**Thursday, March 14, 2024, at 1:30 p.m.**

**Thursday, May 9, 2024, at 1:30 p.m.**

**Thursday, June 6, 2024, at 1:30 p.m.**

**Thursday, August 29, 2024, (Retreat)**

**Thursday, October 10, 2024, at 1:30 p.m.**

**Thursday, December 12, 2024, at 1:30 p.m.**

## **Board Goals (adopted October 12, 2023)**

1. Develop a clear method of monitoring Big Bend Community College's Ends Statements including the identification of indicators which measure the performance of the institution relative to the Ends.
2. Advance equity, diversity, and inclusion by reviewing policies to ensure support of operational equity, diversity, and inclusion programs.
3. Establish an annual calendar of board study session topics to ensure professional development of Board members.

**BIG BEND COMMUNITY COLLEGE DISTRICT NO. 18 BOARD AGENDA**  
**Regular Board Meeting**

Othello School District Boardroom  
1025 South 1<sup>st</sup> Avenue, Othello, Washington 99344  
Thursday, December 12, 2024, 1:30 p.m.  
In-Person

1. Call to Order/Roll Call
2. Public Comment
3. Consent Agenda **(E-1, E-2, E-3, E-4)**
  - a. Meeting Minutes October 10, 2024 **(Action)**
  - b. Accreditation **(Information)**
  - c. Assessment and Student Success **(Information)**
  - d. Finance and Administration **(Information)**
  - e. Human Resources and Labor Management **(Information)**
  - f. Foundation **(Information)**
4. Faculty Update – Faculty Association President – Dr. Tyler Wallace **(E-1, Information)**
5. ASB Update – ASB President Devry Lausch
6. WAC Revisions for Approval – Bryce Humpherys **(E-1, E-2, E-3, E-4 Action)**
7. Board Self-Evaluation and Goals – Trustees **(E-1, E-2, E-3, E-4 Information/Action)**
8. President's Contract – Trustees **(E-3, Information/Action)**
9. Board Policy 1000 Revision Approval – Trustees **(E-1, E-2, E-3, E-4 Action)**
10. Board Policy 6111 Revision Review – Trustees **(E-1, E-2, E-3, E-4 Information)**
11. Board Policies for Review – Trustees **(E-1, E-2, E-3, E-4 Review)**
12. Assessment of Board Activity (submitted in writing) – Trustees **(E-2, Information)**
13. Next Regularly Scheduled Board Meeting – Trustees **(E-1, E-2, E-3, E-4 Information/Action)**
14. Miscellaneous – Trustees, President Tweedy **(E-1, E-2, E-3, E-4 Information/Action)**
  - a. Partnerships and Pathways to Higher Education
15. Executive Session – Trustees, President Tweedy
16. Adjournment

The Board may adjourn to an **Executive Session to discuss items provided for in RCW 42.30.110 (1):** (b) to consider the selection of a site or the acquisition of real estate by lease or purchase; (c) to consider the minimum price at which real estate will be offered for sale or lease; (d) to review negotiations on the performance of a publicly bid contract; (f) to receive and evaluate complaints or charges brought against a public officer or employee; **(g) to evaluate the qualifications of an applicant for public employment or to review the performance of a public employee;** (h) to evaluate the qualifications of a candidate for appointment to elective office; (I) to discuss with legal counsel representing the agency matters relating to agency enforcement actions or litigation or potential litigation.

NEXT REGULAR MEETING:  
**Thursday, January 23, 2025 (Regular)**

*If you are a person with a disability and require accommodation while attending the meeting, please contact the President's Office at (509) 793-2001 [or TDD (509) 793-2325] as soon as possible to allow sufficient time to make arrangements.*

## **BIG BEND COMMUNITY COLLEGE**

Date: 12-12-24

**ITEM #2:** Public Comment (information)

### **BACKGROUND:**

Per Board Policy 1000, the chair shall announce at the beginning of each meeting that interested citizens or groups may make five-minute oral or written presentations to the board regarding any item on or off the agenda. If a written presentation is to be made, a notice of such written presentation must be submitted to the Secretary of the Board of Trustees at least 24 hours prior to the scheduled meeting.

### **RECOMMENDATION:**

None.

## **BIG BEND COMMUNITY COLLEGE**

Date: 12-12-24

### **ITEM #3: CONSENT AGENDA (action)**

#### **a. Board Meeting Minutes**

#### **BACKGROUND:**

The minutes from the Board meeting on October 10, 2024, are presented for approval.

Prepared by the President's Office.

#### **RECOMMENDATIONS:**

President Tweedy recommends the Board of Trustees approve the minutes.

#### **RECOMMENDED MOTION:**

"I move to approve the consent agenda as presented."

## THE OFFICIAL MINUTES

The Big Bend Community College Board of Trustees held a Regular Board meeting Thursday, October 10, 2024, at 1:30 p.m. in person.

**Present:** Amy Parris  
Bethany Martinez (Zoom)  
Anna Franz  
Gary Chandler

The Big Bend Community College volleyball team, along with Head Coach Alexa Moser, attended the meeting. Each player introduced themselves and shared their academic goals and degree programs.

### 2. Mission Moments

Members of the Phi Theta Kappa (PTK) Rho Zeta Honor Society attended the meeting to provide an overview of their club and its activities. PTK is an international honor society for two-year college students and its purpose is to recognize and encourage scholarship, develop leadership and service, and create an intellectual climate for exchanging ideas. To be a part of PTK, a student is required to have a cumulative GPA of 3.5 or higher and have completed at least 12 hours of coursework toward a degree or at least 6 hours toward a 1-year certificate. Campus and community highlights featured Viking Food Pantry fundraisers, mental health initiatives, and STEM Center study events.

A special acknowledgment was given to Octaviano Gutierrez for his outstanding contributions as the club advisor. For the past five years, Octaviano has supported students, demonstrating exceptional dedication, leadership, and support. His commitment has been instrumental in the chapter's continued success, and gratitude for his service was expressed. Board Chair Amy Parris presented Octaviano with a special gift, recognizing the lasting impact of his efforts in supporting and uplifting students. The attendees joined in thanking Octaviano for his five years of service and dedication to Phi Theta Kappa.

### 3. Public comment

There was no public comment.

### 4. Consent Agenda

Motion 24-27 Trustee Anna Franz moved to approve the consent agenda. Trustee Gary Chandler seconded, and the motion passed.

### 5. Faculty Updates

Dr. Dennis Knepp, Faculty Association Representative, provided an update on faculty activities and achievements. Zach Olson has enhanced courses by integrating AI, with a focus on academic integrity and appropriate use of AI. For example, students in ENG 99 now complete assignments both with and without AI to understand appropriate usage.

Dr. Knepp also highlighted that Perla Garcia has been hired as a new Early Childhood Education Instructor, who began her college education at Big Bend Community College. As an extension to his upcoming Passion Project (Mathematics of Japan), Salah Abed will introduce an online tool for math courses designed to offer practice problems with random number generation with detailed solutions. It helps students deepen their understanding by providing varied practice opportunities essential for mastering mathematical concepts.

Kaja Devine shared updates on the Criminal Justice Program. Each quarter, students engage with local and state law enforcement agencies, including the Moses Lake Police Department, Grant County Sheriff's Office, Washington State Patrol, and Washington Fish & Wildlife. In the CJ215: Criminal Investigations course, students participated in a fingerprinting lab, analyzing prints lifted from ceramic shards to simulate real-world investigations. For their final project, students conducted mock investigations of a mannequin with planted evidence, and compiled detailed investigative reports. Trustees were invited to attend upcoming events, including an MLPD K9 presentation with Chief, retired K9, on October 17, and the next Washington State Patrol visit, which occurs every quarter. A field trip to Coyote Ridge Corrections Center, which features the Ridge Dogs Program, is also scheduled for the spring. The program's first cohort graduated last spring. Some students transferred to four-year institutions, while others remained with their current employers. Kaja also served as a reference for one student applying to the Mattawa Police Department and hopes the student secured the position. The presentation concluded with shared photos of students actively engaged in various program activities.

## **9. Exceptional Faculty Award Presentation**

Ryan Duvall expressed gratitude to the trustees for the Exceptional Faculty Award he received last spring. He shared he has taught at Big Bend for the past eight years in the BIM Program and is currently pursuing an MBA in Organizational Leadership. Through his MBA work, he is inspired to implement strategies to enhance communication skills, focusing on professionalism in emails and assignments. Additionally, he is working on rebranding his program to align with a more professional standard, focusing on how to develop and adopt these practices across the curriculum. His MBA will allow him to teach more classes.

One of Ryan's favorite courses is Social and Emotional Dimensions of Leadership, which emphasizes emotional intelligence. He discussed the importance of emotional education at all ages and how skills like emotional regulation are critical in the workplace, where emotional intelligence is very valuable. He introduced the RULER process, which involves a) recognizing emotions, b) understanding them, c) labeling emotions with nuanced descriptors, d) expressing them appropriately, and e) regulating emotions for effective collaboration. Ryan emphasized how emotional regulation helps educators avoid burnout and better connect with students. He is exploring other books on emotional intelligence, including those with the concept of inward and outward mindsets.

## **6. ASB Updates**

ASB President Devry Lausch provided an update on ASB activities. Author Alejandra Campoverdi recently spoke on September 26, highlighting her national bestselling book, *First Gen: A Memoir*, offering a meaningful tribute to Hispanic Heritage Month. The event saw excellent participation and featured delicious food. The first pancake breakfast was a success, with long lines of attendees. A club showcase will be held October 15 in the Viking Lounge, where clubs will be introduced, allowing students to explore and join groups of interest. ASB is also promoting an upcoming dodgeball tournament on October 17. ASB is preparing for the Trunk-or-Treat event on October 25 in the DeVries Activity Center parking lot, scheduled just before the volleyball game. This event will be open to both students and the community.

## **7. President's Update**

President Tweedy reported that the Fall 2024 enrollment numbers are very promising, showing a significant recovery to pre-COVID levels, comparable to Fall 2019. Headcount, total FTE, and state-funded FTE have increased, reflecting the hard work and strategic recruitment efforts of Student Services and the Financial Aid office. Despite the Department of Education's complex financial aid transition, the team ensured that student and family impacts were mitigated, maintaining strong enrollment numbers. Specifically, headcount is up 20.4% from last year, total FTE increased by 11%, and state-funded FTE rose by 6%. Running Start student enrollment contributed significantly, with increases noted from Moses Lake (10%), Ephrata (18.6%), Othello (42%), and Warden (46.9%) schools over the previous year. The Moses Lake School District represents 54% of the total Running Start student enrollment. Private and homeschool students are also eligible to enroll in the Running Start Program; however, their enrollment numbers have not been tracked separately.

The "Discover Big Bend" interactive online recruitment tool was introduced. This platform offers a comprehensive overview of the college's programs, campus life, athletics, financial aid, the admissions process, and student testimonials, providing a powerful connection for prospective students and their families.

An update on the OFM budget error was shared, highlighting that OFM has submitted a supplemental budget request to the Legislature to recover \$28 million from the Community and Technical Colleges, \$357,400 impacting Big Bend Community College specifically. In response, the State Board has approved and submitted its own supplemental budget proposal to OFM, included in the Governor's second supplemental proposal, aiming to maintain full funding for the Community and Technical Colleges. Strategies are being developed to address potential shortfalls if legislative approval is not secured. The Governor's supplemental budget release in December will clarify the situation, but colleges are beginning discussions on repayment contingencies and long-term impacts. Legislative priorities for the upcoming session emphasize keeping colleges financially whole and addressing this issue to restore trust in the allocation process.



The Executive Session was moved to a later part of the meeting.

## **8. 2024-25 Proprietary Budget**

Jackson Wilks, Executive Director of the Business Office, provided an overview of the proprietary budget. ASB fees are projected to increase due to higher enrollment, including the increase of Running Start students, who are treated equivalently for S&A fees, thus contributing to the increase in overall revenue for the ASB. Increased expenses for supplies, events, scholarships, salary/benefits, and student staffing were noted, reflecting expanded activities and clubs, including the addition of a new Criminal Justice Club. The projected year-end balance for ASB for the 2024-25 fiscal year was \$1,570,517, while the projected year-end balance for Clubs was \$37,930.

The Athletics budget currently lacks a 2023-24 year-end balance and 2024-25 projections due to pending discussions with the new Athletic Director. Tuition and fees are not retained by the athletic department and the tuition waivers reflect non-cash values in the budget. A proposal from NWAACC to offer waivers for all athletes was discussed, with some colleges, including Big Bend, voting against it due to equity concerns, and others adopting the proposal. An educational session on this topic was recommended for trustees. An Athletic Director has been hired and is expected to start in one of the next two hiring cycles, either October 16 or November 1.

The Housing budget projected revenue is lower for 2024-25 from the previous fiscal year due to missed billing in the 2022-23 fiscal cycle, while equipment expenses are higher for expected replacements and emergency repairs, including critical boiler replacements. The total net value projected for 2024-25 was \$116,000.

Motion 24-28 Trustee Anna Franz moved to approve the 2024-25 Proprietary Budget as presented. Trustee Bethany Martinez seconded, and the motion passed.

Agenda item **9-Exceptional Faculty Award Presentation** was moved to follow agenda item 5-Faculty Update Report.

## **10. WAC Revisions for Review**

Dean André Guzman presented the status of the Student Code of Conduct revisions. He confirmed that the revisions remain on track following the CR-101 filing on September 4, 2024. However, a second emergency filing CR-103e is required as the current emergency CR-103e filing from July 24, 2024 will expire before the next Board of Trustees meeting on December 12, 2024 where approval to adopt the WAC revisions to the Student Code of Conduct will be recommended.

Motion 24-29 Trustee Anna Franz moved to approve a second emergency filing as presented. Trustee Gary Chandler seconded, and the motion passed.

## **11. BP1000 for Revisions**

Revisions to Board Policy 1000 discussed at the August 29, 2024 board retreat were

presented for review and information at the October 10, 2024 Board of Trustees meeting. The revision presented was to remove paragraph two on page 15 *“The board will discuss the Academic Master Plan report results, Executive Limitations information and focus group conversations with the president in executive session.”* Final approval will be requested at the December 12, 2024 Board of Trustees meeting.

## **12. Board Policies for Review**

Prior to the October 10, 2024 Board of Trustees meeting and included as a part of the meeting packet, the policy review schedule, DEI resource documents, and the first five policies were provided to the trustees to review them for diversity, equity, and inclusion reference/context/wording. The first five policies were 1) BP1003-Community College Act of 1967, 2) BP1004-Delegation of Appointing Authority, 3) BP1005-Employee Recognition, 4) BP1010-Board of Trustees Goals & Outcomes, 5) BP1015-Staff Participation in Political Activities. After review, it was determined that there were no revisions referencing DEI that were needed and subsequently no action to be requested at the December 12, 2024 meeting pertaining to the aforementioned five policies. The policies will reflect a 10/10/2024 review date.

The next five policies for review per the policy review schedule will be provided to the trustees prior to the December 12, 2024 meeting.

## **13. Board Chair Matrix**

Discussion occurred regarding the Chair and Vice Chair leadership for 2025-26, considering the addition of two new trustees within the next year and three current trustees who are relatively new. For continuity, it was suggested that the Chair and Vice Chair serve two consecutive terms. While this approach supports leadership consistency, the statutory requirement to review terms annually, as outlined in community and technical college statutes, must be upheld. The AAG advised using the term "consecutive terms" while ensuring compliance with the annual review statutory requirement. Two consecutive one-year terms could be forecasted while ensuring compliance with annual elections.

## **Executive Session**

Board Chair Amy Parris announced a 20-minute Executive Session at 3:03 p.m. to discuss items provided for in RCW 42.30.110 (1): (g) to evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. The session was extended by 10 minutes. The meeting was reconvened at 3:33 p.m. No actions were taken during the executive session.

## **14. President's Evaluation**

Trustee Anna Franz read the 2023-2024 annual performance evaluation of President Tweedy by the Board of Trustees into the record as follows:

“The Board of Trustees extends great appreciation to our President, Dr. Sara Thompson Tweedy, for her continued leadership at Big Bend Community College. In

considering the performance of the President as it relates to the college's ends statements, the Board finds that the institution has met its stated ends during the previous year.

During the last evaluation, the Board encouraged President Tweedy to continue to rise to the challenges presented by competing economic forces that continue to impact enrollments and hiring. The Board also noted its support and anticipation of the planned work in strengthening and deepening the College's commitment to honoring its role as a Hispanic Serving Institute to meet the Diversity, Equity, and Inclusion End Statement. The Board notes and commends the President on the continued trend of increasing enrollments and the accomplishments to ensure inclusion on our campus including dual language signage, bilingual staff incentives, and the development and implementation of the DEI Strategic Plan.

Great things are happening at Big Bend Community College under President Tweedy's leadership – including the distinction of being named an Aspen Top 150 College by the Aspen Institute. Efforts in student success can be seen as the number of graduates and degrees awarded has steadily increased since the pandemic; the number of degrees awarded exceeds the College's IPED target and was much higher than the HSI comparison colleges. The President's outreach to emerging industries have resulted in partnerships that will benefit both the College as well as the local economy by providing workforce training and financial support for college programs.

The year has not been without its challenges and the Board commends President Tweedy on navigating difficult decisions regarding economic stability and sustainable resources for the College. In regards to the Stewardship end statement, the Board notes its concern shared with President Tweedy regarding the need to use reserves in the budget and encourages President Tweedy's ongoing management to minimize or eliminate the need to use those reserves to ensure the long term financial sustainability of the college as was done with the 2023-2024 budget. Otherwise, the Board looks forward to another successful year of increasing enrollment, student success, and community partnerships."

Motion 24-30 Trustee Anna Franz moved to approve the 2023-2024 annual performance evaluation of President Tweedy as presented. Trustee Gary Chandler seconded, and the motion passed.

## **15. Board's Self-Evaluation**

Annually, the BBCC Board of Trustees conducts a self-evaluation during its retreat. The effort was completed on Thursday, August 29, 2024. The process includes determining whether the Board has met its goals, maintained trustee activity aligned with the Ends, and followed and fulfilled board policies.

For the 2023-2024 academic year, the BBCC Board of Trustees adopted three goals.

1. Develop a clear method of monitoring Big Bend Community College's Ends

Statements including the identification of indicators which measure the performance of the institution relative to the Ends.

- During the August 29 retreat, the Board agreed that progress has been made on this goal and will be completed with the adoption of the proposed indicators on October 10<sup>th</sup>.

At the October 10, 2024 Board of Trustees meeting, Trustee Anna Franz requested to table this item until the next regularly scheduled Board of Trustees meeting December 12, 2024.

2. Advance equity, diversity, and inclusion by reviewing policies to ensure support of operational equity, diversity, and inclusion programs.
  - During the August 29 retreat, the Board agreed that progress has been made on this goal and will continue to be retained for 2024-2025. A two-year calendar was proposed and adopted which will review all policies for any new DEI language.

At the October 10, 2024 Board of Trustees meeting, Board Chair Amy Parris and Vice Chair Bethany Martinez recommended retaining Goal #2 for the 2024-2025 academic year.

3. Establish an annual calendar of board study session topics to ensure professional development of Board members.
  - During the August 29 retreat, the Board agreed that progress has been made on this goal and will continue to be retained for 2024-2025. A calendar of timely and appropriate topics was proposed and adopted that will keep the board on track for professional learning opportunities for the year.

At the October 10, 2024 Board of Trustees meeting, Board Chair Amy Parris proposed adopting Trustee Tuesdays as the professional development schedule for Board members rather than developing separate internal sessions. The existing Trustee Tuesday examples of planned topics include tenure in December and building synergy in January, and the sessions are aligned with the legislative cycle. After additional discussion, it was recommended to retain Goal #3 for the 2024-2025 academic year and use the Trustee Tuesday schedule as the annual calendar.

Motion 24-31 Trustee Anna Franz moved to adopt the review of the 2023-2024 goals and Board self-evaluation as discussed. Trustee Gary Chandler seconded, and the motion passed.

## **16. Assessment of Board Activity**

Trustees submitted their activities in writing.

## **17. Big Bend in the Community/Board Meetings**

Building on previous discussions about hosting meetings in service district communities to engage with legislators and community members while strengthening partnerships, it

was recommended that the December 12, 2024, Board of Trustees meeting be held in Othello. The regularly scheduled meeting would begin at 1:30 p.m. and the inclusion of legislators and community members would begin at 3:00 p.m. High school dual enrollment, partnerships in the high school, adult education pathways, and more would be featured.

#### **18. Draft 2025 Board Meeting Schedule**

The draft 2025 Board of Trustees meeting schedule was reviewed with one amendment for the October meeting to take place on October 23, 2025, beginning at 2:30 p.m.

Motion 24-32 Trustee Anna Franz moved to adopt the 2025 Board meeting schedule as amended with the new October date. Trustee Gary Chandler seconded, and the motion passed.

The amended 2025 Board meeting schedule will be filed with the Code Reviser's Office.

#### **19. Next Regularly Scheduled Board Meeting**

The next meeting was confirmed for Thursday, December 12, 2024, at 1:30 p.m. in Othello, Washington.

Motion 24-33 Trustee Anna Franz moved to approve the meeting venue move to Othello. Trustee Gary Chandler seconded, and the motion passed.

A change of venue will be filed with the Code Reviser's Office.

#### **20. Miscellaneous**

None.

#### **21. Adjournment**

The meeting adjourned at 4:04 p.m.

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Amy Parris, Board Chair

ATTEST:

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Sara Thompson Tweedy, Secretary

## **BIG BEND COMMUNITY COLLEGE**

Date: 12-12-24

### **ITEM #3: CONSENT AGENDA (information)**

#### **b. Accreditation**

The Northwest Commission on Colleges and Universities (NWCCU) Annual Conference was held in Seattle November 20-22. Bryce Humpherys, Vice President of Student Learning and Success, and Valerie Parton, Dean of Institutional Research and Planning, attended.

The conference theme was “Student Centered: Data Informed.” The program included topics on developing and deploying innovations on data-informed approaches to promote student success. The presenters represented academic, non-governmental, and private sectors. They explored unique approaches and solutions, including generative artificial intelligence and other innovations that are being developed to promote student success and close achievement gaps.

The conference allows the college to be appraised of the federal focus that drives institutional accreditation and requirements.

Additionally, Big Bend Community College submitted a substantive change application to the NWCCU to offer a Bachelor of Applied Science in Behavioral Health. Once the application is approved, BBCC can begin marketing the program.

Prepared by Vice President Bryce Humpherys and Dean Valerie Parton.

### **RECOMMENDATION:**

None.

## **BIG BEND COMMUNITY COLLEGE**

Date: 12-12-24

### **ITEM #3: CONSENT AGENDA (information)**

#### **c. Assessment and Student Success**

Big Bend Community College will pilot a mandatory College Success Skills (CSS) class during fall 2025. The class will provide students with the skills they need to be successful in college, navigate resources, and determine educational pathways that align with their interests.

Faculty are reviewing extensive demographic and student success measures of students who have taken CSS classes to determine how the class is helping students succeed. They will also survey students, faculty, and staff for additional insights on the goals of the class and use the feedback to refine course curriculum for a fall 2025 pilot.

Prepared by Vice President Bryce Humpherys and Dean Valerie Parton.

### **RECOMMENDATION:**

None.

## BIG BEND COMMUNITY COLLEGE

Date: 12-12-24

### ITEM #3: CONSENT AGENDA (information)

#### d. Finance and Administration

#### Ongoing Capital Projects: (updates in red)

1600 Classroom Remodel/Quad Xeriscaping: Remodel a few small classrooms and change landscaping. Both the classroom remodel and the quad renovation have begun.

1400 Office #2 Remodel: Room 1436 to be converted into 3 individual offices. Three offices complete. Remodel of testing area requested to add 2 additional offices and is expected to be completed by the end of September. **Project is completed.**

1500 Restroom and Classrooms Remodel: Awaiting permits, work most likely to begin after 1600 classroom remodel is complete. **Preparing to go out for bid – estimated sometime in January.**

Sewer and Manhole Infrastructure: Manholes to be relined and cleaned (currently), about 300' of sewer line to be replaced alongside gym to front of 1400. **The Manholes portion has been completed – sewer replacement portion for early Spring. This project is also being prepared to go out for bid. Potential bidders walk-through of project happened on December 3<sup>rd</sup>.**

Greenhouse @ 3700: **Project start timeline is dependent on approval of permits and weather. Some utility trenching may be done earlier, but the project is not expected to commence until Spring.**

Gym Floor Refurbishment: **Scheduled for December 16<sup>th</sup>–30<sup>th</sup>.**

Sidewalk and Trip Hazard Repairs: **Project was completed.**

Gas Meter Installations: **Currently in contract preparation with DES – expected to be completed over the next few months.**

WA Clean Buildings Assessment: **Under contract with RGU – assessment is going to begin December 9<sup>th</sup>. Currently working with contractor access with Energy Star Portfolio.**

Prepared by Vice President Linda Schoonmaker.

### RECOMMENDATION:

None.



## **BIG BEND COMMUNITY COLLEGE**

Date: 12-12-24

### **ITEM #3: CONSENT AGENDA (information)**

#### **e. Human Resources and Labor Management**

Ben Griffin accepted the position of Athletic Director. This is a full-time, admin/exempt position replacing John Meeks who left BBCC in September 2024. Ben started his new position on October 16, 2024.

Cassandra Torres accepted the position of Program Coordinator – Course Materials. This is a new, full-time, classified staff position. Cassie previously worked for BBCC as a Program Assistant in the Bonaudi Library. Cassie started her new position on October 16, 2024.

Terry Haws accepted the position of Director of Flight Program Operations. This is a new full-time, admin/exempt position supporting the Aviation Program. Terry previously held the position of Aviation Instructor. He started his new position on October 16, 2024.

Tiffany Morris accepted the position of Program Specialist 2 supporting the Early Childhood Education Program. This is a full-time, classified staff position replacing Tyler Devereaux who left BBCC in June 2024. Tiffany started her new position on November 1, 2024.

Jesse Vigil accepted the position of Mail Processing/Delivery Driver within the Purchasing Department. This is a full-time classified staff position replacing Dale Casebolt, who retired in September 2024. Jesse started his new position on November 1, 2024.

Wendi Stark accepted the position of Assistant Director of the BBCC Foundation. This is a full-time, admin/exempt position replacing Chandra Rodriguez, who recently accepted a new position at BBCC. Wendi started her new position on November 16, 2024.

Christian Olson accepted the position of Program Assistant supporting Conferences & Events. This is a full-time, non-permanent, classified staff position. Christian started her new position on November 16, 2024.

Elijah Fenton accepted the position of Custodian 1 in the Custodian Services Department. This is a full-time classified staff position replacing Darrell Templeton, who retired in October. Elijah started his new position on December 1, 2024.

### **Recruitment & Selection:**

The following searches are currently in process:

- Director of EOC & Outreach
- Vice President for Administrative Services
- Maintenance Custodian
- Program Assistant – Admissions/Registration

**Retention:**

The Year-to-Date Turnover Rate through November 2024 is 13.967%. The breakdown of separation reasons includes 14-Other Job, 3-Relocation, 6-Retirement, 5-Resignation, and 2-Involuntary. The goal for 2024 is to have a turnover rate of less than 12%.

Prepared by Vice President of Human Resources, Labor, and Technology Kim Garza

**RECOMMENDATION:**

None.

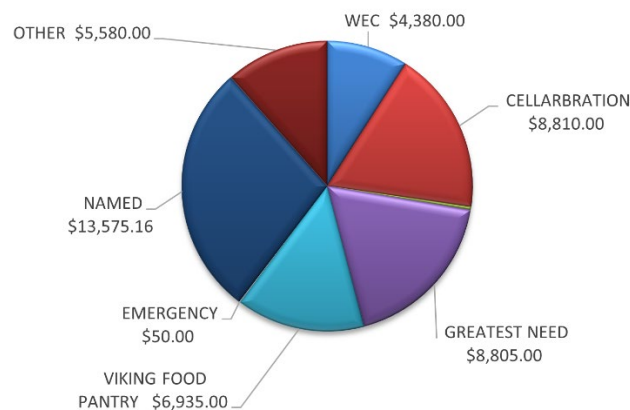
## BEND COMMUNITY COLLEGE

Date: 12-12-24

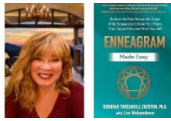
### ITEM #3: CONSENT AGENDA (information)

#### f. BBCC Foundation

- The Foundation budgeted \$10,000 for special requests. The email with the application went out on Monday, September 16, 2024, to BBCC faculty and staff with a submission deadline of October 18, 2024. Cabinet scored the applications, and we made the awards based on those scores.
- The Barbara & Ken Jacobs building dedication (Math/Science) was Friday, October 18, 2024, at 11:00 a.m. We had a fabulous turnout. Barbara was thrilled. She was surprised that many people showed up.
- STAR Night was on October 24, 2024. Our attendance was great, we had over 240 people who attended.
- The Foundation helped secure another airplane for the AMT program in November.
- The Foundation is working with the AMT program to secure three more planes from the Rural Fire Protection Coordinator for the Arkansas Department of Agriculture.
- On November 18, Wendi Stark started as the Foundation's new Assistant Director. We are thrilled she joined our team.
- Family Campaign was incredibly successful this year. We set our goal at \$38,000, and we reached **\$48,305**, surpassing last year's campaign of \$42,000. I still think we have a few more that will be participating, so the number should go up! Below is a pie chart on how the funds are allocated.



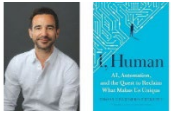
- Cellarbration! for Education is scheduled for March 15, 2025. We sent out forty sponsorship letters. We have \$48,572 in commitments as of November 25, 2024.
- See all of our upcoming webinars and register cost-free at <https://alumlc.org/bbcc>. Be sure to explore past events for free on-demand viewing.



### [The Enneagram & Discovering Your Authentic Self](#)

*Dr. Deborah Egerton, Bestselling Author*

Tuesday, December 10th at 9:00 AM PST



### [AI, Automation, and the Quest to Reclaim What Makes Us Unique](#)

*Tomas Chamorro-Premuzic, Bestselling Author*

Tuesday, December 17th at 9:00 AM PST



### [Get to the Point: Communicate More By Saying Less](#)

*Diane DiResta, Author and Certified Speaking Professional*

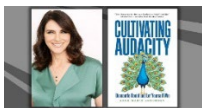
Tuesday, January 7th at 9:00 AM PST



### [Mastering the Art of Closure: Why We Want It, How to Get It, and When to Walk Away](#)

*Gary McClain, PhD, Author and Clinical Psychologist*

Wednesday, January 15th at 9:00 AM PST



### [How to Dismantle Doubt](#)

*Anne Marie Anderson, Three-Time Emmy Award-Winning Sports Broadcaster, Keynote Speaker, and Author*

Wednesday, January 22nd at 9:00 AM PST



### [How to Be a Non-Obvious Thinker \(And See What Others Miss\)](#)

*Rohit Bhargava, Wall Street Journal and USA Today Bestselling Author*

Wednesday, January 29th at 9:00 AM PST

Prepared by BBCC Foundation Executive Director, LeAnne Parton

### **RECOMMENDATION:**

None.

## **BIG BEND COMMUNITY COLLEGE**

Date: 12-12-24

**ITEM #4:** Faculty Update (information)

### **BACKGROUND:**

Associate Faculty Diana Villafana reports that the BBCC mentoring program has created a "Mentoring Module" that has been included in her classes, where mentors can post information for students and respond to questions. Mentors have reported that they are passionate about being mentors and are excited to invest in other students in the same way their mentors invested in them during their educational journey.

BEdA Faculty, Melissa Heaps reports that BEdA high school students hosted their annual Art Show on Thursday, December 5<sup>th</sup> in the WEC building. It was a great success, and students shined showing off their skills!

For our probationary faculty updates, this month we have three presentations: Emily Eidson from Nursing, Aaron Mahoney from the Ag/Chem Program, and Dustin Regul from Art.

### **RECOMMENDATION:**

None.

## **BIG BEND COMMUNITY COLLEGE**

Date: 12-12-24

**ITEM #5:** ASB Update (information)

### **BACKGROUND:**

Events that have occurred during the Fall Quarter:

- Voter's registration.
- Trunk or treat for the community before the volleyball game.
- Disability Awareness Month – thumbprint painting for all students, staff, and faculty to participate.
- Dia De Los Muertos – partnering with WES and TRiO.
- Food Drive Competition – received 576.8 lbs. of food.
- Intramurals – ping pong and dodgeball.
- De-Stress Fest – crafts, coffee truck, yoga class, and chess tournament.

See the full Fall Quarter Student Activities Calendar of Events [HERE](#).

The Viking Lounge continues to see more students stopping by to hangout, study, or get a snack. We plan to sell more Viking gear in the lounge beginning Winter Quarter. Stop by to check out the hoodies, sweaters, blankets, and other items that will be available.

We are currently working on the Winter Quarter Student Activities Calendar of Events and are looking forward to a variety of events including ice skating, goal setting, and intramural basketball!

### **RECOMMENDATION:**

None.

## **BIG BEND COMMUNITY COLLEGE**

Date: 12-12-24

### **ITEM #6: WAC Revisions (action)**

#### **BACKGROUND:**

During the July 24, 2024, Special Meeting, the Board approved the adoption of emergency rule revisions to the Student Code of Conduct due to federal regulatory changes regarding Title IX implemented by the Department of Education. These revisions were made with support from the Washington Attorney General's Office.

- A CR-103E was filed with the Code Revisor's Office to ensure the emergency adoption of the new rules beginning August 1, 2024, and expiring December 2, 2024 (120 days).
- The Preproposal Statement of Inquiry-CR-101 was filed September 4, 2024.
- A second Emergency CR-103E was filed with the Code Revisor's Office on October 22, 2024, for an additional 120-day extension beyond December 2<sup>nd</sup>.
- The Proposed Rule-Making-CR-102 was filed October 22, 2024, establishing a hearing date for December 2, 2024, at 2:30 p.m. in the Hardin Room at Big Bend Community College.
- A 7-day notice prior to the hearing date was executed on November 25, 2024, providing a link to the [Washington State Register](#) to review a full copy of the proposed rules and information for persons wishing to submit written comments prior to the hearing date. No written comments were received prior to the start of the hearing on December 2<sup>nd</sup>.
- The hearing on the proposed amendments to Chapter 132R-04 of the Washington Administrative Code, Student Code of Conduct, was held on December 2, 2024, commencing at 2:31 p.m. There were no persons in attendance to provide written or oral testimony on the proposed amendments. Having received no written or oral testimony, the hearing concluded at 2:50 p.m. Attached to this report is a documentation of the hearing.

#### **Subsequent Dates and Activity:**

- At the December 12, 2024, Board of Trustees regularly scheduled, open public meeting, a recommendation will be made to approve and adopt the final rules.
- Once the final rules have been approved and adopted by the Board of Trustees, a Permanent Rule-Making Order-CR103 will be filed with the Code Reviser's Office, and shall become effective 30 days after this filing.

Prepared by the President's Office.

#### **RECOMMENDATION:**

President Tweedy requests that the Board approve and adopt the WAC Revisions.

"I move to approve and adopt the WAC Revisions to the Student Code of Conduct WAC 132R-04 as presented."

## **ANNOUNCEMENT**

[The following was read prior to the official commencement of the hearing]

Today we will conduct the hearing on the proposed amendments to Chapter 132R-04 of the Washington Administrative Code, Student Code of Conduct.

If you would like to present oral testimony, please sign in on the Public Hearing Sign-in Sheet, which is available at the back of the room.

## **HEARING**

I will now call the hearing on the proposed rules to order at 2:31 p.m.

If you would like to testify and have not already signed in, please sign up on the sign in sheet located in the back of the room. This sheet is used to call forward individuals for testimony.

I would also like to advise everyone in attendance that this hearing is being recorded, and the recording from this hearing will become part of the official rule-making file.

For the record, this hearing is being held on December 2, 2024, at the Big Bend Community College in Moses Lake, Washington pursuant to the authority given the Board under RCW 28B.50.140 (13), and subject to the Administrative Procedures Act, Chapter 34.05 RCW.

Regarding the amendments to Chapter 132R-04, Student Code of Conduct, a Pre-notice Inquiry (CR-101) was filed with the State Register on September 4, 2024, and published in the Washington State Register on September 18, 2024. A Notice of Proposed Rule Making which included notice of the hearing (CR-102) was filed with the Washington State Code Reviser's Office on October 22, 2024, and published in the Washington State Register on November 6, 2024.

This hearing is being conducted to consider testimony on the following amendments to provisions of Big Bend Community College's Washington Administrative Code:

### **Chapter 132R-04, Student Code of Conduct.**

This hearing is being held to consider written and oral testimony presented on the proposal and will consist of two parts:

- (1) a brief technical presentation on the proposal by Dean André Guzman, after which there will be an opportunity to ask any questions on the proposed rules; AND
- (2) oral testimony.

The rules for testimony: I will call up those who have signed up to testify in order. Please limit your testimony to five minutes. If you have written comments, we would appreciate a copy for the hearing record.

At this time, I will ask Dean André Guzman to briefly explain the proposal and give you the opportunity to ask questions.

.....



First, we have made a significant number of amendments to Chapter 132R-04 WAC, Student Code of Conduct to comply with the United States Department of Education's final rule released on April 19, 2024, to implement Title IX of the Education Amendments of 1972. This rule requires institutions of higher education to adopt student disciplinary procedures addressing sex discrimination, including sex-based harassment. Big Bend Community College is updating its student conduct code to bring it into compliance with the new Final Rule governing sex discrimination grievance procedures recently adopted by the United States Department of Education and to update the code to ensure its prohibited conduct and procedures adequately protect the interests of the college community and the constitutional and procedural rights of individual students.

.....

We will now hear testimony regarding the proposal. For the record, please identify yourself and who you represent.

### **ORAL TESTIMONY**

Ruth Stoddard's name was recorded on the Public Testimony document. When asked about presenting a statement, no testimony was provided.

For the record, there was no one in attendance at this hearing today to provide comments. The recording was turned off and we waited fifteen minutes to ensure any late arrivals have an opportunity. After fifteen minutes the recording was turned back on and it was stated, "We are back on the record after fifteen minutes. No one has shown up to provide feedback, so we will conclude the hearing."

### **CONCLUSION**

This hearing has been held to consider testimony on the proposed amendments to Chapter 132R-04 WAC, Student Code of Conduct.

The hearing concluded December 2, 2024, at 2:50 p.m.

Chandra Rodriguez, Executive Assistant to the President, André Guzman, Dean of Student Services, and Ruth Stoddard, Director of Residence Halls, attended the hearing.

No other members of Big Bend Community College or the community attended. There were no questions.

The Board of Trustees will consider adopting the proposed revisions at their regularly scheduled meeting on December 12, 2024. Should the Board adopt the proposed revisions, Chandra will process the next stage of the paperwork (CR103P) in the rule making process.

Chandra Rodriguez  
Executive Assistant to the President  
Big Bend Community College

**WAC 132R-04-015 Definitions.** For the purposes of this chapter, terms are defined as follows:

(1) "Student conduct officer" is a college administrator designated by the president to be responsible for implementing and enforcing the student conduct code. The vice president of learning and student success will serve as the student conduct officer or may appoint a designee.

(2) "Conduct review officer" is a college administrator designated by the president to be responsible for ~~((receiving and facilitating))~~ reviewing or referring appeals ~~((from))~~ of student disciplinary actions ~~((and for reviewing initial decisions issued in a brief adjudicative proceeding. The conduct review officer shall be designated by the president and shall be authorized to grant appropriate relief upon review))~~ as specified in this code. The director of student programs will serve as the conduct review officer, unless otherwise designated by the president.

(3) "The president" is the president of the college. The president is authorized to delegate any and all of his or her responsibilities as set forth in this chapter as may be reasonably necessary and to reassign any and all duties and responsibilities as set forth in this chapter as may be reasonably necessary.

(4) "Disciplinary action" is the process by which discipline is imposed by the student conduct officer against a student for a violation of the student conduct code. A written or verbal warning is not disciplinary action.

(5) "Disciplinary appeal" is the process by which an aggrieved student can appeal the discipline imposed or recommended by the student conduct officer. Disciplinary appeals from a suspension in excess of 10 instructional days or ~~((an expulsion))~~ dismissal from the college are heard by the ~~((disciplinary))~~ student conduct committee. Appeals of all other ~~((appealable))~~ disciplinary action may be reviewed through brief adjudicative proceedings.

(6) "Pregnancy or related conditions" means:

(a) Pregnancy, childbirth, termination of pregnancy, or lactation;

(b) Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or

(c) Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

(7) "Program" or "programs and activities" means all operations of the college.

(8) "Relevant" means related to the allegations of sex discrimination under investigation. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decision maker in determining whether the alleged sex discrimination occurred.

(9) "Remedies" means measures provided to a complainant or other person whose equal access to the college's educational programs and activities has been limited or denied by sex discrimination. These measures are intended to restore or preserve that person's access to educational programs and activities after a determination that sex discrimination has occurred.

(10) "Respondent" is the student (~~(against whom disciplinary action is being taken)~~) who is alleged to have violated the student conduct code.

~~((7))~~ (11) "Service" is the process by which a document is officially delivered to a party. Unless expressly specified otherwise, service upon a party shall be accomplished by:

(a) Hand delivery of the document to the party; or

(b) By sending the document (~~(to the college assigned)~~) by email, once one has been generated, and by certified mail to the party's last known address.

Service is deemed complete upon hand delivery of the document or upon the date the document is emailed, if possible, and deposited into the mail.

~~((8))~~ (12) "Filing" is the process by which a document is officially delivered to a school official responsible for facilitating a disciplinary review by a presiding officer. Unless expressly specified otherwise, filing shall be accomplished by:

(a) Hand delivery of the document to the school official or school official's assistant; or

(b) By sending the document by email and first class mail to the recipient's college-assigned email and office address.

Papers required to be filed shall be deemed filed upon actual receipt during office hours at the office of the specified official or presiding officer.

~~((9))~~ (13) "College premises" shall include all campuses of the college, wherever located, and includes all land, buildings, facilities, vehicles, equipment, and other property owned, used, or controlled by the college.

~~((10))~~ (14) "Student" is defined as all persons taking courses at or through the college, including those concurrently attending secondary or postsecondary institutions and college, whether on a full-time or part-time basis, and whether such courses are credit courses, noncredit courses (excluding those trainings occurring through the Center for Business and Industry Service and the Japanese Agriculture Training Program), irrespective of modality. Persons who withdraw after allegedly violating the student code of conduct, 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" for the purposes of this chapter. "Continuing relationship" is established when a student is registered for an upcoming term or has indicated an intent to do so via a transaction, such as submitting a financial aid application for an upcoming term.

~~((11))~~ (15) "Student employee" means an individual who is both a student and an employee of the college. When a complainant or respondent is a student employee, the college must make a fact-specific inquiry to determine whether the individual's primary relationship with the college is to receive an education and whether any alleged student conduct code violation including, but not limited to, sex-based harassment, occurred while the individual was performing employment-related work.

(16) "Supportive measures" means reasonably available, individualized and appropriate, nonpunitive and nondisciplinary measures offered by the college to the complainant or respondent without unreasonably burdening either party, and without fee or charge for purposes of:

(a) Restoring or preserving a party's access to the college's educational program or activity, including measures that are designed to protect the safety of the parties or the college's educational environment; or providing support during the college's investigation and disciplinary procedures, or during any informal resolution process; or

(b) Supportive measures may include, but are not limited to: Counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of campus; restriction on contact applied to one or more parties; a leave of absence; change in class, work, housing, or extra-curricular or any other activity regardless of whether there is or is not a comparable alternative; and training and education programs related to sex-based harassment.

(17) "Student group" for purposes of this code, is a student organization, athletic team, or living group including, but not limited to, student clubs and organizations, members of a class or student cohort, student performance groups, and student living groups within student housing.

((+12+)) (18) "Title IX coordinator" is the administrator responsible for processing complaints of sex discrimination, including sex-based harassment, overseeing investigations, and informal resolution processes, and coordinating supportive measures, in accordance with college policy.

(19) "Business day" means a weekday, excluding weekends and college holidays. If a time period is not specifically stated in business days, then calendar days apply.

((+13+)) (20) "Complainant" means ((any person who files a complaint alleging that a student or student organization violated the standards of conduct for students. Complainant also refers to the college when the college files the complaint)) the following individuals who are alleged to have been subjected to conduct that would constitute sex discrimination:

(a) A student or employee; or

(b) A person other than a person or employee who was participating or attempting to participate in the college's education program or activity at the time of the alleged discrimination.

((+14+)) (21) "Sexual misconduct" has the meaning ascribed to this term in WAC 132R-04-057.

AMENDATORY SECTION (Amending WSR 23-11-048, filed 5/11/23, effective 6/11/23)

**WAC 132R-04-017 Statement of jurisdiction.** (1) The student conduct code shall apply to conduct by students and student groups that occurs:

(a) On college premises; or

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

(c) To off-campus conduct that in the judgment of the college adversely affects the college community or the pursuit of its objectives or the ability of a student or staff to participate in the college's programs and activities.

(2) Jurisdiction extends to, but is not limited to, locations in which students or student groups are engaged in official college pro-

grams or activities including, but not limited to, foreign or domestic travel, activities funded by the associated students, athletic events, training internships, cooperative and distance education, online education, practicums, supervised work experiences or any other college-sanctioned social or club activities and college-sanctioned housing.

(3) Students are responsible for their conduct from notification of admission to the college through the actual receipt of a certificate or 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.

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

(5) The student conduct officer has sole discretion, on a case-by-case basis, to determine whether the student conduct code will be applied to conduct by students or student groups that occurs off campus.

AMENDATORY SECTION (Amending WSR 17-22-054, filed 10/25/17, effective 11/25/17)

**WAC 132R-04-053 Authority.** The Big Bend Community College (BBCC) board of trustees, acting according to RCW 28B.50.140(14), delegates to the president of the college the authority to administer student disciplinary action. Administration of the student disciplinary procedures is the responsibility of the vice president of learning and student success. The vice president of learning and student success will serve as the student conduct officer, or appoint a designee, except in the cases involving allegations of sex discrimination including sex-based harassment when the Title IX coordinator or designee will serve as the student conduct officer. Unless otherwise specified, the student conduct officer or designee shall serve as the principal investigator and administrator for alleged violations of this code.

AMENDATORY SECTION (Amending WSR 23-11-048, filed 5/11/23, effective 6/11/23)

**WAC 132R-04-057 ((~~Student code of conduct violations.~~) Prohibited student conduct.** The college may impose sanctions against a student or student group who commits, attempts to commit, aids, abets, incites, encourages, or assists another person to commit an act(s) of misconduct, which includes, but is not limited to, any of the following:

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

(a) Cheating includes, but is not limited to, any attempt to give or obtain unauthorized assistance relating to the completion of an academic assignment.

(b) Plagiarism includes, but is not limited to, taking and using as one's own, without proper attribution, the ideas, writings, or work of another person, or artificial intelligence in completing an academ-

ic assignment. Prohibited conduct may also include the unauthorized submission for credit of academic work that has been submitted for credit in another course.

(c) Fabrication includes falsifying data, information, or citations in completing an academic assignment, and also includes providing false or deceptive information in an instructional course concerning the completion of an assignment.

(d) This section shall not be construed as preventing an instructor from taking immediate disciplinary action as provided herein where the instructor is required to act upon such breach of academic dishonesty in order to preserve order and prevent disruptive conduct in the classroom.

(e) This section shall also not be construed as preventing an instructor from adjusting the student's grade on a particular project, paper, test, or class grade for academic dishonesty.

(2) **Other 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 request or requirement of a college officer or employee; or

(d) Knowingly making a false statement or submitting false information in relation, or in response, to a college academic or disciplinary investigation or process.

(3) **Obstructive or disruptive conduct.** Conduct not otherwise protected by law that interferes with, impedes, or otherwise unreasonably hinders:

(a) Any instruction, research, administration, disciplinary proceeding, or other college activities, including the obstruction of the free flow of pedestrian or vehicular movement on college property or at a college activity; or

(b) Any activity that is authorized to occur on college property, whether or not actually conducted or sponsored by the college.

(4) **Assault, intimidation, harassment.** Unwanted touching, physical abuse, verbal abuse, threat(s), intimidation, harassment, bullying, or other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person or another person's property. For purposes of this code, bullying is repeated or aggressive unwanted behavior, not otherwise protected by law, that humiliates, harms, or intimidates the victim.

(5) **Cyber misconduct.** Cyber misconduct including, but not limited to: Cyberstalking, cyberbullying, or online harassment.

(a) Use of electronic communications including, but not limited to, electronic mail, instant messaging, electronic bulletin boards, applications (apps), and social media sites, to harass, abuse, bully or engage in other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person.

(b) Prohibited activities include, but are not limited to, unauthorized monitoring of another's email communications directly or through spyware, sending threatening emails, disrupting electronic communications with spam or by sending a computer virus, sending false messages to third-parties using another's email identity, nonconsensu-

al recording of sexual activity, and nonconsensual distribution of a recording of sexual activity.

(6) **Property violation.** Damage to, misappropriation of, unauthorized use or possession of, vandalism, or other nonaccidental damaging or destruction of college property or the property of another person.

Property for the purposes of this subsection includes computer passwords, access codes, identification cards, personal financial account numbers, other confidential personal information, intellectual property, and college trademarks.

(7) **Failure to comply with directive.** Failure to comply with the directive(s) of a college officer or employee who is acting in the legitimate performance of his or her duties, including failure to properly identify oneself to such a person when requested to do so.

(8) **Weapons.** Possession of any firearm, dagger, sword, knife or other cutting or stabbing instrument, club, explosive device or any other weapon apparently capable of producing bodily harm, unless previously authorized by the vice president of learning and student success. This policy does not apply to the possession of a personal protection spray device, as authorized by RCW 9.91.160. This policy is subject to the following exceptions:

(a) Commissioned law enforcement personnel in the state of Washington, legally authorized military personnel while in performance of their duties, and other persons or entities authorized by contract to carry firearms in the course of their employment;

(b) A student with a valid concealed weapons permit may store a pistol in his or her vehicle parked on campus in accordance with RCW 9.41.050 (2) or (3), provided the vehicle is locked and the weapon is concealed from view; or

(c) The president or designee may grant permission to bring a weapon on campus upon a determination that the weapon is reasonably related to a legitimate pedagogical purpose. Such permission shall be in writing and shall be subject to such terms or conditions incorporated in the written permission.

(9) **Hazing.**

~~((a) Hazing is any act committed as part of:~~

~~(i) A person's recruitment, initiation, pledging, admission into, or affiliation with a student group; or~~

~~(ii) Any pastime or amusement engaged in with respect to such a student group; or~~

~~(iii) That causes, or is likely to cause, bodily danger or physical harm, or serious psychological or emotional harm, to any student.~~

~~(b) Examples of hazing include, but are not limited to:~~

~~(i) 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;~~

~~(ii) Humiliation by ritual act;~~

~~(iii) Striking another person with an object or body part;~~

~~(iv) Causing someone to experience excessive fatigue, or physical and/or psychological shock; or~~

~~(v) Causing someone to engage in degrading or humiliating games or activities that create a risk of serious psychological, emotional, and/or physical harm.~~

~~(c) "Hazing" does not include customary athletic events or other similar contests or competitions. See RCW 28B.10.900.~~

~~(d) Consent is not a valid defense against hazing)) Hazing is any act committed as part of a person's recruitment, initiation, pledging, admission into, or affiliation with a college sponsored student organ-~~

ization, 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, 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. Consent is not a valid defense against hazing. Examples of hazing include, but are not limited to:

(a) 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;

(b) Humiliation by ritual act;

(c) Striking another person with an object or body part;

(d) Causing someone to experience excessive fatigue, or physical and/or psychological shock; or

(e) Causing someone to engage in degrading or humiliating games or activities that create a risk of serious psychological, emotional, and/or physical harm.

**(10) Alcohol, cannabis, drug, and tobacco violations.**

(a) Alcohol. The use, possession, delivery, sale, or being visibly under the influence of any alcoholic beverage, except as permitted by law and applicable college policies.

(b) ~~((marijuana))~~ Cannabis. The use, possession, delivery, or sale of ~~((marijuana))~~ cannabis or the psychoactive compounds found in ~~((marijuana))~~ cannabis intended for human consumption, regardless of form, or being observably under the influence of ~~((marijuana))~~ cannabis or the psychoactive compounds found in ~~((marijuana))~~ cannabis and intended for human consumption, regardless of form. While state law permits the recreational use of ~~((marijuana))~~ cannabis, federal law prohibits such use on college premises or in connection with college activities.

(c) Drugs. The use, possession, production, delivery, sale, or being observably under the influence of any legend drug (including anabolic steroids, androgens, or human grown hormones), narcotic drug or controlled substance as defined in chapters 69.41 and 69.50 RCW, except in accordance with a lawful prescription for that student by a licensed health care professional.

(d) Tobacco, electronic cigarettes, and related products. The use of tobacco, electronic cigarettes, and related products in any building owned, leased, or operated by the college, or in any location where such use is prohibited, or in any location other than the parking lots, including 25 feet from entrances, exits, windows that open, and ventilation intakes of any building owned, leased or operated by the college. The use of tobacco, electronic cigarettes, and related products on the college campus is restricted to designated smoking areas.

"Related products" include, but are not limited to, cigarettes, pipes, bidi, clove cigarettes, waterpipes, hookahs, chewing tobacco, vaporizers, and snuff.

**(11) Disorderly conduct.** Conduct which is disorderly, lewd, indecent, or obscene, that is not otherwise protected under the law.

**(12) Discriminatory conduct.** Conduct which harms or adversely affects any member of the college community because of race; color; national origin; sensory, mental or physical disability; use of a serv-



ice animal; gender, including pregnancy; marital status; age (40+); religion; creed; sexual orientation; gender identity; veteran's status; or any other legally protected classification.

(13) **Sexual misconduct.** The term "sexual misconduct" includes sexual harassment, sexual intimidation, and sexual violence. Sexual harassment prohibited by Title IX is defined in the supplemental procedures to this code. See WAC 132R-04-103.

(a) **Sexual harassment.** The term "sexual harassment" means unwelcome sexual or gender-based conduct, including unwelcomed sexual advances, requests for sexual favors, quid pro quo harassment, and other verbal, nonverbal, or physical conduct of a sexual or a gendered nature that is sufficiently severe, persistent, or pervasive as to:

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

(ii) Alter the terms or conditions of employment for a college employee(s); and/or

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

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

(c) **Sexual violence.** "Sexual violence" is a type of sexual discrimination and harassment. Nonconsensual sexual intercourse, nonconsensual sexual contact, domestic violence, dating violence, and stalking are all types of sexual violence.

(i) 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.

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

(iii) 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 18.

(iv) Statutory rape. Consensual intercourse between a person who is 18 years of age or older, and a person who is under the age of 16.

(v) 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 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 who is protected from that person's acts under the domestic or family violence laws of the state of Washington, RCW 26.50.010.

(vi) 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.

(vii) Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

(A) Fear for their safety or the safety of others; or

(B) Suffer substantial emotional distress.

(viii) Consent. Clear, knowing, and voluntary permission by word or action to engage in mutually agreed upon sexual activity. Each party has the responsibility to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be actual words or conduct indicating freely given agreement to the act at the time of the act. Consent cannot be inferred from silence, passivity, or lack of active resistance. Consent can be withdrawn by either party at any point. Consent to engage in one activity, or past agreement to engage in a particular activity, cannot be presumed to constitute consent to engage in a different activity or to engage in the same activity again. There is no consent where there is a threat of force or violence or any other form of coercion or intimidation, physical or psychological. A person cannot consent if they are unable to understand what is happening or are disoriented, or if they are 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 incapable of consent has engaged in nonconsensual conduct. Intoxication is not a defense against allegations that an individual has engaged in nonconsensual sexual conduct.

(14) **Discriminatory harassment.** 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 ~~((serious))~~ severe, persistent, or pervasive, so as to deny or limit, and that does deny or limit, the ability of a student to participate in or benefit from the college's educational program and/or social programs and/or student housing; alter the terms of an employee's employment; or that creates an intimidating, hostile, or offensive environment for other campus community members. Protected status includes a person's race; color; national origin; presence of any sensory, mental or physical disability; use of a trained service animal; ~~((gender))~~ sex, including pregnancy; marital status; age (40+); religion; creed; sexual orientation; gender identity or expression; veteran's or military status; HIV/AIDS and hepatitis C status; or membership in any other ~~((legally))~~ group protected ~~((classification))~~ by federal, state, or local law. See supplemental definitions: "Sexual misconduct" for the definition of "sexual harassment." Harassing conduct may include, but is not limited to, physical conduct, verbal, written, social media and electronic communications not otherwise protected by law.

(15) **Retaliation.** Harming, threatening, intimidating, coercing, or taking adverse action of any kind against a person because such

person reported an alleged violation of this code or college policy, provided information about an alleged violation of federal, state, or local law, or participated as a witness or in any other capacity in a college investigation or disciplinary proceeding.

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

(a) Unauthorized use of such resources or opening of a file, message, or other item;

(b) Unauthorized duplication, transfer, or distribution of a computer program, file, message, or other item;

(c) Unauthorized use or distribution of someone else's password or other identification;

(d) Use of such time or resources to interfere with someone else's work;

(e) Use of such time or resources to send, display, or print an obscene or abusive message, text, or image;

(f) Use of such time or resources to interfere with normal operation of the college's computing system or other electronic information resources;

(g) Use of such time or resources in violation of applicable copyright or other law;

(h) Adding to or otherwise altering the infrastructure of the college's electronic information resources without authorization; or

(i) Failure to comply with the college's electronic use policy.

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

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

(19) **Abuse of process.** Abuse or misuse of any of the procedures relating to student complaints or misconduct including, but not limited to:

(a) Failure to obey a subpoena or order to appear at a hearing;

(b) Falsification or misrepresentation of information;

(c) Disruption, or interference with the orderly conduct, of a proceeding;

(d) Interfering with someone else's proper participation in a proceeding;

(e) Destroying or altering potential evidence, or attempting to intimidate or otherwise improperly pressure a witness or potential witness;

(f) Attempting to influence the impartiality of, or harassing or intimidating, a student disciplinary committee member; or

(g) Failure to comply with any disciplinary sanction(s) imposed under this student conduct code.

(20) **Unsafe vehicle operation.** Operation of any motor vehicle on college property in an unsafe manner or in a manner which is reasonably perceived as threatening the health or safety of another person.

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

(22) **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.

(23) **Aiding or abetting.** Aiding, abetting, inciting, encouraging, or assisting another person to commit any of the foregoing acts of misconduct.

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.

(24) **Sex discrimination.** The term "sex discrimination" includes sex-based harassment, and may occur when a respondent causes more than de minimis harm to an individual by treating them different from a similarly situated individual on the basis of: Sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. Conduct that prevents an individual from participating in an education program or activity consistent with the person's gender identity subjects a person to more than de minimis (insignificant) harm on the basis of sex.

(a) **Sex-based harassment.** "Sex-based harassment" is a form of sex discrimination and means sexual harassment or other harassment on the basis of sex, including the following conduct:

(i) **Quid pro quo harassment.** A student, employee, agent, or other person authorized by the college to provide an aid, benefit, or service under the college's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.

(ii) **Hostile environment.** Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

(A) The degree to which the conduct affected the complainant's ability to access the college's education program or activity;

(B) The type, frequency, and duration of the conduct;

(C) The parties' ages, roles within the college's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;

(D) The location of the conduct and the context in which the conduct occurred; and

(E) Other sex-based harassment in the college's education program or activity.

(iii) **Sexual violence.** "Sexual violence" includes nonconsensual sexual intercourse, nonconsensual sexual contact, domestic violence, incest, statutory rape, domestic violence, dating violence, and stalking.

(A) **Nonconsensual sexual intercourse** is any sexual intercourse (anal, oral, or vaginal), however slight, with any object, by a person upon another person, that is without consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue,

finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.

(B) **Nonconsensual sexual contact (fondling)** is 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** is 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 18.

(D) **Statutory rape (rape of a child)** is nonforcible sexual intercourse with a person who is under the statutory age of consent.

(E) **Domestic violence** is physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, coercive control, damage or destruction of personal property, stalking or any other conduct prohibited under RCW 10.99.020, 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.

(F) **Dating violence** is physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and 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.

(G) **Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or to suffer substantial emotional distress.

(b) **Consent.** For purposes of this code "consent" means knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity.

(i) Each party has the responsibility to make certain that the other has consented before engaging in the activity.

(ii) 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.

(iii) 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.

(iv) Intoxication is not a defense against allegations that an individual has engaged in nonconsensual sexual conduct.

(c) **Title IX retaliation** means intimidation, threats, coercion, or discrimination against any person by a student, for the purpose of interfering with any right or privilege secured by Title IX, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in a sex discrimination investigation, proceeding, or hearing, including during an informal resolution process, during a Title IX investigation, or during any disciplinary proceeding involving allegations of sex discrimination.

AMENDATORY SECTION (Amending WSR 23-11-048, filed 5/11/23, effective 6/11/23)

**WAC 132R-04-061 Hazing (~~(prohibited)~~) sanctions.** (1) Hazing by a student or a student group is prohibited pursuant to WAC 132R-04-057.

(2) No student may conspire to engage in hazing or participate in hazing of another. State law provides that hazing is a criminal offense, punishable as a misdemeanor. See RCW 28B.10.901 (2) and (3).

(3) Washington state law provides that:

(a) Any student group that knowingly permits hazing is strictly liable for harm caused to persons or property resulting from hazing. If the organization, association, or student living group is a corporation whether for profit or nonprofit, the individual directors of the corporation may be held individually liable for damages. RCW 28B.10.901(3).

(b) Any person who participates in the hazing of another shall forfeit any entitlement to state-funded grants, scholarships, or awards for a period of time determined by the college. RCW 28B.10.902(1).

(c) Student groups that knowingly permit hazing to be conducted by its members or by others subject to its direction or control shall be deprived of any official recognition or approval granted by the college. RCW 28B.10.902(2).

(d) Student groups found responsible for violating the code of student conduct, college antihazing policies, or state or federal laws relating to hazing or offenses related to alcohol, drugs, sexual assault, or physical assault will be disclosed in a public report issued by the college setting forth the name of the student group, the date the investigation began, the date the investigation ended, a finding of responsibility, a description of the incident(s) giving rise to the finding, and the details of the sanction(s) imposed.

AMENDATORY SECTION (Amending WSR 19-21-080, filed 10/14/19, effective 11/14/19)

**WAC 132R-04-063 Corrective action, disciplinary ((actions)) sanctions terms and conditions.** One or more corrective actions or disciplinary ((actions)) sanctions include, but are not limited to, the following sanctions that may be imposed alone or in conjunction

upon students found to have committed the violations in WAC 132R-04-057. The college may impose additional sanctions on a student who fails to comply with any imposed sanctions including, but not limited to, preventing that student from registering for classes.

(1) **Warning:** A verbal or written statement to a student that there is a violation and that continued violation may be cause for further disciplinary action. Warnings are corrective actions, not disciplinary, and may not be appealed.

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

(3) **Disciplinary probation:** Formal action placing specific conditions and restrictions upon the student's continued attendance depending upon the seriousness of the violation and which may include a deferred disciplinary sanction. If the student subject to a deferred disciplinary sanction is found in violation of any college rule during the time of disciplinary probation, the deferred disciplinary sanction, which may include, but is not limited to, a suspension or a dismissal from the college, shall take effect immediately without further review. Any such sanction shall be in addition to any sanction or conditions arising from the new violation. Probation may be for a limited period of time or may be for the duration of the student's attendance at the college. Other conditions and restrictions may include, but not be limited to, restrictions from being present on certain parts of the campus or in certain college buildings; restriction from attending certain college activities or participation in extra-curricular activities; orders of no contact between the student under probation and other students, college employees, or other persons.

(4) **Not in good standing.** A student may be deemed "not in good standing" with the college. If so the student shall be subject to the following restrictions:

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

(b) Ineligible to represent the college to anyone outside the college community in any way, including representing the college at any official function, or any forms of intercollegiate competition or representation.

(5) **Education.** The college may require the student to complete an educational project or attend sessions, at the student's expense, which address the student's behavior such as anger management or counseling.

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

(7) **No contact ((order)) directive.** An order directing a student to have no contact with a specified student, college employee, a member of the college community, or a particular college facility.

(8) **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.

(9) Disciplinary suspension: Dismissal from the college and from the student status for a stated period of time. There will be no refund of tuition or fees for the quarter in which the action is taken.

(10) Professional evaluation: Referral for drug, alcohol, psychological or medical evaluation by an appropriately certified or licensed professional may be required. The student may choose the professional within the scope of practice and with the professional credentials as defined by the college. The student will sign all necessary releases to allow the college access to any such evaluation. The student's return to college may be conditioned upon compliance with recommendations set forth in such a professional evaluation. If the evaluation indicates that the student is not capable of functioning within the college community, the student will remain suspended until future evaluation recommends that the student is capable of reentering the college and complying with the rules of conduct.

(11) Expulsion: Permanent separation of the student from the college with no promise (implied or otherwise) that the student may return at any future time. There will be no refund of tuition or fees for the quarter in which the action is taken. The student will also be barred from college premises. Expulsion actions will be accomplished by issuing both an order of expulsion and a notice of trespass pursuant to WAC 132R-117-020(2). The notice of trespass may be given by any manner specified in chapter 9A.52 RCW.

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

(13) **Residence hall suspension or termination.** Removal from a residence hall for a specified period or permanently. Conditions may be imposed before a student is permitted to return to a residence hall.

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

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.

AMENDATORY SECTION (Amending WSR 17-22-054, filed 10/25/17, effective 11/25/17)

**WAC 132R-04-064 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 (or designee) may impose a summary suspension if there is probable cause to believe that the respondent:

- (a) Has violated any provision of the code of conduct; and
- (b) Presents an immediate danger to the health, safety, or welfare of members of the college community; or
- (c) Poses an ongoing threat of disruption of, or interference with, the operations of the college.



(3) Notice. Any respondent who has been summarily suspended shall be served with written notice or oral notice of the summary suspension at the time of the summary suspension. If oral notice is given, a written notification shall be served on the respondent within two ((business)) calendar days of the oral notice.

(4) The written notification shall be entitled "Notice of Summary Suspension Proceedings" and shall include:

(a) The reasons for imposing the summary suspension, including reference to the provisions of the student conduct code or the law allegedly violated;

(b) The date, time, and location when the respondent must appear before the chair of the student disciplinary committee for a hearing on the summary suspension; and

(c) The conditions, if any, under which the respondent may physically access the campus or communicate with members of the campus community. If the respondent has been trespassed from the campus, a notice against trespass shall be included that warns the student that his or her privilege to enter into or remain on college premises has been withdrawn, that the respondent shall be considered trespassing and subject to arrest for criminal trespass if the respondent enters the college campus other than to meet with the student conduct officer or designee, or to attend a disciplinary hearing.

(5)(a) The conduct review officer or designee shall conduct a hearing on the summary suspension as soon as practicable after imposition of the summary suspension. The hearing will be conducted as a brief adjudicative proceeding.

(b) 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.

(c) The respondent shall be afforded an opportunity to explain why summary suspension should not be continued while disciplinary proceedings are pending or why the summary suspension should be less restrictive in scope.

(d) If the notice of summary suspension proceedings has been served upon the respondent in accordance with these rules and the student 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.

(e) As soon as practicable following the hearing, the conduct review officer shall issue a written decision, which shall include a brief statement of findings of fact and conclusions of law, the policy reasons justifying imposition of the summary suspension. If summary suspension is upheld and/or other discipline imposed, the order shall inform the respondent of the duration of the summary suspension or the nature of the disciplinary action(s), conditions under which the summary suspension may be terminated or modified, and procedures by which the order may be appealed.

(f) The interim suspension shall not replace the regular discipline process, which shall proceed as quickly as feasible in light of the interim suspension.

(g) To the extent permissible under applicable law, the conduct review officer shall provide a copy of the decision to all persons or offices whom may be bound or protected by it.

(6) In cases involving allegations of sexual ((misconduct)) discrimination, the complainant will be notified that a summary suspen-

sion 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.

AMENDATORY SECTION (Amending WSR 17-22-054, filed 10/25/17, effective 11/25/17)

**WAC 132R-04-112 Initiation of disciplinary action.** ~~((1) All disciplinary proceedings will be initiated by the student conduct officer or a designee. If that officer is the subject of a complaint initiated by the respondent, the president shall, upon request and when feasible, designate another person to fulfill any such disciplinary responsibilities relative to the complainant.~~

~~(2) The student conduct officer shall initiate disciplinary action by serving the respondent with written notice directing the respondent to attend a disciplinary meeting. The notice shall briefly describe the factual allegations, the provision(s) of the conduct code the respondent is charged with violating, the range of possible sanctions for the alleged violation(s), and specify the time and location of the meeting. At the meeting, the student conduct officer will present the allegations to the respondent and the respondent shall be afforded an opportunity to explain what took place. If the respondent fails to appear after proper notification, the student conduct officer may take disciplinary action based upon the available information.~~

~~(3) The student conduct officer, prior to initiating taking disciplinary action in a case 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.~~

~~(4) Within ten business 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 specific student conduct code provisions alleged to have been violated, the action taken, and a notice of appeal rights (if any).~~

~~(5) The student conduct officer may take any of the following actions:~~

- ~~(a) Exonerate the respondent and terminate the proceeding;~~
- ~~(b) Dismiss the case after providing appropriate counseling and advice to the respondent. Such action is final and is not subject to review on appeal;~~
- ~~(c) Issue a verbal warning to the respondent directly. Such action is final and is not subject to review on appeal;~~
- ~~(d) Impose a disciplinary action(s), as described in WAC 132R-04-063. Such actions are subject to review on appeal as provided in this chapter. Any decision imposing a disciplinary action(s) must state the facts and conclusions supporting the student conduct officer's decision, the specific student conduct code provision(s) found to have been violated, the details of the discipline imposed, and a notice of any appeal rights with an explanation of the consequences of failing to file a timely appeal;~~

~~(e) Refer the matter directly to the student disciplinary committee for such action as the committee deems appropriate. Such referral shall be in writing, to the attention of the chair of the disciplinary committee, with a copy served on the respondent.~~

~~(6) 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 whether the allegations of sexual misconduct were found to have merit and describing any disciplinary sanctions and/or conditions imposed upon the respondent for the complainant's protection, including disciplinary suspension or dismissal of the respondent. The notice will also inform the complainant of his or her appeal rights. If protective sanctions and/or conditions are imposed, the student conduct officer shall make a reasonable effort to contact the complainant to ensure prompt notice of the protective disciplinary sanctions and/or conditions.))~~ (1) Any member of the college community may file a complaint against a student or student group for possible violations of the student conduct code.

(2) The 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) **Sex discrimination, including sex-based harassment.** The college's Title IX coordinator or designee shall review, process, and, if applicable, investigate complaints or other reports of sex discrimination, including sex-based harassment. Allegations of sex discrimination, including sex-based harassment, by a student shall be addressed through the student conduct code. Allegations involving employees or third parties associated with the college will be handled in accordance with college policies.

(b) **Hazing by student groups.** A student conduct officer, or designee, may review and investigate any complaint or allegation of hazing by a student group. A student group will be notified through its named officer(s) and address on file with the college. A student group may designate one representative who may speak on behalf of a student group during any investigation and/or disciplinary proceeding. A student group will have the rights of a respondent as set forth below.

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

(4) 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 sex-based harassment complaints without written permission from both the complainant and the respondent.

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

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

(6) Both the respondent and the complainant in cases involving allegations of sex discrimination shall be provided the same procedur-

al rights to participate in student discipline matters, including the right to participate in the disciplinary process and to appeal any disciplinary decision.

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

(8) The student conduct officer shall initiate disciplinary action by serving the respondent with written notice directing them to attend a disciplinary meeting. The notice shall briefly describe the factual allegations, the provision(s) of the conduct code the respondent is alleged to have violated, the range of possible sanctions for the alleged violation(s), and specify the time and location of the meeting.

(9) At the meeting, the student conduct officer will present the allegations to the respondent and the respondent shall be afforded an opportunity to explain what took place. If the respondent fails to attend the meeting after proper service of notice, the student conduct officer may take disciplinary action based upon the available information.

(10) Within 10 calendar 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 their 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 at the sole discretion of the student conduct officer, if additional information is necessary to reach a determination. The student conduct officer will notify the parties of any extension period and the reason therefore.

(11) The student conduct officer may take any of the following disciplinary actions:

(a) Exonerate the respondent and terminate the proceedings;

(b) Impose a disciplinary sanction(s), with or without conditions, as described in WAC 132R-04-063; or

(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.

(12) In cases involving allegations of sex discrimination, the student conduct officer shall review the investigation report provided by the Title IX coordinator, and determine whether, by a preponderance of the evidence, there was a violation of the student conduct code; and if so, what disciplinary sanction(s) and/or remedies will be recommended. The student conduct officer shall, within five business days of receiving the investigation report, serve respondent, complainant, and the Title IX coordinator with a written recommendation, setting forth the facts and conclusions supporting their recommendation. The time for serving a written recommendation may be extended by the student conduct officer for good cause.

(a) The complainant and respondent may either accept the student conduct officer's recommended disciplinary sanction(s) or request a hearing before a student conduct committee.

(b) The complainant and respondent shall have 21 calendar days from the date of the written recommendation to request a hearing before a student conduct committee.

(c) The request for a hearing may be verbal or written, but must be clearly communicated to the student conduct officer.

(d) The student conduct officer shall promptly notify the other party of the request.

(e) In cases involving sex discrimination, the student conduct officer may recommend dismissal of the complaint if:

(i) The college is unable to identify respondent after taking reasonable steps to do so;

(ii) Respondent is not participating in the college's educational programs or activities;

(iii) The complainant has voluntarily withdrawn any or all of the allegations in the complaint, and the Title IX coordinator has declined to initiate their own complaint;

(iv) The college determines that, even if proven, the conduct alleged by the complainant would not constitute sex discrimination; or

(v) The conduct alleged by the complainant falls outside the college's disciplinary jurisdiction.

(f) In cases involving allegations of sex-based harassment, the college must obtain the complainant's voluntary withdrawal in writing before the matter can be dismissed.

(g) If no request for a full hearing is provided to the student conduct officer, the student conduct officer's written recommendation shall be final and implemented immediately following the expiration of 21 calendar days from the date of the written recommendation.

(h) Upon receipt of the student conduct officer's written recommendation, the Title IX coordinator or their designee shall review all supportive measures and, within five business days, provide written direction to the complainant and respondent as to any supportive measures that will be implemented, continued, modified, or terminated. If either party is dissatisfied with the supportive measures, the party may seek review in accordance with the college's Title IX investigation procedure.

(i) If the respondent is found responsible for engaging in sex discrimination, the Title IX coordinator shall also take prompt steps to coordinate and implement any necessary remedies to ensure that sex discrimination does not recur and that complainant has equal access to the college's programs and activities.

AMENDATORY SECTION (Amending WSR 17-22-054, filed 10/25/17, effective 11/25/17)

**WAC 132R-04-113 Appeal from disciplinary action.** (1) Except as specified for cases involving allegations of sex discrimination, as set forth in WAC 132R-04-057, the respondent may appeal ((the results of)) a disciplinary action by filing a written notice of appeal with the conduct review officer within ((twenty)) 21 calendar 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 order 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, complainant if any, and the conduct review officer.

(4) A respondent, who timely appeals a disciplinary action or whose case is referred to the student disciplinary 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) In the event of a conflict between this student conduct code and the Administrative Procedure Act, chapter 34.05 RCW, this student conduct code will govern.

((+6)) (7) The college hereby adopts the Model rules of procedure, chapter 10-08 WAC, by reference. To the extent there is a conflict between these rules and chapter 10-08 WAC, these rules shall control.

((+7)) (8) Imposition of discipline for violation of the student conduct code shall be stayed pending appeal, unless respondent has been summarily suspended.

((+8)) (9) The student disciplinary committee shall hear the following cases as fully adjudicated proceedings:

- (a) Appeals from suspensions in excess of ten instructional days;
- (b) Appeals from dismissals;

(c) Discipline cases referred to the committee by the student conduct officer, the conduct review officer, or the president; and

(d) Cases in which students request to have their discipline case heard by the committee.

((+9)) (10) Student conduct appeals involving the following disciplinary actions shall be reviewed as brief adjudicative proceedings:

- (a) Suspensions of ten instructional days or less;
- (b) Disciplinary probation;
- (c) Reprimands; and

(d) Any conditions or terms imposed in conjunction with one of the foregoing disciplinary actions.

AMENDATORY SECTION (Amending WSR 17-22-054, filed 10/25/17, effective 11/25/17)

**WAC 132R-04-116 Brief adjudicative proceedings—Initial hearing.**

(1) Brief adjudicative proceedings shall be conducted by the student conduct officer. The presiding officer shall not participate in any case in which he or she is a complainant or witness, or in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory capacity.

(2) The parties to a brief adjudicative proceeding are the respondent and the student conduct officer. Before taking action, the conduct review officer shall conduct an informal hearing and provide each party (a) an opportunity to be informed of the college'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 all the parties within ~~((ten-business))~~ 10 calendar days of consideration of the initial hearing. The initial decision shall contain

a brief written statement of the reasons for the decision and information about how to seek administrative review of the initial decision. If no request for review is filed within (~~(twenty-one)~~) 21 calendar days of service of the initial decision, the initial decision shall be deemed the final order.

(4) If the conduct review officer upon review determines that the respondent's conduct may warrant imposition of a disciplinary suspension (~~(of more than ten)~~) in excess of 10 instructional days or expulsion, the matter shall be referred to the student disciplinary committee for a disciplinary hearing. The conduct review officer may enter an interim order suspending the student until a hearing can be held by the student disciplinary committee. The interim order shall provide a brief explanation as to facts supporting the interim order of suspension and give the necessary notices that the case has been referred to the student disciplinary committee.

AMENDATORY SECTION (Amending WSR 17-22-054, filed 10/25/17, effective 11/25/17)

**WAC 132R-04-1170 Brief adjudicative proceedings—Review of an initial decision.** (1) An initial decision is subject to review by the president or his or her designee, provided the respondent files a written request for review with the conduct review officer within (~~(twenty-one)~~) 21 calendar days of service of the initial decision.

(2) The president or designee shall not participate in any case in which he or she is a complainant or witness, or in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory capacity.

(3) During the review, the president or designee shall give each party an opportunity to file written responses explaining their view of the matter and shall make any inquiries necessary to ascertain whether the proceedings must be referred to the student disciplinary committee for a formal adjudicative hearing.

(4) The decision on review must be in writing and must include a brief statement of the reasons for the decision and must be served on the parties within (~~(twenty)~~) 20 calendar days of the initial decision or of the request for review, whichever is later. The order 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 reviewing officer does not make a disposition of the matter within (~~(twenty)~~) 20 calendar days after the request is submitted.

(5) If the president or designee upon review determines that the respondent's conduct may warrant imposition of a disciplinary suspension of more than (~~(ten)~~) 10 instructional days or expulsion, the matter shall be referred to the student disciplinary committee for a disciplinary hearing. The president or designee may enter an interim order suspending the student until a hearing can be held by the student disciplinary committee. The interim order shall provide a brief explanation as to facts supporting the interim order of suspension and give the necessary notices that the case has been referred to the student disciplinary committee.

AMENDATORY SECTION (Amending WSR 17-22-054, filed 10/25/17, effective 11/25/17)

**WAC 132R-04-125 Student ((disciplinary)) conduct committee—General.** (1) The student ((disciplinary)) conduct committee shall consist of five members:

(a) Two full-time students appointed by the student government;  
(b) Two faculty members recommended by the faculty association and appointed by the president;

(c) The conduct review officer or other member of the administration appointed by the president at the beginning of the academic year.

(2) The conduct review officer shall serve as the committee chair and may take action on preliminary hearing matters prior to the appointment of the committee. The committee chair 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 the chair, one faculty member, and one student 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 disciplinary committee shall not participate in any case in which they are a party, complainant, or witness, in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory capacity. Any party may petition the committee for disqualification of a committee member.

(5) For cases involving allegations of sex discrimination, including sex-based harassment, members of the student conduct committee must receive training on serving impartially, avoiding prejudgment of facts at issue, conflicts of interest, and bias. The chair must also receive training on the student conduct process for sex discrimination cases, as well as the meaning and application of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible, regardless of relevance in accordance with 34 C.F.R. §§ 106.45 and 106.46.

(6) The college may, in its sole discretion, contract with an administrative law judge or other qualified person to act as the presiding officer, authorized to exercise any or all duties of the student conduct committee and/or committee chair.

In sex discrimination cases, the college may, in its sole and exclusive discretion, contract with an administrative law judge or other qualified person to act as the presiding officer, authorized to exercise any or all duties of the student conduct committee and/or committee chair.

AMENDATORY SECTION (Amending WSR 17-22-054, filed 10/25/17, effective 11/25/17)

**WAC 132R-04-130 Student disciplinary committee—((Hearing)) Pre-hearing.** (1) The student conduct administrative panel will conduct full adjudicative proceedings in accordance with the provisions of this standards of conduct for students code, the Administrative Proce-



dures Act (chapter 34.05 RCW), and the model rules of procedure (chapter 10-08 WAC) including a hearing, determination of findings, conclusions, and sanctions. To the extent there is a conflict between the conduct code and the model rules, this student conduct code shall control.

(2) The committee chair shall serve all parties with written notice of the hearing not less than seven business days in advance of the hearing date. The chair may shorten this notice period if both parties agree, and also may continue the hearing to a later time for good cause.

(3) The committee chair is authorized to conduct prehearing conferences and/or to make prehearing decisions concerning the extent and forms of any discovery, issuance of protective orders, and similar procedural matters.

(4) Upon request filed at least five business days before the hearing by either party or at the direction of the committee chair, the parties shall exchange, no later than the third business day prior to the hearing, lists of potential witnesses and copies of potential exhibits that they reasonably expect to present in their respective cases. 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, unless the party can show good cause for such failure.

(5) The committee chair may provide to the committee members in advance of the hearing copies of (i) the student conduct officer's notification of imposition of discipline (or referral to the committee) and (ii) the notice of appeal (or any response to referral) by the respondent. If doing so, however, the chair should remind the members that these "pleadings" are not evidence of any facts they may allege.

(6) The parties may agree before the hearing to designate specific exhibits as admissible without objection and, if they do so, whether the committee chair may provide copies of these admissible exhibits to the committee members before the hearing.

(7) The student conduct officer shall provide reasonable assistance to the respondent, upon request, in obtaining relevant and admissible evidence that is within the college's control.

(8) Communications between committee members and other hearing participants regarding any issue in the proceeding, other than procedural communications that are necessary to maintain an orderly process, are generally prohibited without notice and opportunity for all parties to participate; any improper "ex parte" communication shall be placed on the record, as further provided in RCW 34.05.455.

(9) Each party may be accompanied at the hearing by a nonattorney assistant of their choice. A respondent or complainant in a case involving allegations of sexual misconduct may elect to be represented by an attorney at their own cost, but will be deemed to have waived that right 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. The committee will ordinarily be advised by an assistant attorney general. If the respondent or complainant is represented by an attorney, the student conduct officer may also be represented by a second, appropriately screened assistant attorney general.

(10) In circumstances involving more than one accused student, the student conduct officer may permit joint or separate hearings upon request by a party.

**WAC 132R-04-131 Student disciplinary committee hearing—Presentation of evidence.** ~~((1) Upon the failure of any party to attend or participate in a hearing, the committee may either (a) proceed with the hearing and issuance of its order or (b) serve an order of default in accordance with RCW 34.05.440. If an accused student, with notice, does not appear before a student conduct administrative panel hearing, the information in support of the complaint is presented and considered in the absence of the accused student.~~

~~(2) The hearing will ordinarily be closed to the public. However, if all parties agree on the record or in writing that some or all of the proceedings should be open, the committee chair shall determine any extent to which the hearing will be open. For hearings involving sexual misconduct allegations, complainant, accused student, and their respective attorney representatives may attend portions of the hearing where argument, testimony, and/or evidence are presented to the student disciplinary committee. If any person disrupts the proceedings, the chair may exclude that person from the hearing room.~~

~~(3) The committee chair shall cause the hearing to be recorded by a method that the committee chair selects, in accordance with RCW 34.05.449. Panel deliberations are not recorded. The recording, or a copy, is property of the college, but will be made available to the respondent 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 the respondent. Other recording shall also be permitted, in accordance with WAC 10-08-190.~~

~~(4) The committee chair shall preside at the hearing and decide procedural questions that arise during the hearing, except as overridden by majority vote of the committee, and make rulings on the admissibility of evidence, motions, objections, and on challenges to the impartiality of board members, unless a hearing examiner is appointed as provided below. These rulings shall be made on the record. The Washington rules of evidence shall serve as guidelines for those rulings on the admissibility of evidence, in conjunction with the Administrative Procedure Act, chapter 34.05 RCW. Questions related to the order of the proceedings are also determined by the committee chair.~~

~~(5) The student conduct officer (unless represented by an assistant attorney general) shall present the case for disciplinary action. The facts justifying any such action must be established by a preponderance of the evidence.~~

~~(6) All testimony shall be given under oath or affirmation. The panel chair determines which records, exhibits, and written statements may be accepted as information for consideration by the panel. These rulings shall be made on the record. Evidence shall be admitted or excluded in accordance with RCW 34.05.452.~~

~~(7) The president of the college or designee, the chair of the student disciplinary committee, the administrators assigned to the student disciplinary committee, deans, and/or the student conduct officer have the authority to issue subpoenas.~~

~~(8) The accused student and the student conduct officer may arrange for witnesses to present pertinent information to the student~~

disciplinary committee. Each party is responsible for informing their witnesses of the time and place of the hearing.

(9) The committee chair may accommodate concerns for the personal safety, well-being or fears of confrontation during the hearing by providing separate facilities, or by permitting participation by telephone, audio tape, written statement, or other means. In making such accommodations, the rights of the other parties must not be prejudiced and must have the opportunity to participate effectively in, to hear, and, if technically economically feasible, to see the entire proceeding while it is taking place.

(10) In cases involving allegations of sexual misconduct, neither party shall directly question or cross examine one another. Attorneys for the parties are also prohibited from questioning the opposing party absent express permission from the committee chair. Subject to this exception, all cross-examination questions shall be submitted in writing to the committee chair, who in his or her discretion shall pose the questions on the party's behalf.

(11) At the conclusion of the hearing, the committee shall permit the parties to make closing arguments in whatever form it wishes to receive them. The committee may also permit each party to propose findings, conclusions, and/or an order for its consideration.)) (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 ensure 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 college's case.

(6) All testimony shall be given under oath or affirmation. Except as otherwise provided in this section, evidence shall be admitted or excluded in accordance with RCW 34.05.452.

(7) In cases involving allegations of sex-based harassment, the complainant and respondent may not directly question one another or other witnesses. In such circumstances, the chair will determine whether questions will be submitted to the chair, who will then ask questions of the parties and witnesses, or allow questions to be asked directly of any party or witnesses by a party's attorney or advisor. The committee chair may revise this process if, in the chair's determination, the questioning by any party, attorney, or advisor, becomes contentious or harassing.

(a) Prior to any question being posed to a party or witness, the chair must determine whether the question is relevant and not otherwise impermissible; and must explain any decision to exclude a ques-

tion that is deemed not relevant, or is otherwise impermissible. The chair will retain for the record copies of any written questions provided by any party.

(b) The chair must not permit questions that are unclear or harassing; but shall give the party an opportunity to clarify or revise such a question.

(c) The chair shall exclude and the committee shall not consider legally privileged information unless the individual holding the privilege has waived the privilege. Privileged information includes, but is not limited to, information protected by the following:

(i) Spousal/domestic partner privilege;

(ii) Attorney-client communications and attorney work product privilege;

(iii) Clergy privileges;

(iv) Medical or mental health providers and counselor privileges;

(v) Sexual assault and domestic violence advocate privileges; and

(vi) Other legal privileges set forth in RCW 5.60.060 or federal law.

(d) The chair shall exclude and the committee shall not consider questions or evidence that relate to the complainant's sexual interests or prior sexual conduct, unless such question or evidence is offered to prove someone other than the respondent committed the alleged conduct, or is evidence of specific instances of prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

(e) The committee may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible. The committee must not draw an inference about whether sex-based harassment occurred based solely on a party's or witness's refusal to respond to such questions.

(8) Except in cases involving allegations of sex-based harassment, the chair has the discretion to determine whether a respondent may directly question any witnesses; and if not, to determine whether questions must be submitted to the chair to be asked of witnesses, or to allow questions to be asked by an attorney or advisor for the respondent.

AMENDATORY SECTION (Amending WSR 17-22-054, filed 10/25/17, effective 11/25/17)

**WAC 132R-04-150 Appeal from student ((disciplinary)) conduct committee initial decision.** ~~((1) A respondent who is aggrieved by the findings or conclusions issued by the student disciplinary committee may appeal the committee's initial decision to the president by filing a notice of appeal with the president's office within twenty calendar days of service of the committee's initial decision.~~

~~(2) The notice of appeal must assign error to specific findings of fact and/or conclusions of law in the initial decision and must contain argument regarding why the appeal should be granted. The president's review on appeal shall be limited to a review of those issues~~

and arguments raised in the notice of appeal. Review shall be restricted to the record created below.

~~(3) The president shall provide a written order to all parties within forty-five calendar days after receipt of the notice of appeal. The president's decision shall be final.~~

~~(4) The president may exercise discretion to suspend any disciplinary action pending review of the merits of the findings, conclusions, and disciplinary actions imposed.~~

~~(5) The president shall not engage in an ex parte communication with any of the parties regarding an appeal.~~

~~(6) Respondents and complainants in a case involving allegations of sexual misconduct shall have the right to be accompanied by an attorney or nonattorney assistant of their choosing during the appeal process, but will be deemed to have waived that right unless they file with the president a written notice of the attorney's identity and participation within twenty calendar days of service of the committee's initial decision.~~

~~(7) Complainant may appeal the student conduct committee's initial decision to the president subject to the same procedures and deadlines applicable to other parties.~~

~~(a) In addition to the appeal rights provided to the respondent above, a complainant may also appeal the following actions by the student conduct officer:~~

~~(i) The dismissal of a sexual misconduct complaint; or~~

~~(ii) Any disciplinary sanction(s) and conditions imposed against a respondent for a sexual misconduct violation, including a disciplinary warning.~~

~~(b) 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.~~

~~(c) The president will serve complainant a written notice indicating that the appeal has been resolved on the same date that the final order is served upon the respondent. This notice shall inform the complainant whether the sexual misconduct allegation was found to have merit and describe any sanctions and/or conditions imposed upon the respondent for the complainant's protection, including suspension or dismissal of the respondent.)~~ (1) Any party, including a complainant in sex-based harassment cases, may appeal the committee's decision to the president by filing a written appeal with the president's office within 21 calendar days of service of the committee's decision. Failure to file a timely appeal constitutes a waiver of the right and the decision shall be deemed final.

(2) The written appeal must identify the specific findings of fact and/or conclusions of law in the decision that are challenged and must contain argument why the appeal should be granted. Appeals may be based upon, but are not limited to:

(a) Procedural irregularity that would change the outcome;

(b) New evidence that would change the outcome and that was not reasonably available when the initial decision was made; and

(c) The investigator, decision maker, or Title IX coordinator had a conflict of interest or bias for or against a respondent or complainant individually or respondents or complainants generally.

(3) Upon receiving a timely appeal, the president or a designee will promptly serve a copy of the appeal on all nonappealing parties, who will have 10 business days from the date of service to submit a written response addressing the issues raised in the appeal to the

president or a designee, and serve it on all parties. Failure to file a timely response constitutes a waiver of the right to participate in the appeal.

(4) If necessary to aid review, the president may ask for additional briefing from the parties on issues raised on appeal. The president's review shall be restricted to the hearing record made before the student conduct committee and will normally be limited to a review of those issues and arguments raised in the appeal.

(5) The president shall serve a written decision on all parties and their attorneys, if any, within 20 calendar days after receipt of the appeal. The president's decision shall be final and subject to judicial review pursuant to chapter 34.05 RCW, Part V.

(6) In cases involving allegations of sex-based harassment, the president's decision must be served simultaneously on the complainant, respondent, and Title IX coordinator.

(7) The president shall not engage in an ex parte communication with any of the parties regarding an appeal.

AMENDATORY SECTION (Amending WSR 21-08-012, filed 3/26/21, effective 4/26/21)

**WAC 132R-04-320 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 132R-04-130. 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.))~~ (1) Proceedings of the student conduct committee shall be governed by the Administrative Procedure Act, chapter 34.05 RCW.

(2) The student conduct committee chair shall serve all parties with written notice of the hearing not less than seven calendar days in advance of the hearing date. 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. The notice must include:

- (a) A copy of the student conduct code;
- (b) The basis for jurisdiction;
- (c) The alleged violation(s);
- (d) A summary of facts underlying the allegations;
- (e) The range of possible sanctions that may be imposed; and
- (f) A statement that retaliation is prohibited.

(3) The 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 calendar days before the hearing by any party or at the direction of the 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 chair may provide to the committee members in advance of the hearing copies of:

(a) The student conduct officer's notification of imposition of discipline (or referral to the committee); and

(b) The notice of appeal (or any response to referral) by the respondent. If doing so, however, the chair should remind the members that these "pleadings" are not evidence of any facts they may allege.

(6) The parties may agree before the hearing to designate specific exhibits as admissible without objection and, if they do so, whether the committee chair may provide copies of these admissible exhibits to the committee members before the hearing.

(7) (Optional: The student conduct officer shall provide reasonable assistance to the respondent and complainant in procuring the presence of college students, employees, staff, and volunteers to appear at a hearing, provided the respondent and complainant provide a witness list to the student conduct officer no less than three business days in advance of the hearing. The student conduct officer shall notify the respondent and complainant no later than 24 hours in advance of the hearing if they have been unable to contact any prospective witnesses to procure their appearance at the hearing. The committee chair will determine how to handle the absence of a witness and shall describe on the record their rationale for any decision.)

(8) Communications between committee members and other hearing participants regarding any issue in the proceeding, other than procedural communications that are necessary to maintain an orderly process, are generally prohibited without notice and opportunity for all parties to participate, and any improper "ex parte" communication shall be placed on the record, as further provided in RCW 34.05.455.

(9) (Optional: In cases heard by the committee, each party may be accompanied at the hearing by an advisor of their choice, which may be an attorney retained at the party's expense.)

(10) (Optional: For any matters involving a disciplinary sanction of suspension of more than one quarter, dismissal, or sex-based harassment, the college shall provide an advisor to the respondent and any complainant, if they have not otherwise identified an advisor to assist them during the hearing.) The committee will ordinarily be advised by an assistant attorney general or their designee. If the respondent and/or the complainant is represented by an attorney, the student conduct officer may be represented by an assistant attorney general.

(11) Attorneys for students must file a notice of appearance with the committee chair at least four business days before the hearing. Failure to do so may, at the discretion of the committee chair, result in a waiver of the attorney's ability to represent the student at the hearing, although an attorney may still serve as an advisor to the student.

(12) In cases involving allegations of sex discrimination, the complainant has a right to participate equally in any part of the dis-

ciplinary process, including appeals. Respondent and complainant both have the following rights:

(a) **Notice.** The college must provide a notice that includes all information required in subsection (2) of this section, and a statement that the parties are entitled to an equal opportunity to access relevant and permissible evidence, or a description of the evidence upon request.

(b) **Advisors.** The complainant and respondent are both entitled to have an advisor present, who may be an attorney retained at the party's expense.

(c) **Extensions of time.** The chair may, upon written request of any party and a showing of good cause, extend the time for disclosure of witness and exhibit lists, accessing and reviewing evidence, or the hearing date, in accordance with the procedures set forth in subsection (13)(b) of this section.

(d) **Evidence.** In advance of the hearing, the student conduct officer shall provide reasonable assistance to the respondent and complainant in accessing and reviewing the investigative report and relevant and not otherwise impermissible evidence that is within the college's control.

(e) **Confidentiality.** The college shall take reasonable steps to prevent the unauthorized disclosure of information obtained by a party solely through the disciplinary process which may include, but are not limited to, directives by the student conduct officer or chair pertaining to the dissemination, disclosure, or access to evidence outside the context of the disciplinary hearing.

(13) In cases involving allegations of sex-based harassment, the following additional procedures apply:

(a) **Notice.** In addition to all information required in subsection (2) of this section, the notice must also inform the parties that:

(i) The respondent is presumed not responsible for the alleged sex-based harassment;

(ii) The parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial decision maker;

(iii) They may have an advisor of their choice, who may be an attorney, to assist them during the hearing;

(iv) They are entitled to an equal opportunity to access relevant and not otherwise impermissible evidence in advance of the hearing; and

(v) The student conduct code prohibits knowingly making false statements or knowingly submitting false information during a student conduct proceeding.

(b) **Extensions of time.** The chair may, upon written request of any party and a showing of good cause, extend the time for disclosure of witness and exhibit lists, accessing and reviewing evidence, or the hearing date. The party requesting an extension must do so no later than 48 hours before any date specified in the notice of hearing or by the chair in any prehearing conference. The written request must be served simultaneously by email to all parties and the chair. Any party may respond and object to the request for an extension of time no later than 24 hours after service of the request for an extension. The chair will serve a written decision upon all parties, to include the reasons for granting or denying any request. The chair's decision shall be final. In exceptional circumstances, for good cause shown, the chair may, in their sole discretion, grant extensions of time that are made less than 48 hours before any deadline.



(c) **Advisors.** The college shall provide an advisor to the respondent and any complainant, if the respondent or complainant have not otherwise identified an advisor to assist during the hearing.

(d) **Evidence.** In advance of the hearing, the student conduct officer shall provide reasonable assistance to the respondent and complainant in accessing and reviewing the investigative report and relevant and not otherwise impermissible evidence that is within the college's control.

(e) **Confidentiality.** The college shall take reasonable steps to prevent the unauthorized disclosure of information obtained by a party solely through the disciplinary process which may include, but are not limited to, directives by the student conduct officer or chair issuing directives pertaining to the dissemination, disclosure, or access to evidence outside the context of the disciplinary hearing.

(f) **Separate locations.** The chair may, or upon the request of any party, must conduct the hearing with the parties physically present in separate locations, with technology enabling the committee and parties to simultaneously see and hear the party or the witness while that person is speaking.

(g) **Withdrawal of complaint.** If a complainant wants to voluntarily withdraw a complaint, they must provide notice to the college in writing before a case can be dismissed.

## BIG BEND COMMUNITY COLLEGE

Date: 12-12-24

### ITEM #7: Board Self-Evaluation and Goals (information/action)

#### BACKGROUND:

The following is an excerpt from the October 10, 2024, Board of Trustees meeting minutes with the [August 29/October 2, 2024, Board of Trustees Self-Evaluation goals and assessments review](#) embedded therein. The highlighted sections represent the most recent activity documented at the October 10, 2024, Board of Trustees meeting.

*“Annually, the BBCC Board of Trustees conducts a self-evaluation during its retreat. The effort was completed on Thursday, August 29, 2024. The process includes determining whether the Board has met its goals, maintained trustee activity aligned with the Ends, and followed and fulfilled board policies.*

*For the 2023-2024 academic year, the BBCC Board of Trustees adopted three goals.*

1. *Develop a clear method of monitoring Big Bend Community College’s Ends Statements including the identification of indicators which measure the performance of the institution relative to the Ends.*
  - *During the August 29 retreat, the Board agreed that progress has been made on this goal and will be completed with the adoption of the proposed indicators on October 10<sup>th</sup>.*

*At the October 10, 2024, Board of Trustees meeting, Trustee Anna Franz requested to table this item until the next regularly scheduled Board of Trustees meeting December 12, 2024.*

2. *Advance equity, diversity, and inclusion by reviewing policies to ensure support of operational equity, diversity, and inclusion programs.*
  - *During the August 29 retreat, the Board agreed that progress has been made on this goal and will continue to be retained for 2024-2025. A two-year calendar was proposed and adopted which will review all policies for any new DEI language.*

*At the October 10, 2024, Board of Trustees meeting, Board Chair Amy Parris and Vice Chair Bethany Martinez recommended retaining Goal #2 for the 2024-2025 academic year.*

3. *Establish an annual calendar of board study session topics to ensure professional development of Board members.*
  - *During the August 29 retreat, the Board agreed that progress has been made on this goal and will continue to be retained for 2024-2025. A calendar of timely and appropriate topics was proposed and adopted that will keep the board on track for professional*

*learning opportunities for the year.*

*At the October 10, 2024, Board of Trustees meeting, Board Chair Amy Parris proposed adopting Trustee Tuesdays as the professional development schedule for Board members rather than developing separate internal sessions. The existing Trustee Tuesday examples of planned topics include tenure in December and building synergy in January, and the sessions are aligned with the legislative cycle. After additional discussion, it was recommended to retain Goal #3 for the 2024-2025 academic year and use the Trustee Tuesday schedule as the annual calendar.*

**Motion 24-31** *Trustee Anna Franz moved to adopt the review of the 2023-2024 goals and Board self-evaluation as discussed. Trustee Gary Chandler seconded, and the motion passed.”*

Prepared by the President’s Office.

**RECOMMENDATION:**

- Complete the tabled review for the first goal inclusive of a review and subsequent adoption of the proposed indicators.
- Adopt next year’s goals for the Board of Trustees.

## **BIG BEND COMMUNITY COLLEGE**

Date: 12-12-24

**ITEM #8:** President's Contract (information/action)

### **BACKGROUND:**

The Board of Trustees will discuss President Sara Thompson Tweedy's contract.

Prepared by the President's Office.

### **RECOMMENDATION:**

None.

## **BIG BEND COMMUNITY COLLEGE**

Date: 12-12-24

**ITEM #9:** Board Policy 1000 – Policy Governance By Laws (information/action)

### **BACKGROUND:**

During the August 29, 2024, Board of Trustees Retreat, revisions to Board Policy 1000 Policy Governance By Laws were discussed.

The following revisions to BP 1000 discussed at the retreat were presented and reviewed at the October 10, 2024, Board of Trustees regular meeting:

Remove paragraph two on page 15 *“The board will discuss the Academic Master Plan report results, Executive Limitations information and focus group conversations with the president in executive session.”*

The revisions shall be presented at the December 12, 2024, Board of Trustees regular meeting for final approval and adoption consideration.

Prepared by the President’s Office.

**1000.1 ENDS**

<b>Big Bend Community College Ends</b>		
<b>E-1: Student Success</b>		
Big Bend Community College provides the entire district with access to learning opportunities, assists students in completion of their educational and workforce development goals, develops skills for continued learning, and maintains high academic standards.		
<b>E-2: Community Engagement</b>	<b>E-3: Stewardship</b>	<b>E-4: Diversity, Equity, Inclusion</b>
Big Bend Community College supports economic development by nurturing community and industry partnerships to enhance access and service to our district.	Big Bend Community College acts as a responsible steward of resources by promoting accountability, sustainability, ethics, and prudent resource management to provide quality and affordable resources to our district.	Big Bend Community College fosters inclusiveness for students, employees, and visitors by maintaining a safe learning environment promoting cultural inclusiveness and respect by embracing diversity, access, opportunity, and equity.

(Annual reports on these Ends Statements will be presented to the board according to the schedule outlined in the current Academic Master Plan.)

**1000.2 EXECUTIVE LIMITATIONS****EL – 1 General Executive Constraint**

The President shall not allow in or by the operating organization of BBCC, any practice, activity, or decision, which is either unlawful, or in violation of commonly accepted professional ethics, or is contrary to the provisions set forth in the Governance Process Policies. The duties and responsibilities of the President are outlined in the President's Job Description in the Human Resource Office.

**EL – 2 Respect For Students**

Students should be treated with respect at all times. The President shall not cause or allow conditions, procedures, or decisions which are unsafe, lacking in respect, unnecessarily intrusive, or which fail to provide appropriate confidentiality and privacy.

The President may not:

1. Use methods of collecting, reviewing, transmitting, or storing client information that fail to protect against improper access to the information elicited.
2. Fail to provide a grievance process; to those students who believe that they have not been accorded a reasonable interpretation of rights established pursuant to this policy.
3. Operate without written procedures which clarify the rules for students.

### **EL – 3 Respect For Community Members**

BBCC recognizes that our community members are our stakeholders and that all visitors to our facilities should be treated with respect. The President shall not cause or allow conditions, procedures, or decisions which are unsafe, lacking in respect or unnecessarily intrusive.

The President may not operate without written procedures which describe rules for visitors.

### **EL – 4 Respect For Employees**

Paid and volunteer staff should be treated with respect at all times, and in compliance with established policies, process, and contracts. The President may not cause or allow conditions which are unsafe, lacking in respect, unnecessarily intrusive or are knowingly in violation of college policies, process, and contracts.

The President may not:

1. Operate without written personnel procedures which clarify personnel rules for staff, and provide for effective handling of grievances.
2. Discriminate against any staff member for expressing an ethical dissent within the framework of existing policy, process, and contracts.
3. Restrict the exercise of academic freedom.
4. Prevent non-represented classified and admin/exempt employees from the exercise of all rights provided to classified and exempt employees in AP4200 Communications/Grievance Procedure for Classified & Exempt Staff including an appeal to the Board.

5. Hinder employees from becoming acquainted with their rights under this policy.

## **EL – 5 Ethical Conduct**

The President must establish and maintain high levels of professional and institutional integrity, adhering to the ethical standards of the State of Washington and of Big Bend Community College.

The President may not:

1. Change his or her own compensation and benefits.
2. Allow a conflict of interest or the appearance of a conflict of interest to exist in the approval of any college contract.
3. Promise or imply permanent or guaranteed employment in disregard of college hiring policies, procedures, and practice.

## **EL – 6 Asset Protection**

The President may not allow assets to be unprotected, inadequately maintained nor unnecessarily risked nor allow any action that is contrary to the provisions set forth in the Governance Process Policies.

The President may not:

1. Unnecessarily expose the college, its Board or staff, to claims of liability.
2. Fail to protect intellectual property, information and files from loss or significant damage.
3. Receive, process or disburse funds under controls, which are insufficient to meet the State Auditor's standards.
4. Fail to provide adequate protection against theft and casualty.
5. Fail to establish disaster/emergency management plans.

## **EL – 7 Financial Planning**

Financial planning shall not deviate materially from Board Ends priorities.

The President shall not fail to demonstrate concurrence between Board Ends priorities and the annual budget.



## **EL – 8 Financial Condition And Activity**

The initial and ongoing receipt and expenditure of funds shall be maintained within the approved budgetary expectations. Extraordinary changes in receipts or expenditures shall not cause or allow the development of fiscal jeopardy.

The President may not:

1. Expend more funds than have been received in the fiscal year
2. Allow an annual budget to be submitted for approval with dedicated contingencies of less than 2.5% of the total General Operating Budget and Operating Tuition Fund.
3. Fail to settle payroll and debts in a timely manner.
4. Allow tax payments or other government-ordered payments or filings to be overdue or inaccurately filed.
5. Acquire, encumber, or dispose of real property.

## **EL – 9 Communication And Support To The Board**

The President must keep the Board informed regarding monitoring data, relevant trends, media coverage, and Board compliance with its own policies, while acting as counsel to the Board.

The President may not:

1. Neglect to submit monitoring data required by the Board in a timely, accurate and understandable fashion, directly addressing provisions of the Board Policies being monitored.
2. Let the Board be unaware of relevant trends, anticipated adverse media coverage, material external and internal changes, particularly changes in the assumptions upon which any Board Policy has previously been established.
3. Fail to advise the Board if, in the President's opinion, the Board is not in compliance with its own policies on Governance Process and Board-Staff Linkage, particularly in the case of Board behavior, which is detrimental to the work relationship between the Board and the President.
4. Fail to provide a mechanism for official Board communications.
5. Fail to report in a timely manner an actual or anticipated noncompliance with any policy of the Board.

## **EL – 10 Emergency Executive Succession**

In order to protect the Board from the sudden loss of chief executive services, the President may not have fewer than two other executives familiar with Board and President issues and processes.

### **1000.3 GOVERNANCE PROCESS**

#### **GP – 1 Governance Commitment**

The purpose of governance is that the Board, on behalf of the constituents of community college district # 18, ensures accountability of Big Bend Community College by assuring that it (a) achieves appropriate results for the appropriate recipients at an appropriate cost and (b) avoids unacceptable activities, conditions and decisions.

#### **GP – 2 Governing Style**

The board will govern with an emphasis on outward vision rather than an internal preoccupation, encouragement of diversity in viewpoints, strategic leadership more than administrative detail, clear distinction of board and chief executive roles, collective rather than individual decisions, future rather than past or present, and proactivity rather than reactivity.

The board will:

1. Deliberate in many voices, but govern in one.
2. Be responsible for excellence in governing and an initiator of policy.
3. Direct, control and inspire the organization through the careful establishment of broad written policies reflecting the board's values and perspectives. The board's major policy focus will be on the intended long-term impacts outside the operating organization, not on the administrative or programmatic means of attaining those effects.
4. Enforce upon itself whatever discipline is needed to govern with excellence. Discipline will apply to matters such as attendance, preparation for meetings, policy making principles, respect for roles, and ensuring the continuity of governance capability.
5. Monitor and discuss the board's process and performance periodically. Self-monitoring will include comparison of board activity and discipline to policies in the Governance Process and Board-Staff Linkage categories.
6. Continual board development will include, but not be limited to, orientation of new members in the board's governance process and periodic board discussion of process improvement.

7. Seek input from staff, students, alumni, employers and other community members on Board Policies.

### **GP – 3 Board Job Descriptions**

The job of the board is to represent the constituents of community college district #18 in determining and demanding appropriate organizational performance. To distinguish the board's own unique job from the jobs of its staff, the board will concentrate its efforts on the following job "products" or outputs:

1. The link between the organization and the constituents of community college district #18
2. Written governing policies which, at the broadest levels, address:
  - A. *Ends*: Organizational products, impacts, benefits, outcomes, recipients, and their relative worth (what good, for which needs, at what cost).
  - B. *Executive Limitations*: Constraints on executive authority which establish the prudence and ethics boundaries within which all executive activity and decisions must take place.
  - C. *Governance Process*: Specification of how the board conceives, carries out and monitors its own task.
  - D. *Board-Staff Linkage*: How power is delegated and its proper use monitored, the President's role, authority and accountability.
3. The assurance of the President's performance (against policies in 2A and 2B).
4. A link between the Board and the College Foundation Board for maintaining communication and providing coordination between the two boards.

### **GP – 4 Chair's Role**

The Chair assures the integrity of the board's process and, secondarily, occasionally represents the board to outside parties. The Chair is the only board member authorized to speak for the board (beyond simply reporting board decisions), other than in rare and specifically authorized instances.

1. The job result of the Chair is that the board behaves consistent with its own rules and those legitimately imposed upon it from outside the organization.
  - A. Meeting content will focus on those issues which, according to board policy, clearly belong to the board to decide or examine, not the President.

- B. Deliberation will be fair, open, and thorough, but also efficient, timely, orderly, and kept to the point.
- 2. The authority of the Chair consists of making decisions that fall within the topics covered by board policies on Governance Process and Board-Staff Linkage, except where the board specifically delegates portions of this authority to others.
  - A. The Chair is empowered to chair board meetings with all the commonly accepted power of that position (e.g., ruling, recognizing, agenda-setting).
  - B. The Chair has no authority to make decisions about policies created by the board within Ends and Executive Limitations policy areas. Therefore, the Chair has no authority to supervise or direct the President.
  - C. The Chair may represent the board to outside parties in announcing board-stated positions and in stating Chair decisions and interpretations within the area delegated to him or her.
  - D. The Chair may delegate this authority, but remains accountable for its use.
- 3. In the absence of the Chair, the Vice Chair will assume the responsibilities of the Chair. In the absence of the Chair and Vice Chair, the members of the Board shall select a member to assume the responsibilities of the Chair during the continuance of the absences.

## **GP – 5 Board Members Code Of Ethics**

The board commits itself and its members to ethical, businesslike, and lawful conduct. This includes proper use of authority and appropriate decorum when acting as board members.

- 1. Members must represent unconflicted loyalty to the interests of the community. This accountability supercedes any conflicting loyalty such as that to advocacy or interest groups and membership on other boards or staff. It also supercedes the personal interest of any board member acting as a consumer of the organization's services.
- 2. Members must avoid conflict of interest with respect to their fiduciary responsibility.
  - A. There must be no self-dealing or any conduct of private business or personal services between any board member and the organization except as procedurally controlled to assure openness, competitive opportunity and equal access to "inside" information.

- B. When the board is to decide upon an issue, about which a member has an unavoidable conflict of interest, that member shall absent herself or himself without comment from not only the vote, but also from the deliberation.
  - C. Board members must not use their positions to obtain employment in the organization for themselves, family members or close associates. Should a member desire employment, he or she must first resign.
  - D. Members will annually disclose their involvements with other organizations, with vendors, or any other associations which might produce a conflict.
3. Board members may not attempt to exercise individual authority over the organization except as explicitly set forth in board policies.
- A. Members' interaction with the President or with staff must recognize the lack of authority vested in individuals except when explicitly board-authorized.
  - B. Members' interaction with public, press or other entities must recognize the same limitation and the inability of any board member to speak for the board.
  - C. Members will give no consequence or voice to individual judgments of President or staff performance.
4. Members will respect the confidentiality appropriate to issues of a sensitive nature.

## **GP – 6 Cost Of Governance**

Because poor governance costs more than learning to govern well, the board will invest in its governance capacity. Accordingly,

- 1. Board skills, methods, and supports will be sufficient to assure governing with excellence.
  - A. Training and retraining will be used liberally to orient new members and candidates for membership, as well as to maintain and increase existing member skills and understandings.
  - B. Outside monitoring assistance will be arranged so that the board can exercise confident control over organizational performance. This includes, but is not limited to, fiscal audit.
  - C. Outreach mechanisms will be used as needed to ensure the board's ability to listen to the viewpoints and values of the constituents of community college district #18.

2. Costs will be prudently incurred, though not at the expense of endangering the development and maintenance of superior capability.

## **GP – 7 Naming Of Facilities**

The Board retains its right to name and rename college buildings and facilities as an appropriate honor to individuals and organizations for friendship, service and support of the college.

1. The Board will also approve the naming of buildings and facilities according to the wishes of a donor who has met the schedule of financial support for the various capital projects of the college. The schedule of naming opportunities will be set in Administrative Process AP1020.
2. The Board may also approve the naming of buildings and facilities in order to honor those who have rendered extraordinary service to the college or who, by their personal or professional achievements have significantly enhanced the reputation of the college. Honorees for extraordinary service may not be current employees, and may include those who have given extraordinary service to the college in a service or volunteer capacity such that their contributions are widely recognized by the community and their peers.

## **GP – 8 By Laws Of Community College District #18**

### **INTRODUCTION**

The Big Bend Community College Board of Trustees, under law, is charged with the responsibility of Community College District No. 18. The authority is vested in the board, not in its individual board members. To assist the board in carrying out its responsibilities, it shall employ a president of Big Bend Community College and delegate to him/her the responsibility for administering the district under policies approved by the board. (RCW 28B.50.100) [see Board Resolution 2003.1 and BP1004]

Policies of the Board of Trustees are found in the records of board action and in the Board Policy Manual of which this document is a part. The bylaws which follow contain all of the rules adopted by the board which are in force and which relate to the organization and powers of the board and its method of conducting business.

### **OFFICES OF THE BOARD OF TRUSTEES**

The Board of Trustees shall maintain an office at Big Bend Community College, Moses Lake, Washington, where all regular meetings shall be held, unless otherwise announced, and all records, minutes, and the official college seal shall be kept. This office shall be open during all normal business hours to any resident taxpayer of the State of Washington.

Correspondence or other business for the board shall be sent to the Secretary of the Board, who is located in this office at 7662 Chanute Street, Moses Lake, Washington 98837.

## MEETINGS OF THE BOARD OF TRUSTEES

The Board of Trustees shall hold at least one meeting each quarter and such other regular or special meetings as may be requested by the Chair of the board or by a majority of the members of the board. Regular meeting dates and times are set by an annual schedule approved by the board and published by the Office of the President. All regular meetings of the board will be held within Community College District boundaries at locations published prior to the meeting.

- A. Information for Board Members. Information and materials pertinent to the agenda of all regular meeting of the board shall be sent to trustees prior to each meeting. Any matters of business or correspondence must be received by the Secretary of the Board by 12:00 noon the Monday of the week preceding the meeting in order to be included on the agenda. The chair or secretary may, however, present a matter of urgent business received too late for inclusion on the agenda if in his/her judgment the matter is of an urgent nature.
- B. Executive Sessions. The Board of Trustees may convene in executive session during a regular or special meeting for the purposes set forth in RCW 42.30.110, as amended. The Board of Trustees also may exclude from any such public meeting or executive session, during the examination of a witness on any such matter, any or all other witnesses in the matter being investigated by the Board of Trustees.
- C. Records of Board Action. All business transacted in official board meetings shall be recorded in minutes and filed for reference.
- D. Parliamentary Procedure. Three members of the Board of Trustees shall constitute a quorum and no action shall be taken by less than a majority of the board members.

Normally, voting shall be viva voce. However, a roll call vote may be requested by any member of the board for purposes of the record.

In questions of parliamentary procedure, the actions of the board shall be conducted according to the rules contained in the current edition of Robert's Rules of Order Newly Revised, unless specified otherwise by state law or regulation of the State Board for Community and Technical Colleges.

- E. The chair shall announce at the beginning of each meeting that interested citizens or groups may make five-minute oral or written presentations to the board regarding any item on or off the agenda. If a written presentation is to be made, a notice of such written presentation must be submitted to the Secretary of the Board of Trustees at least 24 hours prior to the scheduled meeting.

If oral comment from other members of the public is accepted at a regular meeting, and upon the request of any individual who will have difficulty attending a meeting by reason of disability, limited mobility, or for any other reason that makes physical attendance at the meeting difficult, the Board of Trustees, when feasible, shall provide an opportunity for that individual to provide oral comment at the meeting remotely.

Nothing in this section of the policy requires the Board of Trustees to accept comment which renders the orderly conduct of the meeting unfeasible. In such a scenario, the Board of Trustees may take steps to return the meeting to orderly conduct in accordance with state law.

## OFFICERS OF THE BOARD

At a regular meeting of the board each year the board shall elect, from its membership, a chair and vice-chair to serve for the ensuing twelve months commencing on October 1st. In addition, the President of Big Bend Community College shall serve as secretary to the Board of Trustees as specified by state law. The secretary may, at his/her discretion, appoint the president's secretary or other appropriate college staff member to act as recording secretary for all regular and special meetings of the Board of Trustees.

The chair, in addition to any duties imposed by rules and regulations of the State Board for Community and Technical Colleges, shall preside at each regular or special meeting of the board, sign all legal and official documents recording actions of the board, and review the agenda prepared for each meeting of the board. The chairman shall, while presiding at official meetings, have full right of discussion and vote.

The vice-chair, in addition to any duties imposed by rules and regulations of the State Board for Community and Technical Colleges, shall act as chair of the board in the absence of the chair.

The secretary of the board shall be the President of Big Bend Community College and in addition to any duties imposed by rules and regulations of the State Board for Community and Technical Colleges, he/she shall keep the official



seal of the board, maintain all records of meetings and other official actions of the board.

The secretary shall also be responsible for board correspondence, compiling the agenda of meetings, and distributing the minutes of the meetings and related reports.

The secretary, or his/her designate, must attend all regular and special meetings of the board, and official minutes must be kept of all such meetings.

#### RESTRICTIONS OF INDIVIDUAL AUTHORITY

Legal authority is vested in the Board of Trustees and may be exercised only by formal action of the board, taken in regular and special meetings. No individual member of the board may act on behalf of the board unless specifically instructed by action of the board. Every member of the board shall be under obligation to support the decision or policy of the majority and shall not publicly oppose such a decision or policy after it has been adopted by the majority.

#### FISCAL YEAR OF THE BOARD OF TRUSTEES

The fiscal year of the board shall conform to the fiscal year of the State of Washington and shall be from July 1 to June 30 inclusive.

#### SEAL AND NAME OF THE COLLEGE DISTRICT

The Board of Trustees shall maintain an official seal for the use upon any or all official documents of the board. The seal shall have inscribed upon it the name of the college which shall be:

BIG BEND COMMUNITY COLLEGE  
DISTRICT NO. 18  
STATE OF WASHINGTON

#### CHANGES TO BYLAWS OF THE BOARD OF TRUSTEES

Bylaws of the board may be revised by majority vote of the board provided such changes are proposed at least one meeting prior to the meeting at which the vote is taken. Bylaws may be revised by unanimous vote of the board at the same meeting at which the revision is originally proposed.

#### DELEGATION OF RESPONSIBILITY

It shall be the responsibility of the Big Bend Community College Board of Trustees to establish policy and to evaluate the success of the college operation. The Board of Trustees shall employ a President for Big Bend Community College and hold such president responsible for the interpretation of board policy into administrative action and for the administration of the college in general.

Specific policies and their administrative interpretation shall be described in detail in the several sections of the Board Policy Manual. [see Board Resolution 2003-1 and BP1004]

## **1000.4 BOARD-STAFF LINKAGE**

### **BSL - 1 Chief Executive Role**

The President, as chief executive officer, is accountable to the board acting as a body. The board will instruct the President through written policies, delegating to him or her interpretation and implementation of those policies, as per Board Resolution 2003-1 and BP1004.

### **BSL - 2 Delegation To The President**

All board authority delegated to the operating organization is delegated through the President, so that all authority and accountability of the operating delegation – as far as the board is concerned – is considered to be the authority and accountability of the President.

1. The board will direct the President to achieve specified results, for specific recipients, at a specified worth through the establishment of *Ends* policies. The board will limit the latitude the President may exercise in practices, methods, conduct and other “means” to the ends through establishment of *Executive Limitations* policies.
2. As long as the President uses any *reasonable interpretation* of the board's *Ends* and *Executive Limitations* policies, the President is authorized to establish all further policies, make all decisions, take all actions, establish all practices and develop all activities.
3. The board may change its *Ends* and *Executive Limitations* policies, thereby shifting the boundary between board and President domains. By so doing, the board changes the latitude of choice given to the President. But so long as any particular delegation is in place, the board and its members will respect and support the President's choices.
4. Only decisions of the board acting as a body are binding upon the President.
  - A. Decisions or instructions of individual board members are not binding on the President except in rare instances when the board has specifically given prior authorization for such exercise of authority.
  - B. In the case of board members requesting information or assistance without board authorization, the President can refuse such requests that require – in his/her judgment – a material amount of staff time or funds or is disruptive.

### **BSL – 3 President’s Job Description**

As the board’s single official link to the operating organization, the President’s performance will be considered to be synonymous with organizational performance as a total.

Consequently, the President’s job contributions can be stated as performance in only two areas:

1. Organizational accomplishment of the provisions of board policies on *Ends*.
2. Organization operation within the boundaries of prudence and ethics established in board policies on *Executive Limitations*.

### **BSL – 4 Monitoring Presidential Performance**

Monitoring executive performance is synonymous with monitoring organizational performance against board policies on *Ends* and *Executive Limitations*.

1. The purpose of monitoring is simply to determine the degree to which board policies are being fulfilled. Information which does not do this will not be considered to be monitoring. Monitoring will be as automatic as possible, using a minimum of board time so that meetings can be used to create the future rather than to review the past.
2. A given policy may be monitored in one or more of three ways:
  - A. Internal report: Disclosure of compliance information to the board from the President, or his/her designee.
  - B. External report: Discovery of compliance information by a disinterested, external auditor, inspector or judge who is selected by and reports directly to the board. Such reports must assess executive performance only against policies of the board, not those of the external party unless the board has previously indicated that party’s opinion to be the standard.
  - C. Direct board inspection: Discovery of compliance information by a board member or the board as a whole. This is a board inspection of documents, activities or circumstances directed by the board which allows a “prudent person” test of policy compliance.
3. Upon the choice of the board any policy can be monitored by any method at any time. *Ends* and *Executive Limitations* shall be monitored annually in the Mission Fulfillment Report and Budget Presentations.
4. The board will conduct a formal evaluation of the President annually. This evaluation will focus on the monitoring data on *Ends* and *Executive Limitations* policies provided during the intervening year. However, the

board's evaluation may also include pre-determined criteria based on the board's expectations of the President's performance so long as such criteria have been specified one year in advance of the evaluation.

~~The board will discuss the Academic Master Plan report results, Executive Limitations information and focus group conversations with the president in executive session.~~

The results of the evaluation will be reported in open meeting with any necessary action to occur at that open meeting.

## **BIG BEND COMMUNITY COLLEGE**

Date: 12-12-24

**ITEM #10:** Board Policy 6111 Revision Review (information)

### **BACKGROUND:**

Board Policy 6111, Electronic and Information Technology Access (EITA) is presented for review by the Board of Trustees.

The revision is in the last sentence of the second paragraph, replacing the phrase "Washington OCIO Policy 188" with "WATech Policy USER-01."

The proposed revision aligns with the guidance from the Washington State Board for Community and Technical Colleges as provided by the college's BBT Director, Patrick Steele.

Final approval shall be requested at the January 23, 2025, Board of Trustees meeting.

### **RECOMMENDATION:**

Review Board Policy 6111 proposed revisions.

Big Bend Community College (BBCC) values diverse experiences and perspectives and strives to fully include everyone who engages with BBCC. Inaccessible electronic and information technology (EIT) negatively impacts all people, including those with disabilities. EITA means a person with a disability is afforded the opportunity to acquire the same information, engage in the same interactions, and use the same services as a person without a disability in an equally effective and integrated manner. BBCC is committed to providing access to all EIT that it develops, procures, or uses, such as college websites, learning management tools, student information systems, training materials, instructional materials, and assessment tools. Ensuring equal and effective EITA is the responsibility of all BBCC administrators, faculty, and staff.

BBCC makes its offerings accessible to individuals with disabilities in accordance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act as amended (ADA), the Washington Law Against Discrimination, and the [WATech Policy USER-01](#) ~~Washington-OCIO policy-188~~.

## **BIG BEND COMMUNITY COLLEGE**

Date: 12-12-24

**ITEM #11:** Board Policies for Review (information)

### **BACKGROUND:**

During the August 29, 2024, Board Retreat, the Board of Trustees discussed regularly reviewing Board Policies for diversity, equity, and inclusion intent. The Board will review the policies at one meeting and then take action on the policies at the following meeting.

The Board Policies to review for the December 12, 2024, meeting are presented as follows:

BP 1030 Compensation Plan [for Employees]  
BP 1040 Personnel Administration  
BP 2050 State Employees Misconduct (Whistleblower Act)  
BP 2070 Reasonable Accommodation for Employees  
BP 2080 Return to Work [for Employees]

The five policies follow this document, along with the Board Policy Tracker.

Prepared by the President's Office.

### **RECOMMENDATION:**

Review the aforementioned policies.

**Philosophy**

In order to fulfill its mission, Big Bend Community College shall maintain a compensation plan directed toward attracting, retaining, and rewarding a qualified and diverse workforce. Within the boundaries of financial feasibility, employee compensation shall be externally competitive and internally equitable, and shall be based upon performance as recognized within the work unit.

**Compensation Plan Goals**

1. To attract and retain highly qualified employees with the required education, experience, and skills necessary to achieve the College's mission.
2. To compensate employees at a level consistent with comparable market benchmarks for institutions of higher education or other appropriate job markets for similar skills, responsibilities, educational qualifications, and working conditions:
  - a. For higher education related positions, the market is based on salaries of peer institutions.
  - b. For all other positions, the market is based on local, regional, and/or national markets, depending on the position.
  - c. Salaries may exceed the average of the particular labor market in order to recognize exceptional recruiting and retention needs, or for purposes of attracting and retaining employees in areas where the college is or aspires to be a state or national leader.
3. To maintain internal equity for all employees performing similar functions based on the requisite knowledge, skills, complexity, autonomy, experience, contacts, scope, and decision-making or supervisory responsibility required to perform those functions. Employees accepting positions paid from grant monies shall not receive higher salaries simply because their appointment to that position has a specified end date.
4. To set salaries for new or vacant positions at market levels that recognize skills and experience required for the position while considering the salary level of current employees within the same or similar positions.



5. To recognize superior performance, encourage professional development and the acquisition of skills and abilities that enhance the employee's potential for new and varied roles.
6. To comply with all applicable federal and state laws and regulations.
7. To be fiscally responsible.
8. To increase the transparency of pay decisions at BBCC.

**BP1040 PERSONNEL ADMINISTRATION**

Big Bend Community College, aware of its obligations as an institution of higher education and steward of the public trust, will ensure that personnel administration procedures and practices comply with federal, state, and local laws and statutes, are based upon sound human resource management principles, satisfy the standards of regional and national accrediting organizations, and promote a work environment of collegiality, respect, and professionalism.

2050.1 Big Bend Community College recognizes its obligation to encourage and promote responsible governmental action. Washington State employees are encouraged to report any improper governmental action by a state employee to the Office of the State Auditor. “Improper Governmental Action” is any action that violates state law, abuses authority, wastes public funds or endangers public health or safety.

2050.2 Before notifying the state auditor, all employees of the College are encouraged to make the effort to report any employee misconduct to the VP for Finance and Administration, VP of Human Resources or the President of the College.

2050.3 The whistleblower act provides that the identities of whistleblowers are kept confidential. It also provides remedies for retaliation. If you believe you have been subjected to retaliatory action resulting from reporting your assertions, you may file a claim with the Washington State Human Rights Commission. The Commission will investigate the claim and take appropriate action.

2050.4 No policy, rule or regulation shall be approved by the administration or Board of Trustees which is contrary to the intention of the procedures outlined by the State Auditor's office under RCW 42.40.

Legal Reference: RCW 42.40

**2070.1 PURPOSE**

It is the policy of Big Bend Community College (BBCC) to ensure persons with disabilities the right to request and, where determined appropriate, receive reasonable accommodation in all aspects of employment. This includes good faith consideration and interactive engagement regarding reasonable accommodation requests from all candidates for employment, as well as qualified faculty, staff, and appointees.

This policy is in accordance with the American with Disabilities Act (ADA) of 1990 as amended; the Washington State Law Against Discrimination, RCW 49.60; and Section 504 of the Rehabilitation Act of 1973.

- A. Big Bend Community College is committed to preserving the human resources of the State of Washington and complying with RCW 41.06.490 to establish a state employee Return-to-Work (RTW) policy.
- B. Any permanent employee (exempt, faculty or classified) receiving worker's compensation as a result of a work related injury is eligible to return to work under the terms of this policy. For a minimum of two years from the point of temporary disability, Big Bend Community College will attempt to place a worker who is unable to return to his/her previous work, but who is capable of carrying out work of a lighter or modified nature. This policy also allows employees the opportunity to participate in return-to-work policies statewide when appropriate classifications are not available in the agency which was the hiring authority at time of injury.

BP	Previous Revision Date	Title	Updated Revision Date	Email to BOT 2 Weeks Prior to 1st Read Meeting	1st Read Meeting	Action Meeting	New Revised Date	New Review Date	Published to Board Policy Webpage
1000	12/7/2023	Policy Governance By Laws	OK for DEI language		NA	NA	NA	NA	NA
1003	1/1/2018	CC Act of 1967	October, 2024	10/2/2024	10/10/2024	<No Revision Required		10/10/2024	X
1004	3/8/2018	Delegation of Appointing Authority	October, 2024	10/2/2024	10/10/2024	<No Revision Required		10/10/2024	X
1005	4/7/2016	Employee Recognition	October, 2024	10/2/2024	10/10/2024	<No Revision Required		10/10/2024	X
1010	4/12/2018	BOT Goals & Outcomes	October, 2024	10/2/2024	10/10/2024	<No Revision Required		10/10/2024	X
1015	9/20/2012	EE Political Activities	October, 2024	10/2/2024	10/10/2024	<No Revision Required		10/10/2024	X
1025	5/7/2020	Statement on Equity, Inclusion & Diversity (EID)	OK for DEI language		NA	NA	NA	NA	NA
1030	3/6/2014	EE Compensation Plan	December, 2024	11/25/2024	12/12/2024				
1040	12/9/2014	Personnel Administration	December, 2024	11/25/2024	12/12/2024				
1050	2/14/2020	Collective Bargaining	OK for DEI language		NA	NA	NA	NA	NA
2050	6/6/2016	EE Misconduct (Whistleblower)	December, 2024	11/25/2024	12/12/2024				
2070	3/14/2019	EE Reasonable Accommodations	December, 2024	11/25/2024	12/12/2024				
2080	3/23/1992	EE Return to Work	December, 2024	11/25/2024	12/12/2002				
2320	6/7/2018	Voc Tech Advisory Committees	January, 2025						
2400	9/20/2012	EE Mandatory Reporters	January, 2025						
3000	11/1/2012	Authorized Leave	January, 2025						
3001	3/5/2015	Shared Leave	January, 2025						
3011	11/14/2019	Admin/Exempt Employment & Ben	January, 2025						
3015	12/1/2001	Admin/Exempt Evaluations	March, 2025						
3019	11/25/2013	Drug/Alcohol Free Work Place	March, 2025						
3020	10/28/2021	Admin/Exempt Contract	OK for DEI language		NA	NA	NA	NA	NA
3025	7/22/1997	VEBA	March, 2025						
4001	6/15/2016	Classified Layoff	March, 2025						
4130	2/1/2012	Suspended Operations	March, 2025						
4200	4/24/1989	Comm/Grievance Class & Ex	May, 2025						
4500	11/22/2005	Salary Non-Rep Classified	May, 2025						
4602	4/9/2015	Unused Sick Leave Compensation	May, 2025						
5400	12/23/1991	Voc Instructor Employ & Certification	May, 2025						
5500	12/28/2001	Faculty Professional Leave	May, 2025						
6000	10/15/2018	Balances/Reserves/Contingencies	October, 2025						
6100	10/15/2018	Tuition & Fees	October, 2025						
6101	6/1/2024	Tuition & Fee Waivers	OK for DEI language		NA	NA	NA	NA	NA
6106	8/7/2014	Admission	October, 2025						
6107	12/28/2001	FERPA	October, 2025						
6110	10/15/2018	Tuition & Fees Refund	October, 2025						
6111	1/31/2019	Electronic & Info Tech Access	December, 2025						
6112	3/1/2019	Disabled Student Non-discrimination	December, 2025						
6114	12/12/2013	Credit Hour	December, 2025						
6115	3/1/2019	Discrimination/Harassment	December, 2025						
6116	6/7/2016	Credit Prior Learning Military	December, 2025						
6120	1/12/2023	Hazing	OK for DEI language		NA	NA	NA	NA	NA
6130	3/5/2015	Student Faith/Conscience Holiday	January, 2026						
6200	5/20/2016	S & A Fees Budget	January, 2026						
6300	5/20/2016	Athletics	January, 2026						
6400	11/1/2012	Honorary Degrees	January, 2026						
7100	10/27/1998	Children on Campus	January, 2026						
7700	10/28/2021	Safety, Security, Emergency Mgmt	OK for DEI language		NA	NA	NA	NA	NA
7800	10/29/2015	Firearms & Dangerous Weapons	March, 2026						
8001	12/14/2017	Smoking/Tobacco Policy	March, 2026						
8020	11/15/2018	Solicitation of Funds	March, 2026						
8021	11/15/2018	Gifts, Grants, Donations	March, 2026						
8030	6/7/2018	Surplus Property	March, 2026						
8040	4/9/2015	Check Cashing	May, 2026						
8045	4/9/2015	Credit Card Security	May, 2026						
8050	12/28/2001	Equipment Use	May, 2026						
8051	2/1/2012	Facility Use	May, 2026						
8053	1/6/2014	IT Security	May, 2026						

8054	9/20/2012	Ethical Conduct/Conflicts of Interest	October, 2026						
8055	12/12/2013	Non-Fraternization	October, 2026						
8056	4/12/2018	Business Competition	October, 2026						
8057	8/9/2018	Minority & Women Business	October, 2026						
8058	9/24/2002	Travel	October, 2026						
8059	3/9/2004	Cellular Telephone	December, 2026						
8060	12/12/2013	Records Management	December, 2026						
8070	10/1/2014	Presentation of Diplomas	December, 2026						
8100	6/7/2018	Grants & Contracts	December, 2026						
8200	11/15/2018	Investment	December, 2026						
8300	7/7/2009	Identity Theft Prevention	December, 2026						

## **BIG BEND COMMUNITY COLLEGE**

Date: 12-12-24

**ITEM #12:** Assessment of Board Activity (information)

### **BACKGROUND:**

This agenda item allows individual Board of Trustees members to share updates on community engagements and meetings they have attended since the last Board meeting. This reporting process serves as an assessment tool to provide a clear measure of accomplishments throughout the year, supporting the next self-evaluation review.

Trustees are requested to submit their self-evaluation Trustee Activity Reports via email to the Executive Assistant to the President

### **RECOMMENDATION:**

Please complete the activity report and submit it to the Executive Assistant.



Name: \_\_\_\_\_

Trustee Activity Report

Activity	E-1 Student Success	E-2 Community Engagement	E-3 Stewardship	E-4 Diversity, Equity, & Inclusion		
(Briefly describe and check which End(s) your activity supported)						
1.						
2.						
3.						
4.						
5.						

## **BIG BEND COMMUNITY COLLEGE**

Date: 12-12-24

**ITEM #13:** Next Regular Meeting (information/action)

### **BACKGROUND:**

The regularly scheduled meetings for the Board of Trustees:

Thursday, January 23, 2025, at 1:30 p.m.  
Thursday, March 20, 2025, at 1:30 p.m.  
Thursday, May 1, 2025, at 1:30 p.m.  
Thursday, June 5, 2025, at 1:30 p.m.  
Thursday, August 28, 2025, (Retreat)  
Thursday, October 23, 2025, at 2:30 p.m.  
Thursday, December 11, 2025, at 1:30 p.m.

Prepared by the President's Office.

### **RECOMMENDATION:**

President Tweedy requests that the Board confirm the next board meeting date.

## **BIG BEND COMMUNITY COLLEGE**

Date: 12-12-24

**ITEM #14:** Miscellaneous (information/action)

### **BACKGROUND:**

- a. The Partnerships and Pathways to Higher Education shall be presented.

President Tweedy and the Board of Trustees may discuss other miscellaneous topics.

This is also an opportunity for the Board of Trustees to discuss agenda items for future meetings.

Prepared by the President's Office.

### **RECOMMENDATION:**

None.

## **BIG BEND COMMUNITY COLLEGE**

Date: 12-12-24

### **ITEM #15: Executive Session**

#### **BACKGROUND:**

The Board may adjourn to an Executive Session to discuss items provided for in RCW 42.30.110 (1):

- (b) to consider the selection of a site or the acquisition of real estate by lease or purchase;

- (c) to consider the minimum price at which real estate will be offered for sale or lease;

- d) to review negotiations on the performance of a publicly bid contract;

- (f) to receive and evaluate complaints or charges brought against a public officer or employee;

- (g) to evaluate the qualifications of an applicant for public employment or to review the performance of a public employee;

- (h) to evaluate the qualifications of a candidate for appointment to elective office;

- (l) to discuss with legal counsel representing the agency matters relating to agency enforcement actions or litigation or potential litigation.

Prepared by the President's Office.

#### **RECOMMENDATION:**

None.