

# RULES OF STUDENT CONDUCT

# 132J-126-010

## Purpose.

(1) Green River College, an agency of the state of Washington, provides a variety of educational opportunities for students; namely the opportunities to examine the academic, vocational, technical, cultural, social, and recreational aspects of society. Green River College as an institution of society must maintain conditions conducive to the effective performance of its functions. Consequently, Green River College has special expectations regarding the conduct of students. Student conduct that detracts from, or interferes with, the accomplishment of college purposes is not acceptable.

(2) The student is a member of the community at large, and as such has the rights and responsibilities of any citizen. In addition, admission to Green River College carries with it the presumption that students will conduct themselves as responsible members of the college community. This includes an expectation that students will obey the law, will comply with rules and regulations of the college, will maintain a high standard of integrity and honesty, and will respect the rights, privileges, and property of other members of the college community.

(3) The following rules regarding the conduct of students are adopted in order to provide students a full understanding of the rules that

will enable the college to maintain conditions conducive to the effective performance of the college's functions.

Sanctions for violations of the rules of student conduct will be administered by the college in the manner provided by said rules. When violation(s) of laws of the state of Washington and/or the United States are also involved, the college may refer such matters to the appropriate authorities. In cases of minors, this conduct may also be referred to parents or legal guardians.

programs, under the leadership of the vice president of student affairs, maintains and administers the student code of conduct for Green River

programs and Green River College strive to engage our students to become civic minded citizens who positively contribute to society and achieve their

educate students as to their

"Assembly" is any overt activity engaged in by two or more

is to gain publicity, advocate a view, petition for a cause or disseminate information to any person, persons, or groups of persons.

"Business day" means a

outdoor areas, protests, meetings to display group feelings or sentiments and/or other types of assemblies to share information, perspectives or viewpoints.

and college email address.

intentional misrepresentation of an activity done by a

“May” is used in the permissive sense.

includes, but is not limited to:

- (a) Counterfeiting data, research results, information, or procedures with inadequate foundation in fact;
- (b) Counterfeiting a record of internship or practicum experiences;
- (c) Submitting a false excuse for absence or tardiness; and
- (d) Unauthorized multiple

“Member of the college community” includes any person who is a student, faculty other person employed by the college. A person’s status in a particular situation shall be determined by the vice president of student affairs or designee.

person hired by the college to conduct classroom, counseling, or teaching activities or who is otherwise considered by the college to be a member of its faculty.

“Noncollege groups” shall mean individuals, or combinations of individuals, who are not currently enrolled students or current employees of the college and who are not with, or invited guests of a recognized student organization, recognized employee group, or the administration of the college.

responsible for facilitating a disciplinary review. Unless

“Organization” means number of persons who have complied with the formal requirements for collegeise(equBong (en-US)/MCID BfEn” means number )JTEEMi0en-US

be accomplished by:

(a) Hand delivery of the

(b) By sending the document by



which are deemed necessary to achieve the educational goals of the college:

(1) Academic freedom.

(a) Students are guaranteed the rights of free inquiry, expression, and assembly upon and within college facilities that are generally open and available to the public.

(b) Students are free to pursue appropriate educational

are quoted;  
Another person's idea,  
opinion or theory is  
used through paraphrase;

other illustrative materials  
are borrowed.  
In order to complete

students should:

according to the method of  
citation preferred by  
the instructor;  
Write as much as possible from  
one's own understanding of  
the materials and in one's own  
voice;

student services such as the  
library and/or writing center.

(2) Tobacco, electronic  
cigarettes, and related  
products. The use of tobacco,  
electronic cigarettes, and

any food, liquid, alcohol, drug,  
or other substance which

such harm;

(ii) Humiliation by ritual act;

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

(v) Causing someone to  
engage in degrading or  
humiliating games or activities

psychological, emotional,  
and/or physical harm.

(c) "Hazing" does not include  
customary athletic events  
or other similar contests  
or competitions.

(d) Consent is not a valid  
defense against hazing.

to comply with directions of

of their duties and/or failure  
to identify oneself to these





as intentionally and repeatedly harassing or following a person and intentionally or unintentionally placing the person being followed or harassed in fear of physical harm to one's self or property or physical harm to another person or another's property.

(23) Improper use of technology. Theft or other abuse of computer facilities and resources including, but not limited to:

(a) Unauthorized entry into a the contents, or for any other purpose.

(b) Unauthorized transfer of a

(c) Use of another individual's

(d) Use of computing facilities and resources to interfere with faculty member, or college

(e) Use of computing facilities and resources to view or send obscene or abusive messages.

(f) Use of computing facilities and resources to interfere with normal operation of the college computing system.

(g) Use of computing facilities and resources in violation of copyright laws.

(h) Any violation of the Student Affairs Policy SA-24 - Student Acceptable Computer Use.

records. Any student who, while in any college facility or participating in a college-related program, engages in

process. Abuse of the student conduct system including, but not limited to:

misrepresentation of information before a student

(b) Disruption or interference with the orderly conduct of a student conduct hearing proceeding.

(c) Institution of a student conduct code proceeding in bad faith.

(d) Attempting to discourage an individual's proper participation in, or use of, the student conduct system.

impartiality of a member of a

and/or during the course of, the student conduct hearing proceeding.

(f) Harassment (verbal or physical) and/or intimidation of a member of a student conduct

after a student conduct hearing proceeding.

sanction(s) imposed under the student code.

commit an abuse of the student conduct code system.

formal complaint falsely accusing another student or college employee with violating a provision of this chapter.

(27) Classroom conduct. Any

disrupts any college class and

to conduct the class in an

orderly manner shall be

An instructor/faculty member may impose any of the following actions for classroom conduct:

(a) Warning: An oral or written notice to a student that college and/or classroom expectations about conduct have not been met.

(b) Reprimand: A written notice which censures a student for improper conduct and includes a warning that continuation or repetition of improper conduct shall result in further disciplinary action.

(c) Summary suspension for a maximum of two days: As

At any time, severe misconduct or continued misconduct shall

be forwarded immediately to the vice president of student affairs or designee for further action.

threatening, intimidating,

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

132J-126-100

Violation of law and



disciplinary actions:

(a) Exonerate the respondent and terminate the proceedings;

(b) Impose a disciplinary sanction(s), as described in

(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.

132J-126-150

## Appeal from disciplinary action.

The respondent may appeal a

written notice of appeal with

upon review determines that the respondent's conduct may warrant imposition of a disciplinary suspension of more than ten instructional days or dismissal, the matter shall be referred to the student conduct committee for a disciplinary hearing.

## 132J-126-170

### Brief adjudicative proceedings— Review of an initial decision.

to review by the president,

written request for review with

within twenty-one days of service of the initial decision.

(2) The president shall not participate in any case in which he or she is a complainant or witness, or in which they have direct or personal interest,

they have acted previously in an advisory capacity.

(3) During the review, the president shall give each party

responses explaining their view

any inquiries necessary to ascertain whether the sanctions

whether the proceedings should be referred to the student conduct committee for

(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 days of the initial decision or of the request for review, whichever is later. The decision on review will contain

may be available. A request for review may be deemed to have been denied if the president

the matter within twenty days after the request is submitted.

determines that the respondent's conduct may warrant imposition of a

rules shall control.

(2) The student conduct committee chair shall serve all parties with written notice of the hearing not less than seven days in advance of the hearing date, as further

shorten this notice period if both parties agree, and also may continue the hearing to a later time for good cause shown.

(3) The committee chair is authorized to conduct prehearing conferences and/or

concerning the extent and form of any discovery, issuance of protective decisions, and similar procedural matters.

any party or at the direction of the committee chair, the parties shall exchange, no later than the third day prior to the hearing, lists of potential witnesses and copies of potential exhibits that they reasonably expect to present

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.

provide to the committee members in advance of the hearing copies of the c

of imposition of discipline (or

referral to the committee) and 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.

before the hearing to designate

do so, whether the committee chair may provide copies of these admissible exhibits to the committee members before the hearing.

upon request, shall provide reasonable assistance to the respondent in obtaining relevant and admissible evidence that is within the college's control.

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

accompanied at the hearing by a nonattorney assistant of his/her choice. A respondent may elect to be represented by an

attorney at his or her own cost, but will be deemed to have waived that right unless, at least four business days before the hearing, written notice of the attorney's identity

the committee chair with a copy

The committee will ordinarily be advised by an assistant attorney general. If the respondent is represented by an attorney, the student

represented by a second, appropriately screened assistant attorney general.

## 132J-126-200 Student conduct appeals committee hearings— Presentations of evidence.

(1) Upon the failure of any party to attend or participate in a hearing, the student conduct committee may either (a) proceed with the hearing and issuance of its decision; or (b) serve a decision of default in accordance with

(2) The hearing will ordinarily be closed to the public. However, if all parties agree on the record that some or all of the proceedings be open, the chair shall determine any extent to which the hearing will be open. If any person disrupts the proceedings, the chair may exclude that person from the

hearing room.

(3) The chair shall cause the hearing to be recorded by a method that he/she selects, in accordance with RCW

copy, shall be made available to any party upon request. The chair shall assure maintenance of the record of the proceeding that is required by RCW

be available upon request for inspection and copying by any party. Other recordings shall also be permitted, in accordance with WAC

(4) The chair shall preside at the hearing and decide procedural questions that arise during the hearing, except as

of the committee.

an assistant attorney general) shall present the case for imposing disciplinary sanctions.

Evidence shall be admitted or excluded in accordance with

## 132J-126-210 Student conduct committee— Initial decision.

(1) At the conclusion of the hearing, the student conduct committee shall permit the

arguments in whatever form it wishes to receive them. The committee also may permit

conclusions, and/or a proposed decision for its consideration.

(2) Within twenty days following the later of the conclusion of the hearing or the committee's receipt of closing arguments, the committee shall issue an initial decision in accordance

material issues of fact and conclusions on all material issues of law including which, if any, provisions of the student conduct code were violated.

on the credibility of evidence or the demeanor of witnesses shall

(3) The committee's initial order shall also include a determination on appropriate discipline, if any. If the matter was referred to the committee

the committee shall identify and impose disciplinary sanction(s) or conditions, if any, as authorized in the student code. If the matter is an appeal by the respondent, the





provide a copy of the decision to all persons or protected by it.

### 132J-126-280 Brief adjudicative proceedings authorized.

This rule is adopted in accordance with RCW

shall be used, unless provided otherwise by another rule or determined otherwise in a particular case by the president, or a designee, in regard to:

- (1) Student conduct appeals involving the following disciplinary actions:
  - (a) Suspensions of ten instructional days or less;
  - (b) Disciplinary probation;
  - (c) Written reprimands;
  - (d) Any conditions or terms

one of the foregoing disciplinary actions; and  
(e) Appeals by a complainant in student disciplinary proceedings involving allegations of sexual misconduct in which the

- (i) Dismisses disciplinary proceedings based upon a

of sexual misconduct have no merit; or

- (ii) Issues a verbal warning to respondent.

proceedings are informal hearings and shall be

conducted in a manner which will bring about a prompt fair resolution of the matter.

### 132J-126-290 Brief adjudicative proceedings— Agency record.

The agency record for brief

consist of any documents regarding the matters that were considered or prepared by the

review. These records shall be of the proceedings.

### 132J-126-300 Recordkeeping.

(1) The vice president of student affairs shall maintain for at least six years the following records of student grievance and disciplinary actions and proceedings:

cases where a student's grievance has been sustained or a disciplinary action against a student has been reversed and the student fully exonerated;

- (b) The complete records in all

been requested; and  
(c) A list or other summary of all disciplinary actions reported or

not appealed.

shall be entered on student

the vice president of student affairs shall have discretion to remove some or all of that information from a student's

student's request and showing of good cause.

### 132J-126-320 Prohibited conduct under Title IX.

Pursuant to RCW

the Education Amendments Act

the college may impose disciplinary sanctions against a student who commits, attempts to commit, or aids, abets, incites, encourages, or assists another person to commit, an act(s) of

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

- (1) Quid pro quo harassment. A college employee conditioning the provision

the college on an individual's participation in unwelcome sexual conduct.

- (2) Hostile environment. Unwelcome conduct that a

to be so severe, pervasive, and

effectively denies a person equal access to the college's educational programs or

activities, or employment.

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

(a) Nonconsensual sexual intercourse. Any actual or attempted sexual intercourse (anal, oral, or vaginal),

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

mouth to genital contact or genital to mouth contact.

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

upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other

individual, or any other bodily contact in a sexual manner.

(c) Incest. Sexual intercourse or sexual contact with a person

either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either wholly or half related. Descendant includes stepchildren and adopted

(d) Statutory rape. Consensual sexual intercourse

years of age or older and someone who is under the

(4) Domestic violence. Physical

physical harm, sexual assault, or

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,

physical harm, sexual assault, or

(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.

course of conduct directed at

cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress.

## 132J-126-400

### Order of precedence.

This supplemental procedure applies to allegations of sexual

regulations promulgated by the United States Department of

supplemental hearing

college's standard disciplinary

supplemental procedures shall

College may, at its discretion, contract with an administrative

exercise any or all of the duties in lieu of the student conduct committee and committee chair.

## 132J-126-420



college intends to offer the evidence at the hearing.

## 132J-126-450 Rights of parties.

(1) The college's student conduct procedures, chapter

supplemental procedure shall apply equally to all parties.

(2) The college bears the burden of offering and

and evidence to establish that the respondent is responsible

preponderance of the evidence.

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

(4) During the hearing, each party shall be represented by an advisor. The parties are entitled to an advisor of their own choosing and the advisor may be an attorney. If a party does not choose an advisor,

chair of the student conduct committee will appoint an advisor of the college's choosing on the party's behalf at no expense to the party.

## 132J-126-460 Evidence.

The introduction and consideration of evidence

to the following procedures and restrictions:

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

(2) Relevance means that information elicited by the

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

someone other than the respondent committed the alleged misconduct; or

of prior sexual behavior between the complainant and the respondent, which are

of consent.

(4) No negative inference:

an inference regarding responsibility solely on a witness's or party's absence from the hearing or refusal to answer questions.

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

(a) Spousal/domestic partner privilege;

(b) Attorney-client and attorney

(c) Privileges applicable to members of the clergy and priests;

(d) Privileges applicable to medical providers, mental health therapists, and counselors;

(e) Privileges applicable to sexual assault and domestic violence advocates; and

(f) Other legal privileges



132J-126-260

Supplemental complaint  
process. [Statutory Authority:

132J-126-270

Supplemental appeal rights.  
[Statutory Authority: RCW