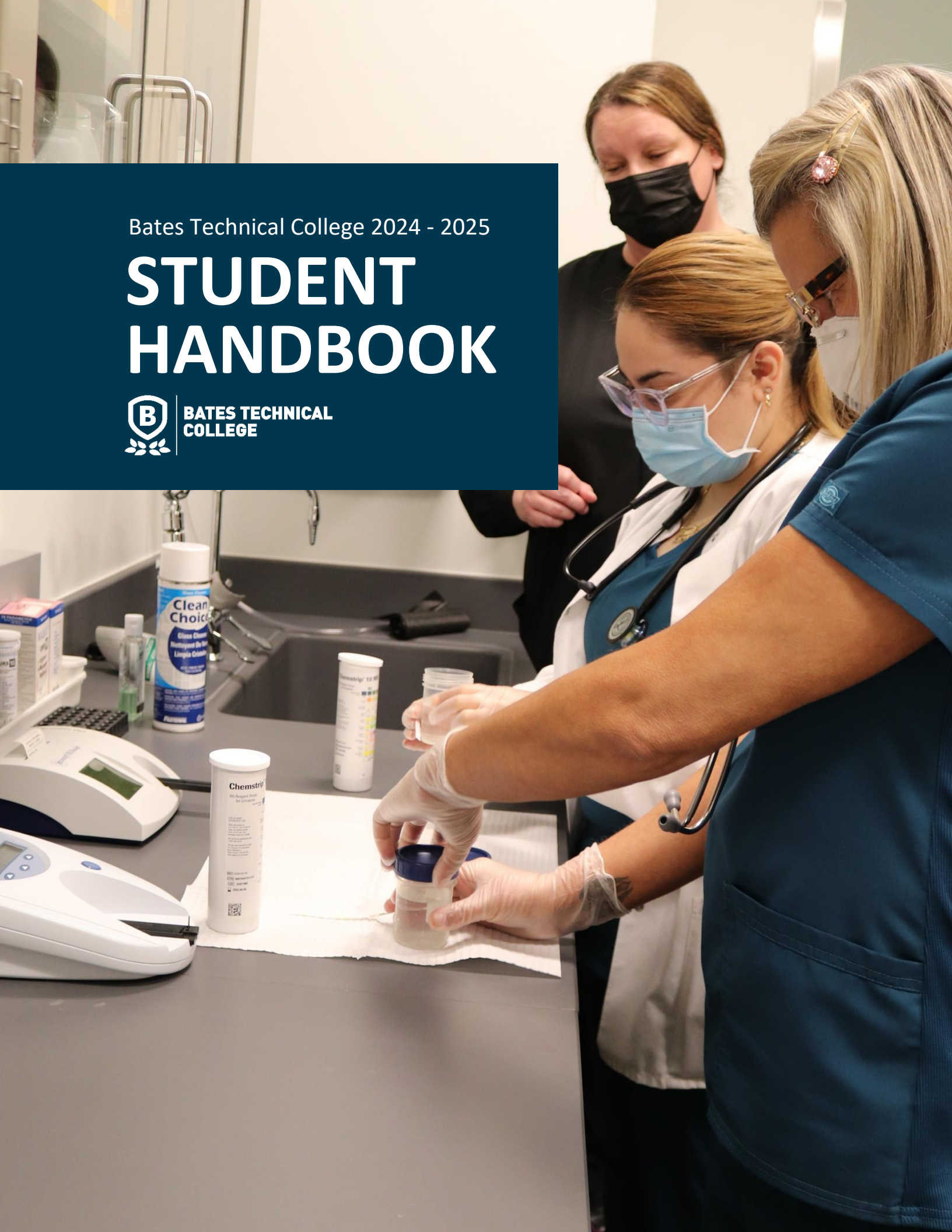
Bates Technical College 2024 - 2025

STUDENT HANDBOOK

BATES TECHNICAL COLLEGE



Dear Students,

For 85 years, Bates Tech has been a leader in technical education in our community. Originally named Tacoma Vocational School, the college was renamed in 1969 to honor longtime director LaVerne Bates. Bates was instrumental in bringing technical education to Washington state in the early 1940s to support the country's war efforts.

We are proud of our long history and are glad you will become a part of it. From the beginning, educating for careers has been the primary focus of the college.

Our supportive faculty and staff are here to help you plan your education and reach your goals. As a Bates Tech student, you will learn the skills required to be successful in a learning environment that mirrors the workplace. A leader in hands-on learning, Bates Tech prepares you for employment where expectations for your attendance, behavior and dedication are the same as if your instructor were your employer. We expect you to meet academic standards within a hands-on approach to career education, which is designed to prepare you for entry-level employment. Please also take advantage of Campus Life and Activities leadership opportunities, student clubs, events and services.

Our diverse student body is comprised of high school students, young adults pursuing career paths, college graduates seeking specific career training, those exploring career changes and community members enjoying extended learning opportunities. We value diversity in our students and our employees, and we enjoy the interchange of ideas, cultures and customs among all members of our college community.

Go Bobcats!

Dr. Lin Zhou

President

Bates Technical College Board of Trustees
Tom George,Chair
Heather Moss, Vice Chair

Florence Chang
Layne Bladow
Christina Blocker

GENERAL INFORMATION

MISSON AND VISION

Bates Technical College enriches our diverse communities by inspiring student learning, challenging greater achievement, and educating for employment. Bates Technical College helps students realize their potential for growth and success through innovative instruction in a nurturing, diverse environment. Students achieve their career and personal goals, strengthening the region's social and economic vibrancy. Strong local and global partnerships with business, industry, labor and the public make the college a respected contributor to community vitality.

Strategic Goals

We measure mission fulfillment through four strategic goals, which include:
Workforce Education: Deliver industry-driven education at the forefront of emerging trends and technologies.

Student Focus: Foster an inclusive, whole-student experience.

Intentional Engagement: Engage stakeholders to provide equitable access for our community.

Diversity Statement

Diversity supports the mission of Bates Technical College. Respecting and promoting diversity is vital to the education of our students and to the learning environment of our campus community. We foster an atmosphere where each of us is valued for our intellectual and cultural perspectives, increasing our ability to reflect critically and resolve challenges. We share a wealth of experiences that strengthen us individually and as a society. As students and educators, we commit to building a diverse and engaged community.

LOCATIONS

General driving directions are available at BatesTech.edu/Maps.

Downtown Campus	**Central Campus**	**South Campus**
1101 South Yakima Avenue	2320 South 19th Street	2201 South 78th Street
Tacoma, WA 98405	Tacoma, WA 98405	Tacoma, WA 98409
253.680.7000	253.680.7000	253.680.7000

Bates Technical College is a two-year public institution of higher education. The college is maintained by the state of Washington for the provision of programs of instruction in higher education and related community services. Broadly stated, the purpose of the college is to provide opportunities for all who desire to pursue educational goals. Like any other institution having its own special purposes, the college must maintain conditions conducive to the effective performance of its functions. To implement this objective, it is necessary to ensure that an environment is created wherein all students may progress in accordance with their capability and intensity of interest. The responsibility to create and maintain such an environment is shared by all members of the college community.

*[Statutory Authority: RCW **34.05.250** and **28B.50.140**(13). WSR 19-14-073, § 495A-121-010, filed 6/30/19, effective 7/31/19. Statutory Authority: RCW **28B.50.140**(10). WSR 00-11-147, § 495A-121-010, filed 5/24/00, effective 6/24/00.]*

CALL US *(area code 253)*

MAIN LINE	680.7000
DOWNTOWN CAMPUS	680.7000
CENTRAL CAMPUS	680.7000
SOUTH CAMPUS	680.7400
Admissions	680.7017
Advising & Retention	680.7002
Career Education	
Downtown	680.7000
South	680.7403
Central	680.7603
ABE/High School + Program	680.7274
Apprenticeship Training	680.7402
Campus Life and Activities	
Downtown.	680.7393
South	680.7557
Barber Shop	680.7248
Campus Public Safety	680.7111
Campus Store	
South	680.7430
Cashier	680.7405
Child Care	
Downtown	680.7321
South	680.7566
Child Studies	680.7500
Continuing Education	680.7402
Dental Clinic	680.7310
Disability Support Services	680.7012
Dislocated Workers	680.7127
Displaced Homemakers	680.7127
ECEAP	680.7320
Financial Aid	680.7020
Foundation	680.7160
High School	
Downtown	680.7004
South	680.7409
Human Resources	680.7181
KBTC Television	680.7700
Library	
Downtown	680.7220
South	680.7550
Central	680-7543
Registration and Records	680.7019
Tutoring	680.7366
Veterans Benefits	680.7035
Running Start	680.7479

ACCREDITATION

Bates Technical College is accredited by the Northwest Commission on Colleges and Universities.

ADMISSIONS

Bates Technical College complies with WAC 131-12-010 – Minimum standards for admission to a community or technical college. Students who meet admission requirements are admitted to Bates first come, first served. Bates Technical College has an open-door admissions policy and does not discriminate in its educational programs.

An admitted student will have met the college's admission requirements. However, specific program prerequisites shall be met by the date of enrollment into a program. In addition, the student:

- Is deemed able to profit from the curricular offerings of the college;
- Complies with the rules and procedures established for enrollment into college programs or educational offerings; and
- Would not, by their presence or conduct, create a disrupting atmosphere within the college inconsistent with the purpose and goals of the institution.

In accordance with WAC 131-12-010, any potential student applying for admissions to Bates Technical College shall be admitted when, as determined by the Vice President of Student Services or designee that such applicant is:

- Competent to profit from the curricular offerings of Bates Technical College and would not, by their presence or conduct, create a disruptive atmosphere that is inconsistent with the purpose and values of the college; and
- Eighteen years of age or older or is a high school graduate or has applied for admission under the provisions of the Bates Technical High School or Running Start programs.

In addition, an applicant may be admitted to the college when such applicant:

- Complies with the rules and procedures established for enrollment into college programs or educational offerings; and
- If an international student, is in full compliance with immigration regulations.

An applicant transferring from another institution of higher education who meets the above criteria, but who is not in good standing at the time of their transfer, may be conditionally admitted to Bates Technical College on a probationary status as determined by the Vice President of Student Services or designee.
Should an applicant be denied admission, the applicant has the right to appeal the decision in writing to the Director of Enrollment/Registrar's Office.

ATTENDANCE AND ENROLLMENT PLANNING

Application for Credentials Completion
To receive a diploma and/or be certified for completion in any of Bates Technical College's degrees or certificate, the student must submit a Credential Application form to the Registration Office, Downtown Campus, Room A210. The student's required signature on the form indicates accuracy of the information provided. A fee will be assessed for all diploma reprints. The credential application can be found online at the Bates website https://my.batestech.edu/ under "Bates Forms."

To be eligible for a credential, a student must have:

- Met all program requirements
- A cumulative college-level GPA of 2.0
- A student must achieve "residency" at Bates Technical College, meaning that a minimum number of credits must be earned at Bates Technical College for a student to earn their credential from the college. To meet residency, the student must earn a minimum of:
    - Twenty (20) college-level credits at Bates Technical College or
    - Twenty-five (25) percent of the credits applicable to the credential at Bates Technical College.
- Submitted a Credential Application

Attendance Policy
Students are expected to attend all classes for which they are registered to gain the maximum benefit. Instructors may establish an attendance policy for the program. It is the student's responsibility to know and comply with the policy. Programs having established attendance policies will include relevant information in course syllabi. Financial aid recipients are subject to the Student Financial Aid Satisfactory Academic Progress policy.

A student who does not attend the first three class sessions, includes career training or general education courses, and/or comply with the established attendance policy for the class or program may forfeit the right to continue and may be subject to administrative withdrawal. Student attendance is gathered to demonstrate the same requirements that are necessary on the job and to satisfy reporting requirements for financial aid, funding agencies, and state funding.

Absence Due to Military Assignment
Per RCW 28B.10.270, students called to active duty for a period of 30 days or less may not be penalized for missed class time and must be provided the opportunity to make up work, labs, and exams within a reasonable period of time and without prejudice after they return. The student may not be dropped for non-attendance and no grade for the student's work may be issued until the student has been given the opportunity to make up the work and/or participation. Written verification that the person is being, or has been, ordered to services must be provided prior to leaving for active duty.

A student ordered to active duty for more than 30 days is entitled to withdraw from any courses with tuition and fees credited back to their account or receive an incomplete grade and allowed to complete the course upon release from active duty under the college incomplete course procedures.

Policy Student Absence for Faith or Conscience
Through this policy Bates Technical College aligns its practices for students with RCW 28B.137 – Religious Reasonable Accommodation. The college shall provide notice to students of its policy by publishing it on the institution's web site and asking faculty to include either the policy or a link to the policy in course or program syllabi. The notice to students must also include notification of the institution's grievance

procedure.

- Students' grades may not be adversely impacted by absences authorized under this policy.
- Students must make up the work missed during their absence.
- Students must notify the college in writing within two weeks of beginning the course in which they are requesting an absence under this policy.
- Each day taken will be counted as a full day and cannot be divided and taken incrementally over multiple days.

The college shall make no judgement about the legitimacy of reasons of faith or conscience.

General Education Planning

General education courses are an important component of career education and most students complete general education requirements at Bates Technical College.

Students who have completed general education courses at another accredited college can request to transfer credits to Bates Technical College by providing the registration office with an official transcript and submitting a Request for Credit Evaluation form. The credentials evaluator will determine whether courses can be applied to students' credential completion requirements. Students may receive transfer credits based upon an evaluation of courses taken while in military service or by passing recognized post-secondary equivalency exams such as DANTES, CLEP, or Advanced Placement/International Baccalaureate in a relevant subject area.

The transferability of general education credits earned at Bates Technical College to another college is subject to the policies of that receiving institution.

General Education Requirements

Degrees and certificates of more than 45 credits in Bates' career education programs require general education courses. Requirements vary depending on the program area, the credential, and the track a student chooses to pursue.

Career advisors assist students with planning to meet general education requirements. Students are advised to complete general education requirements as early in their career education program as possible. General education courses include both college level (numbered 100 and above) and pre-college level (numbered 90-99). Associate degrees require completion of a specified number and distribution of college-level general education courses.

Grading Procedures

The following grading practices support academic freedom and provide a uniform and fair grading system for students and faculty.

1. Instructors select the criteria used to grade the courses they teach, and how those criteria will be weighted. Elements that contribute to grades can be as broad as needed and may include various methods of measuring student learning and achievement. For example: a possible combination of test scores, assignments, evaluation of lab/shop work, attendance, workplace behaviors evaluation, and other elements may be used.
2. At the beginning of each course students will be provided with a syllabus detailing what will be learned in the course and how outcomes will be measured and graded. Grading information will explain how the various factors will be weighted and how they contribute to the final grade.

3. Reporting:
    - Numerical grades earned by students will be reported for each course at the end of the quarter using a scale from 4.0 to 1.0, or 0.0, and will apply to grade point average (GPA) calculations.
    - Numerical grades may be considered equivalent to letter grades as follows:

Numerical Grades	Letter Grades
4.0	A
3.9-3.7	A-
3.6-3.3	B+
3.2-3.0	B
2.9-2.7	B-
2.6-2.3	C+
2.2-2.0	C
1.9-1.7	C-
1.6-1.3	D+
1.2-1.0	D
Below 1.0/ NC	F

S	Satisfactory completion of a pass/fail course (not factored in GPA) with a student performance level of at least 2.0.
U	Unsatisfactory completion of a pass/fail course (not factored in GPA) with a student performance level below a 2.0.
W	Withdrawal – not counted in GPA
I~~C~~	Incomplete (IC grade until Fall 2024)
*	Assigned when grades are not submitted by the instructor in time to be processed. After the grades are submitted, the earned grade will be recorded on the student's record.

4. Withdrawals (W)

   Students will be allowed to self-withdraw from courses within 45 calendar days of the start date and receive a "W" grade.

5. Incomplete marks (I)

   a. An incomplete (I) may be granted for a course in which the student enrolled, but did not complete all work required to earn a grade due to unusual or emergency circumstances beyond the student's control.

   b. An I is not a student right, but is an instructor-granted extension of the time needed to finish and submit required work the student was unable to complete during the regular course timeframe.

   c. The student need not re-register nor pay additional tuition in the following quarter for the individual course in which an I is granted.

   d. An instructor may give an I to a student provided there is a written contract in place between the student and the instructor specifying:

      - what work must be completed
      - by what date the work will be completed
      - what the final grade for the course will be if the student does not complete all required work by the required date

   e. If the student fails to complete the required work by the deadline set by the instructor (in no case beyond the end of the subsequent quarter), the IC will default a failing grade unless otherwise designated by the instructor.

Academic Standards Procedure

Bates' Academic Standards Procedure was established to maintain excellence in academic standards and to encourage students to assume responsibility for their own academic progress. Academic standards procedures also ensure that students with educational difficulties are informed of the many resources available at Bates. The Academic Standards Procedure applies to all Bates students enrolled in credit courses.

Please note that federal financial aid has separate policies and procedures pertaining to Satisfactory Academic Progress. Students may be subject to these policies individually or concurrently. Students are required to have a 2.0 cumulative GPA in order to be awarded credentials at Bates Technical College.

First Quarter Probation

Any student who receives less than a 2.0 quarterly GPA will be notified that satisfactory academic progress is not met at the end of a given quarter. Notification of academic deficiency (1 will be sent to the student by the tenth instructional day of the succeeding second quarter. These students must achieve a 2.0 in the immediately succeeding quarter. Students who achieve a 2.0 or greater quarterly GPA in the succeeding quarter will be removed from academic deficiency. Students who do not achieve a quarterly 2.0 GPA in the immediately succeeding quarter will be moved to academic probation.

Second Quarter Probation

Students who receive less than a 2.0 for two consecutive quarters will immediately be placed on academic probation. Notification of academic probation (2 will be sent to the student by the 10th instructional day of the succeeding third quarter. Students who receive a quarterly GPA of 2.0 or greater in the immediately succeeding quarter will be removed from probation. Students should work closely with advising faculty in remedying their cumulative GPA to 2.0 or above. Students who do not achieve a quarterly 2.0 GPA in the immediately succeeding quarter will be moved to academic suspension.

Third Quarter Suspension

Students who receive less than a 2.0 for three consecutive quarters will immediately be placed on academic suspension for the following quarter. Notification of academic suspension (3 will be sent to the student by the 10th instructional

day in the succeeding fourth quarter. A student who has already begun classes will be administratively withdrawn with all tuition and fees refunded. Students may follow the Process for Student Grade Appeal if they wish to appeal their academic standing.

Reentry After Academic Suspension

After one quarter of suspension, students may petition to reenter. Students meet with a Retention Specialist and/or Advisor for a readiness assessment, which will include having the student complete an Academic Goal Planning document. Students will meet with the Dean and share their goals and may be directed to do the following things, but are not limited to the list below:

- Attend an academic intervention session
- Meet with the faculty, Dean of Instruction, and/or Career Specialist/Retention Specialist
- Obtain a skills assessment from an Instructor
- Schedule regular appointments with a Retention Specialist if they return to a Program

State Supported Tuition Refund Policy

For state supported classes, tuition and fees* will be refunded upon official withdrawal by the student according to the following schedule:

- 100% if the College cancels the class.
- 100% if by the close of the fifth instructional day of the quarter.
- 50% if by the close of the 20th instructional day of the quarter.
- 0% after the 20th instructional day of the quarter.

Withdrawals

Students may initiate withdrawal proceedings in the registration office.

It is the student's responsibility to complete a withdrawal form and submit it to the registration office. The date the withdrawal form is received will be used for calculating refunds.

Military Duty Refunds

Students called for military active duty will be granted a refund of tuition and fees paid during the current quarter, subject to the rules and regulations of their respective funding sources. Presentation of official orders is required.

The refund policy applies to all Bates students, regardless of financial aid status. The refund for students registered in courses or programs with an enrollment period other than the standard quarter will be made directly to the funding agency administrator.
*Certain consumable and pass-thru fees are not refundable.

Drop for Non-Payment

Student tuition and fees are due two weeks prior to the first day of each quarter. Students registering after the due date must pay within two calendar days of registration. Students with outstanding balances as of the quarterly drop date will be administratively withdrawn and will be notified.

Exceptions for extenuating circumstances require approval by the Executive Director of Finance.

GRADE AND ACADEMIC DISMISSAL COMPLAINT POLICY PROCEDURES

Academic Dismissal Policy

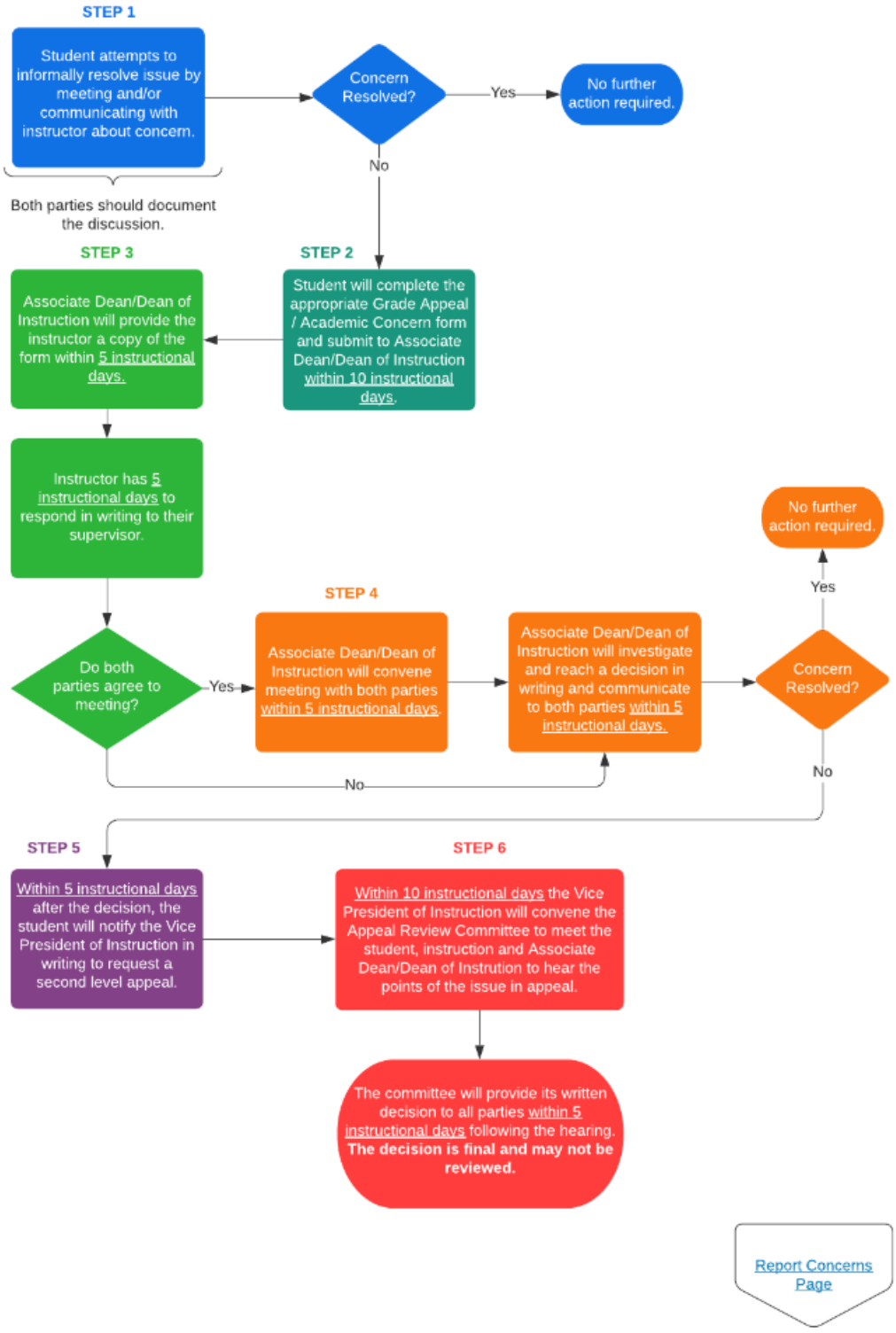
The college reserves the right to place a student on academic probation or dismiss a student who violates the college's criteria regarding academic performance. These general criteria are listed in the Rights and Responsibilities section of this handbook. Additional specific criteria are written in individual career training program expectations and/or written course syllabi, which each student receives at the beginning of their classes.

Grade and Academic Dismissal Complaint Purpose

The purpose of the Bates Technical College Grade and Academic Dismissal Complaint Policy is to provide a process by which students may address concerns related to prejudicial, arbitrary and/or capricious academic evaluation and/or grading or dismissal from a career training program or general education course. Excluded from this process are those complaints for which other specific remedies are provided, such as Title IX discrimination claims.

Academic Student Concern and Grade Appeal Process

Kimberly Towne | June 14, 2021



Definitions

Withdrawal by Student – Action by the student to withdraw from a course, program or the college.

Academic Dismissal – Director of Enrollment/Registrar action to dismiss a student from a career training program or general education course for failing to meet satisfactory progress with academic requirements, workplace standards, safety standards or clinical procedures.

General Education Course – Courses required as part of degree and certificate achievement that are designed to provide a variety of learning areas related to career education and to ensure that all students have a broad, basic education. Areas of study include human relations/leadership, communications and mathematics.

Career Training Education/Course/Program – A professional/technical education course or program that terminates in a certificate or degree that prepares students for entry-level employment in a designated career field.

Instructional Days **–** Days in which faculty are providing instruction as per the college calendar. Non-instruction and planning days are not counted as instructional days.

Procedures

Due to the nature of Bates Technical College, many of the academic endeavors require working in the industry or in a classroom, which resembles the work environment. Instructors and work sites are responsible for informing students about safe practices and standard operating procedures. Failure to follow these guidelines may result in the following actions:

(1) An instructor removing a student from the class or other learning environment on a temporary basis (summary action) or;
(2) As an academic dismissal from a career training program of study. An academic dismissal of this nature will follow the same appeals process as described herein.

These Grade Complaint and Academic Dismissal procedures are separate from the student conduct and grievance processes, which are described elsewhere in the Student Handbook.

Graded Assignment or Academic Dismissal Appeal

A student shall appeal a grade, competency rating, or dismissal from a program within 10 instructional days of receipt of the grade report or notice of dismissal. See Appeal Process which follows later in this document.

Final Course Grade Appeal

The student must file a complaint about a final grade for a course or program within 10 instructional days upon receiving the final grade *See Appeal Process* which follows later in this document.

Appeal Process

Step One. Student will attempt to informally resolve the issue by meeting and/or communicating with instructor about their concern. Both parties should document the discussion. If the student is not satisfied with the result they will move onto step two.

Step Two. The student will initiate a formal concern on the appropriate (Grade Appeal or Academic Concern) form and submit the form to the appropriate Dean of Instruction within 10 instructional days.

Step Three. The Dean of Instruction will provide the employee a copy of the form within 5 instructional days. The employee has 5 instructional days to respond in writing to their supervisor.

Step Four. The Dean of Instruction will convene a meeting of both parties within 5 instructional days. In the event that both parties do not agree to a meeting, the Dean of Instruction will investigate and reach a decision in writing and communicate to both parties within 5 instructional days. In the event that the student is not satisfied with the result, proceed to Step Five.

Step Five. Within 5 instructional days after the decision, the student will notify the Vice President of Instruction in writing to request a second level appeal.

Step Six. Within 10 instructional days the Vice President of Instruction will convene the Appeal Review Committee to meet the student, instructor and Dean of Instruction to hear the points of the issue in appeal.

The Committee will provide its written decision to all parties within 5 instructional days following the hearing. **The decision is final and may not be reviewed.**

Reinstatement after Academic Dismissal

If a student is issued an academic dismissal from a career training program or general education course for a stated period of time, the student must meet with the appropriate dean or designee before re-enrolling at the college. The conditions for reinstatement will be reviewed to determine eligibility to return.

Student Grievance Procedure

The purpose of the grievance procedure is to provide a student the opportunity to express and resolve a misunderstanding, alleged violation of a college policy, procedure or regulation. The student must be the aggrieved person and cannot file a grievance for another. This form is not intended to cover complaints of discriminations, sexual harassment or grade appeals. The college has separate, specific procedures for such complaints. See the senior administrator of human resources for information on those specific procedures for employees. Contact the Vice President of Student Services or refer to the Student Code of Conduct section of the Student Handbook for information on specific student procedures.

Procedure Process

If you as a student at Bates Technical College believe you have experience any of the above listed issues, you must use the Student Grievance form to report and document your complaint. To the extent possible, information contained in this report will be confidential.

A student may be accompanied by an advocate at any step of this procedure. A grievance shall be presumed abandoned and the matter deemed settled in accordance with the responsible official's last written response if the student fails to

appeal the decision to the next step within the designated appeal period.

If the college's responsible official fails to provide a written response at any step within the time limit prescribed, the student may proceed immediately to the next step or abandon the grievance. Time limits are mandatory unless an agreed-to extension is granted in writing. Complaints should be filed as soon as possible and no more than thirty days after the incident occurs.

For additional information on Student Grievances or Timelines, please see the Student Code of Conduct in this document WAC 495A-119-190 or WAC 495A-119-200. Federal and state laws, rules and regulations, in addition to policies, regulations and procedures adopted by the state board for community and technical colleges or the board of trustees of Bates Technical College, District No. 28 are excluded from being grieved.

[Statutory Authority: RCW 34.05.250 and 28B.50.140(13). WSR 19-14-073, § 495A-121-094, filed 6/30/19, effective 7/31/19. Statutory Authority: RCW 28B.50.140(10). WSR 00-11-147, § 495A-121-094, filed 5/24/00, effective 6/24/00.]

DISCRIMINATION, HARASSMENT, BIAS, RETALIATION, HAZING

Bates Technical College Guiding Principles for Diversity, Equity, and Inclusion
We believe diversity, equity and inclusion are fundamental to Bates Technical College fulfilling its mission and for institutional excellence.

- Respect: We value, consider and accept everyone's different perspectives, beliefs and life experiences.
- Transformation: We focus on efforts to transform our institutional culture so that it results in a sense of belonging and knowing that each member of our college community matters. We will continue our practice of engaged learning and creating an inclusive environment.
- Equity: We believe that access to high-quality education in an inclusive environment is the right of all individuals and imperative for the continued advancement of a strong democracy and workforce.
- Education: We will continue to improve access and retention of underrepresented students and create learning environments in which students of all backgrounds can succeed.
- Inclusion: We welcome and respect diversity and full inclusion of all people, regardless of race, cultural background, age, sexual orientation, gender identity expression, physical ability, citizenship, language or socioeconomic status.

Non-discrimination Statement
Bates Technical College offers 40+ career and technical education programs in accounting, practical nurse, barber, early childhood education, fire service, culinary arts and more. Bates Technical College reaffirms its policy of equal opportunity and does not discriminate on the basis of race, ethnicity, color, national origin, creed, religion, sex, sexual orientation, gender identity, age, marital status, disability, or status as a disabled veteran or Vietnam era veteran in its programs and activities in accordance with college policy, and applicable federal and state statutes and regulations. If you are a person with a disability and need assistance or need a Bates publication in an alternate format, contact the Disability Support Services Coordinator Aubrie Swain, at 253.680.7012, aubrie.swain@batestech.edu.

Students have the right to a learning environment, which is free from unlawful Discrimination, Harassment, Bias, Retaliation, Hazing. Forms to file a formal complaint against an employee of the College are available in the office of Human Resources or online.

Title IX and Harassment Reporting
In compliance with Title IX of the Education Amendments of 1972, Bates Technical College does not discriminate on the basis of sex in employment or in its educational programs and activities. It is Bates Technical College's goal to maintain an environment that is free from all forms of illegal harassment and discrimination, including bullying, hazing, sexual harassment, sexual violence, sexual coercion, rape and sexual assault.

Federal and State laws, as well as college policies, protect faculty, staff, and students against discrimination based on the following legally protected characteristics: race, color, creed, religion, national origin, sex (including pregnancy and parenting status), age, disability, marital status, sexual orientation, gender identity and expression, genetic information and veteran status.

The college's discrimination complaint procedure provides an administrative process (not legal or criminal) for prompt and equitable investigation and resolution of complaints alleging violations of civil rights laws, to include Title IX, unfair treatment based on any of the protected categories, bullying, hazing, sexual harassment, sexual violence, sexual coercion, rape, or sexual assault.

If you have experienced discrimination or harassment, sexual harassment, sexual assault or sexual violence, you have resources and reporting options. If an incident occurs to you, or you know of an incident, please immediately contact below.

Campus Public Safety, 253.680.7111

Human Resources, DT Campus A326, 253.680.7180

Bates Technical College is an open-admission college and will take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in all educational and technical education programs.

Harassment

All students must be allowed to train and learn in an environment free from harassment. Harassment may include unwelcome and offensive verbal, nonverbal, or physical conduct that is directed at a person because of said person's protected status and that is sufficiently serious. Additional details are included in below WAC 495A-119.

Hazing

Hazing is prohibited. Consistent with state law, hazing at Bates means any methods of initiation into a student organization or living group, or any pastime or amusement engaged in that causes or is likely to cause bodily danger, physical harm, or mental or emotional harm. Examples of prohibited activities, regardless of the location, include but are not limited to: forced consumption of alcohol or drugs, excessive exercise, activities that may threaten an individual's health, or compelling individuals to engage in activities which violate Bates' Student Code of Rights and Responsibilities.

Definition of "hazing" using language from the new Student Code of Conducts WAC/Bill

As used in RCW 28B.10.901 and 28B.10.902, "hazing" is any act and/or conduct committed as part of a person's recruitment, initiation, pledging, admission into, or affiliation with a student organization, athletic team, or living group (collectively "student groups") or any pastime or amusement engaged in with respect to such a student group that causes, or is likely to cause, bodily danger or physical harm, or serious psychological or emotional harm, to any student or other person attending Bates Technical College, 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. This prohibition applies to conduct that may occur both on and off campus. In compliance with 2SHB 1751 (2022), the College will implement procedures and programs, including offering students and employees hazing prevention training and programming, implementation of a mandatory reporting procedure, creation of a hazing prevention committee, and publication of a hazing report.

It is Bates' policy that discrimination, harassment, bias, retaliation, and/or hazing is unacceptable conduct and will not be tolerated. Anyone violating this policy is subject to disciplinary procedures. Bates is committed to communicating this policy to all staff and students, and to investigating and resolving promptly any complaints of discrimination, harassment, bias, retaliation, and/or hazing. If you as a student at Bates Technical College believe you have encountered discrimination, harassment, bias, retaliation, and/or hazing, more information, including reporting procedures are listed at https://www.batestech.edu/birp/. To the extent possible, information contained in this report will be confidential.

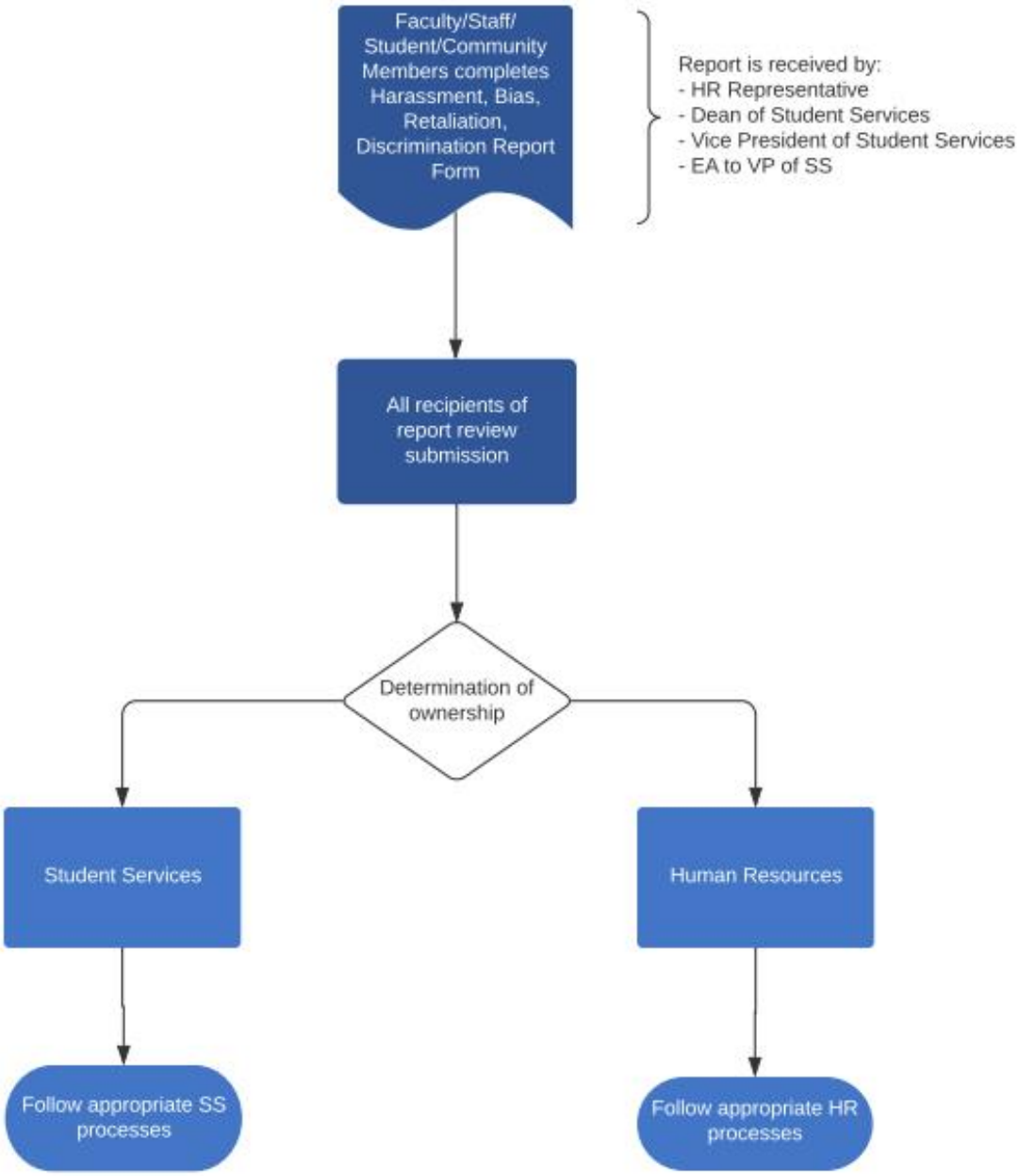
Step One. Faculty/Staff/Student completes and submits Discrimination, Harassment, Bias, Retaliation, Hazing form.

Step Two. Report is received by HR Representative, Vice President, Dean and will determine ownership. i.e. Conduct is assigned if the alleged is a student. Human Resources/supervisor assigned if alleged is an employee, depending on severity, scope, and specifics of information provided in the report.

Step Three. For cases where a student is the alleged offender the case is handled using the Code of Conduct processes and timeframes provided later in this handbook. For cases where the alleged offender is an employee refer to Human Resources policies.

Harassment, Bias, Retaliation, Discrimination Reporting Process

Kimberly Towne | January 27, 2021



DEGREE AND CERTIFICATES

Associate of Applied Science Degree

The Associate of Applied Science (AAS) is awarded to students who satisfactorily complete programs that are 90 credits or more, includes a core of 15 credits of college-level related instruction, and have earned a cumulative grade point average of 2.0 as calculated by the college.

Associate in Applied Science - Transfer

The Associate of Applied Science – Transfer (AAS-T) degree is awarded to students who successfully complete programs that are 90 credits or more, includes a core of 20 credits of college-level general education, and have earned a cumulative grade point average of 2.0 as calculated by the college.

The general education component of the transferable technical degree is to be comprised of not less than 20 credits of courses generally accepted in transfer. These 20 credits must include as a minimum the following: 5 credits in Communication English Composition; 5 credits in Quantitative Skills (any course from the generally accepted in transfer list with Intermediate Algebra as a prerequisite); 10 credits in Science, Social Science, or Humanities Courses selected from the generally accepted in transfer list including a course meeting the human relations requirement.

Direct Transfer Associate Degree (DTA) and Major Related Program Degree (MRP)

The Direct Transfer Associate Degree (DTA) and Major Related Program Degree (MRP) are awarded to students who have completed 90 credits or more and earned a cumulative grade point average of a 2.0 as calculated by the college, including 60 credits of which must be college-level general education courses distributed as follows:

10 credits	Communication Skills
5 credits	Quantitative/Symbolic Reasoning
15-20 credits	Humanities
15-20 credits	Social Sciences
15-20 credits	Natural Sciences
15 credits maximum college-level courses determined by Bates Technical College and the remainder shall be fully transferable as defined by the receiving institution.	Electives

Associate of Applied Science in Apprenticeship Studies

Associate in Apprenticeship Studies is designed to serve individuals completing approved apprenticeship programs at Bates Technical College. The degree option includes both general education requirements and the technical requirements of an apprenticeship program. Content includes state-approved joint apprenticeship programs plans for four general education courses (20 credits) in human relations/social sciences, communications, and computation.

Students must complete at least 6,000 clock hours on the job and at least 432 clock hours of apprenticeship-related instruction. Courses completed at another institution may be transferable by approval of the college Director of Enrollment/Registrar.

HIGH SCHOOL DIPLOMA OPTIONS

Adult High School (HS+)

Adult High School (HS+) is a competency-based high school diploma program for adult learners 21 and older who do not have a high school diploma or equivalency. Adults demonstrate competencies in reading, writing and math contextualized in science, history, government, occupational studies, and digital literacy.

Bates Technical High School

Bates Technical High School is designed to serve students in high school age (i.e., 16-21 years old) completing their high school diploma while attending career training programs under the supervision of the Office of the Superintendent of Public Instruction's (OSPI) high school diploma regulations.

Bates Technical College High School Diploma

A Bates Technical College High School Diploma may be issued to a student who is older than 21 years of age, upon written request from that student, and who earned their associate degree from the college.

CERTIFICATES

A certificate is an award which may be earned by completion of the competencies and requirements for an occupational program.

Certificate of Competency

Certificate of Competency is at least 45 credits in length. Certificates that are 45 credit hours or more must include related instruction as a component. Completion requirements include:

- A minimum of 30 college-level career technical education credits as outlined in the college catalog.
- The completion of 15 credits of related instruction courses, 5 each in communication, computation, and human relations.

Certificate of Training

Certificate of Training is less than 45 credits in length. Certificates less than 45 credit hours in length do not necessarily include related instruction.

DEGREE AND PROGRAM REQUIREMENTS

All for-credit degrees and certificates adhere to the requirements and policies established and outlined by the State of Washington, State Board for Community and Technical Colleges, and the Intercollege Relations Commission Handbook.

Resources

Washington State Code: RCW 28B.50.140(12) and RCW 28B.50.215
State Board for Community and Technical Colleges (SBCTC): www.sbctc.edu
SBCTC Major-related programs: https://www.sbctc.edu/colleges-staff/programsservices/transfer/major-related-programs.aspx
Intercollege Relations Commission (ICRC): https://www.washingtoncouncil.org/icrc

Grade Point Average and Residency Requirements To graduate with a credential from Bates Technical College:

- A student must have a cumulative college-level grade point average of no less than a 2.0.
- A student must achieve “residency” at Bates Technical College, meaning that a minimum number of credits must be earned at Bates Technical College for a student to earn their credential from the college. To meet residency, the student must earn a minimum of:
    - Twenty (20) college-level credits at Bates Technical College or
    - Twenty-five (25) percent of the credits applicable to the credential at Bates Technical College.

COLLEGE CATALOG

For the most current regulations on the awarding of a credential from Bates Technical College refer to the current year catalog. The college catalog is available online on the college website at BatesTech.edu/Catalog.

FINANCIAL AID AND FUNDING RESOURCES

Financial Aid

www.BatesTech.edu/financialaid

If a student and their family cannot meet the full cost of education, the Financial Aid Office, through available financial aid programs, helps students and their parents meet the cost of their education.

These funds can come from a variety of sources such as the federal government, the state government, private sources and from the school itself. Financial aid may be awarded in the form of a grant or scholarship loan funds which must be repaid; or employment-where a student works to earn money for school in the form of a paycheck. The type of aid you receive will be based upon your "need" as determined by the federal methodology. All aid can be accepted or declined by the student; but, in some cases, if declined, it will not be replaced by other sources of funding. For detailed information about types of financial aid funding, see Types of Funding on the financial aid website.

How to Apply

Students must submit a completed Free Application for Federal Student Aid (FAFSA) or Washington Application for State Financial Aid (WASFA) for (undocumented individuals) to apply for financial aid at Bates Technical College. This application will be used to determine a student's eligibility for federal, state, and institutional funding assistance. For additional assistance please visit Apply for Financial Aid webpage.

Eligibility Requirements

Currently enrolled and prospective students interested in applying for Federal aid must be a U.S. citizen or eligible non-citizen. For student loans you must be enrolled in a minimum of 6 credits that are financial aid eligible.

1. Be enrolled in a financial aid eligible program (Career Pathways) leading to a degree or eligible certificate offered by Bates Technical College.
   NOTE: Auditing classes are not eligible for financial aid.
2. Meet Financial Aid Satisfactory Academic Progress policy.
3. Not be in default on any Stafford, Perkins, HEAL or federal student loans, and not owe a refund on any PELL, SEOG, or WCG received at Bates or any previously attended school.
4. Be a high school graduate or have received a G.E.D or meet the Ability to Benefit eligibility requirements.

Note: All absences—excused or unexcused—may adversely affect financial aid. It is the student's responsibility to contact the financial aid office for details.

Bates Technical College Foundation offers scholarships quarterly. Applications are available online. To request information by email, send to foundation@batestech.edu.

Satisfactory Academic Progress

For information on Bates Technical College's SAP processes for Financial Aid, please reference the Financial Aid SAP Policies & Procedures on the financial aid website.

For information on the SAP policy for Workforce Education Services, please reference the Workforce Education Services Satisfactory Academic Progress Policy on the WES website.

Return of Title IV Calculation/ Repayments

Federal financial aid is awarded to a student under the assumption that the student will attend school for the

entire period for which the assistance is awarded. Bates is required to calculate a financial aid repayment when a student either withdraws or stops attending class(es). The amount of aid earned will be determined based on the last date of attendance and any unearned aid will be required to be returned to the college.

WORKFORCE EDUCATION SERVICES

WORKER RETRAINING
Downtown Campus, Room A208
Contact: workerretraining@batestech.edu 253.680.7127 253.680.7127
Special funding program to help eligible students pay for college.

- You may be eligible for Worker Retraining funding if you: Have received unemployment benefits, from any state, anytime during the past 48 months.
- Are a displaced homemaker (no longer supported by spousal income) due to death, divorce/legal separation, or spousal layoff.
- Have separated from the military within the past 48 months.
- Formerly self-employed but are now unemployed due to general economic conditions (business closure).
- Vulnerable Worker status in which at least two of the three must be true: current position not in demand; completed fewer than 45 credits and/or no credential; must obtain new skills to remain employed in current position.

BASIC FOOD EMPLOYMENT AND TRAINING (BFET)
Downtown Campus, Room A208
Contact: bfet@batestech.edu253.680.7286.7286

- Special funding program for low-income students who receive federal food assistance (SNAP benefits). **WORKFIRST**

Downtown Campus, Room A208
Contact: workfirst@batestech.edu 253.680.7347 253.680.7347

If you currently receive TANF (Temporary Assistance for Needy Families) and participate in Washington state's Workfirst program, you may qualify for WorkFirst financial assistance to complete your education at Bates. Tell your case manager at DSHS you want to pursue your career education at Bates to receive a referral.

OPPORTUNITY GRANT
Downtown Campus, Room A208
Contact: opportunitygrant@batestech.edu 253.680.72447244
Special funding program that can help low-income students train for one of Bates' high-wage/high demand job fields. You may be eligible for Opportunity Grant funding if you:

- Have been a WA state resident for at least one year.
- Have a family income that is at or below 200% of the federal poverty level
- Demonstrate financial need based on the FAFSA or WASFA
- Are enrolled in an Opportunity Grant eligible program. For a list of programs that are currently eligible please see the Opportunity Grant webpage
-

Early Achievers Grant (EAG)
Downtown A208 & South E122K
Contact: Devon Powers, eag@batestech.edu 253.680.7027

Special funding program to help employed childcare providers and early learning educators complete certifcates and associate degrees in early childhood education. To be eligible to participate you must:

- Be employed at a childcare center, family childcare business, or Head Start/ECEAP program that is actively participating in DCYF''s Early Achievers as an Assistant Teacher, Assistant Director, Lead Teacher, Program Supervisor, Center Director, or Family Home Owner/Licensee.
- Work a minimum of 10 hours per week or 40 hours per month at the eligible childcare program
- Have worked in an eligible program for a minimum of three months prior to enrolling
- Intend to enroll in an approved Early Childhood Education program at Bates**EDUCATION OPPORTUNITY CENTER (EOC)**

Downtown Campus, Room A205B
Contact: Zyon Rodriguez, 253.318.4945, zrodriguez@mdc-hope.org

The Education Opportunity Center (EOC) is a partnership between Bates Technical College and Metropolitan Development Center (MDC).
EOC Advisors can assist with:

- Identifying a career path
- Creating educational goals
- Applying to a college or career of best fit
- Applying for financial aid to pay for college
- Assisting students with grant overpayment and student loan default.
- Employment readiness and financial literacy

CRANBORNE AUDIO
BATES
TECHNICAL COLLEGE

STUDENT SERVICES

Advising
Students are advised by career advisors and program instructors. Career advisors are available to refer students to community resources for a variety of services. Contact with career advisors and instructors on a continual basis is an important part of student success.

Career advisors are available to assist with:

- Placement in general education courses
- Assistance with career choices
- Educational planning
- Degree and certificate requirements
- College resources and support services

Instructors and Program Deans are available to help with:

- Curriculum requirement and prerequisites
- Licensing requirements
- Employment opportunities and job placement
- Program Costs and Fees

Student Retention Specialists
Student Retention Specialists collaborate with first-time, full-time career training students to ensure their academic success. Each campus has a designated Student Retention Specialist to help students succeed. Students should be meeting and communicating with their Student Retention Specialist to access academic, personal, and career planning support. Student Retention Specialists help students identify their needs, both academic and non-academic, and connect them with appropriate on-campus and community resources to help students succeed. Connect with a Retention Specialist at www.batestech.edu/student-resources/student-retention-specialist/.

Campus Life and Activities
Campus Life and Activities has many opportunities for student involvement, from events and activities on and off campus, to a student-centered space where you can hang out, eat lunch, use computers and printers, or play games. Campus Life and Activities is responsible for connecting students, developing the annual student fees budget, setting Services and Activity Fees, and allocating funds to clubs.
Associated Student Government (ASG), within Campus Life and Activities, provide direct representation in the development and establishment of policies and procedures that affect student life. ASG is responsible for representing student concerns on various college committees and to administration. ASG holds monthly general assembly meetings which are open to all students and rotate among the college's three campuses.
Additionally Phi Theta Kappa honor society, the student food pantry, SkillsUSA, and the Veteran Center resides within Campus Life and Activities. There is also a multi faith space for students who may need a quite space for meditation, prayer, or reflection.
For information regarding the Campus Life and Activities contact 253.680.7178.

Books
Textbooks can be purchased at https://bncvirtual.com/bates. Please have your class syllabus or relevant course information that will list your required textbook(s) identification information, as this information will be required when using the website. For course materials such as tool kits, program patches and uniforms, please email the Bookstore directly at: bookstore@batestech.edu.

Agency-funded students should check with their agency coordinator for direction as to how to access and pay for course materials. Students who receive Finance Aid can call or email the Student Financial Aid office for specifics on how and when Aid is received. Aid is typically dispersed the first or second day or class.

Barber Shop

253.680.7248

Students have access to free services at our Downtown campus barber shop. All work is performed by students in the Barber program. The Barber Shop is open when the college is in session.

Campus Stores

The college currently operates one physical bookstore located at South Campus in building A. The store carries a variety of school supplies, and official Bates imprinted items such as sweatshirts, water bottles, notepads and more. Operating hours can be found on the webpage.

Please note, all books are now purchased online through our virtual bookstore: https://bncvirtual.com/bates. To access a list of required books, supplies, and equipment, please check with your instructor.

Child Care Center at Bates' Downtown Campus

Bates' Early Learning Center offers programs for infants through pre-kindergarten. Enrollment priority is given to students of the college. Support from the Associated Student Government allows the center to offer a sliding fee scale. The facility is also available to college employees.

In addition to child care services available Monday-Friday from 6:30 a.m. to 5:00 p.m., subject to change, the center includes an Early Childhood Education and Assistance Program (ECEAP)as part-day or full-day program funded by the Department of Early Learning that offers preschool from September-May or September to August at no cost for income qualified three and four-year olds. Call 253.680.7330 or 253.680.7321 for more information. Additionally, several child care centers are close to Bates' campuses. Child Care Aware, www.childcare.org, maintains a list of licensed center and home-based child care.

Child Care Center at South Campus

The Early Learning Center at South Campus is limited to preschool children enrolled in ECEAP. Call 253.680.7566 for more information.

Computer Use Policy

All students and college staff must adhere to acceptable use practices. Student use is governed by WAC 495A-121-041 Prohibited Conduct (22, which is located within this student handbook under the Student Rights and Responsibilities section).

Disability Support Services

www.batestech.edu/DSS

The primary focus of the Disability Support Services office is to ensure all students have equal and equitable access to an education at Bates Technical College regardless of physical, mental or learning disabilities a student may have. Through DSS, qualified persons with disabilities can address their concerns regarding attitudinal or procedural barriers encountered, as well as any need for academic adjustments and/or auxiliary aids to assure equal access. DSS will provide information and auxiliary aids or services, serving as a resource to the campus community while striving to make Bates Technical College both an accessible and hospitable place for persons with disabilities to enjoy full and equal participation. We are committed to providing student support services, and academic adjustments and/or auxiliary aids necessary to ensure equal access to all of our programs, activities and services, while students pursue an education. If you are a prospective student or returning learner and think you may be eligible for academic accommodations due to an existing disability, please contact our Disability Support Services Office at 253.680.7012 or email dss@batestech.edu.

Eligibility

It is the student's responsibility to identify as having a documented disability and seek assistance from DSS. Bates Technical College recognizes that traditional methods, programs, and services may need to be altered to assure full accessibility to qualified persons with disabilities.

A qualified student is one who:

- Has a physical, mental or sensory impairment that substantially limits one or more of their temporary;
- Has a record of such an impairment or;
- Is perceived to have such impairment, or a student who has an abnormal condition that is medically cognizable or diagnosable.

Counseling and Wellness

Bates is committed to supporting all students in reaching their academic and personal goals and recognizes that counseling may be helpful in the process. Sessions are provided by a Master Degree-level licensed mental health professional. The counselor's role is to listen without judgment, to guide and to assist with exploring available options.

Confidentiality is an important part of counseling, and your personal information will not be disclosed without a written consent signed by you. By law there are safety limitations that may warrant disclosure without consent, which will be explained during the initial intake process. Contact Counseling and Wellness at 253.680.7006 or Counseling Center - BatesTech - BatesTech

International Student Services

The Bates Technical College international program is dedicated to promoting international education and training within the college, the community and around the world. Bates welcomes international student enrollment in various degree and certificate programs. It is our mission to provide a high-quality education that will help students succeed in the workplace.

Our faculty and staff are eager to assist our international students throughout their educational experience. We hope that this handbook will provide international students with enough information to help guide them through their experience at Bates.

Library

Whenever college classes are in session, the friendly staff at Bates Library will take you beyond Google to get the information you need. Library specialists are ready to help with any question you may have from general college information to in-depth research. The library provides answers you can trust to get the job done by using reliable information coming from a huge collection of databases, books, eBooks, videos, and learning tools. Thousands of items are available to borrow from our online catalog system including books, equipment, and laptops. Getting help is easy, by emailing library@batestech.edu or accessing the Library webpage.

Lost and Found

Staff and faculty campus will attempt to contact the owner of any lost item if found. If the owner is unknown, employees will forward the property to Campus Public Safety where the property will be stored for 60 days. Unclaimed property will be disposed of consistent with Washington state law and college procedures. Campus Public Safety can be reached at 253.680.7111.

National Voter Registration Act

In conformance of Program Participation Requirement, Section 487(a)20 U.S.C. 1094(a), students can HYPERLINK "https://voter.votewa.gov/WhereToVote.aspx"register to vote online or print out a Washington state voter registration form. Registration forms are available in multiple languages. The link to register to vote is also

available on the Bates Website.Washington state voter registration form. Registration forms are available in multiple languages. The link to register to vote is also available on the Bates Website.

New Student Orientation

New Student Orientation is part of the new student experience to support students in their success at Bates and access tools to navigate Bates Technical College. Orientation includes both an in-person session and an online course, which opens once you register for classes. This must be completed before the start of the quarter. Students will be connected to available resources and support services, meet their student support team, and receive information on their responsibilities as a Bates student. Orientation is mandatory for all degree/certificate-seeking students. Please visit batestech.edu/NSO to register for your orientation session.

Parking

It is the responsibility of every Bates student to follow all parking rules and regulations. Check the website for detailed information. Parking permits are required for parking on any school property or in any official parking place and can be obtained from Campus Public Safety by visiting batestech.edu/parking Parking fines are detailed on this website.

Parking Fine Appeal: parking fines, penalties, and permit revocations may be appealed in some cases. A formal request, including details of the circumstances surrounding the infraction should be submitted to the Campus Public Safety Sergeant, in writing, within five business days of receipt of the citation. If denied, it may be forwarded to the Director of Safety and Security for review. All decisions made by the Director of Safety and Security shall be final. Repeated or continued violations may result in having parking privileges revoked and/or vehicle impoundments at the owner's expense.

Safety

Campus Public Safety officers provide escorts for students and staff; respond to campus emergencies; patrol buildings, parking areas, and campus surroundings; and work with local law enforcement agencies. All personal property should be kept under lock and key. Safety officers are on duty and should be contacted in case of theft or other concerns about safety, property damage or physical endangerment.
All campuses call 253.680.7111.

School Delays and Closures
In the case of severe weather conditions or college emergencies, you can find information regarding the status of Bates operations on the college website, or you can call the weather and schedule information line, 253.680.7060. Your Bates email address is automatically subscribed to the Rave Alert system and you will receive a welcome email to your Bates email address that includes information on how to set up your profile and password. If you do not get an email from Rave, or you have forgot your password, click "Forgot your password?" on the Bates Rave Alert System login page. You can add your mobile phone to the system if you wish to receive text alerts after logging in.

College closure information will also be available on major Puget Sound radio and television stations through the Public Schools Emergency Communication System. If classes are cancelled, students and faculty do NOT report to the college. If classes are on a delayed schedule, the college will announce a specific start time for students to report, by 5:30 a.m. on the affected day, and by 4 p.m. for evening classes.

Student Clubs
Students are encouraged to participate in and create student clubs to enhance their college experience and gain leadership skills. Visit batestech.edu/clubs for a list of current clubs or information on starting a club. The club handbook and application are also available online.

Student Email
Students are encouraged to use Bates email as a reliable way to communicate with instructors, student services, fellow students and the community. Important information is sent to your college email address. To find out what is your email address, visit batestech.edu/whats-my-email/. Links to helpful IT services can be found in the Information Technology page, https://www.batestech.edu/information-technology/ or in the Quick Links section of MyBates (my.batestech.edu/)

Student Help Desk
For help with IT issues, please contact the Student Help Desk.
Monday - Friday, 7:30 a.m. - 4:00 p.m.
Phone: 253.680.7055
Email: studentemail@batestech.edu

Student Employment
The Bates Technical College Financial Aid Office offers on-campus work-study positions that help provide jobs for eligible students. Work-Study employment is meant to be a productive experience for everyone involved: the student, the employer, and the institution as well as the community. The Work-Study program encourages community service work and work related to your course of study. To apply for a work-study position, email your resume and student ID number to workstudy@batestech.edu. To learn more, visit the webpage BatesTech.edu/workstudy .

ASG: The Associated Student Government also offers on-campus part time paid positions to all students, including career training, general education, tech high, and international students! To apply for these leadership roles, visit BatesTech.edu/ASG.

Tutoring Center
Tutoring services are available to all enrolled Bates students at no cost. Services include assistance with academic subjects such as math and English as well as assistance with textbook comprehension and study skills related to career programs. Students can also receive help determining their learning style and with test taking. Depending upon specific needs, tutoring may be arranged in an individual, group or lab setting.

Registered students have access to eTutoring services. To access eTutoring, visit batestech.edu/student-resources/tutoring-services. Students are to use their ctcLink ID number for initial login for both username and

password. Bates Technical College has joined eTutoring Consortium as of July 1, 2020. As members of the institution, Bates students will be able to have access to eTutoring services 24 hours a day, 365 days a year in a variety subjects, including Math, Writing, Microsoft Office, Intro to Psychology, Biology, Calculus, Physics and more. Live tutors are generally available from 5:00AM until 11:50PM.
If you have any questions, please email tutor@batestech.edu.

Student Right to Know

The Federal Student Right-To-Know and Campus Security Act requires institutions of higher education to report the percentages of completion and graduation rates for students enrolled full time, first time entering college, and degree or certificate students. Title II of this law, the Crime Awareness and Campus Security Act of 1990, requires publication of campus crime statistics and campus security policies. The third part of the law requires disclosure of student loan default rates.

These and other important, relevant statistics for each program, each campus, and the entire college, can be provided upon request by the Director of Campus Public Safety. Reports will reflect past student participation, completion rates, and placement wages 90 days after completion.

STUDENT CODE OF CONDUCT

Chapter 495A-119 WAC

Last Revision 7/29/24 (temporary Board approval expires 11/27/2024)

Policy Contact: Vice President Student Services

WAC 495A-119-010 Authority.

The Bates Technical College board of trustees, acting pursuant to RCW 28B.50.140(14), delegates to the president of the college the authority to administer student disciplinary action. The president is authorized to delegate or reassign any and all duties and responsibilities as set forth in this chapter as may be reasonably necessary. Administration of the disciplinary procedures is the responsibility of the vice president of student services or their designee. Except in cases involving allegations of sex discrimination, including sex-based harassment, the student conduct officer, or delegate, shall serve as the principal investigator and administrator for alleged violations of this code.

WAC 495A-119-020 Statement of jurisdiction.

(1) The student conduct code shall apply to conduct by students or student groups that occurs:

(a) On college premises;

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

(c) Off college premises, if in the judgment of the college, the conduct has an adverse impact on the college community, 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 locations in which students are engaged in college programs or activities including, but not limited to, college-sponsored housing, foreign or domestic travel, activities funded by the students, student government, student clubs or organizations, athletic events, training internships, cooperative and distance education, online education, practicums, supervised work experiences or any other college-sanctioned social or club activities.

(3) Students are responsible for their conduct from the time they gain admission to the college through the last day of enrollment or award of any degree or certificate, 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 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 college 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.

(6) In addition to initiating disciplinary 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 reserves the right to pursue student disciplinary proceedings regardless of whether the underlying conduct is subject to civil or criminal prosecution.

WAC 495A-119-030 Statement of student rights.

As members of the academic community, students are encouraged to develop the capacity for critical judgment and

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

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

(1) Academic freedom.

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

(b) Students are free to pursue appropriate educational objectives from among the college's curricula, programs, and student affairs, subject to the limitations of RCW 28B.50.090 (3)(b).

(c) Students shall be protected from academic evaluation that is arbitrary, prejudiced, or capricious, but are responsible for meeting the standards of academic performance established by each of their instructors.

(d) Students have the right to a learning environment that is free from unlawful discrimination, inappropriate and disrespectful conduct, and any and all harassment, including sex discrimination.

(2) Due process.

(a) The rights of students to be secure in their persons, quarters, papers, and effects against unreasonable searches and seizures is guaranteed.

(b) No disciplinary sanction may be imposed on any student without notice to the accused of the nature of the charges.

(c) A student accused of violating this code of student conduct is entitled, upon request, to procedural due process as set forth in this chapter.

WAC 495A-119-040 Definitions.

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

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

(2) **"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.

(3) **"Complainant"** means 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 student or employee who was participating or attempting to participate in the college's education program or activity at the time of the alleged discrimination.

(4) **"Conduct review officer"** is a college administrator designated by the president who is responsible for reviewing or referring appeals of student disciplinary actions as specified in this code.

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

(6) **"Disciplinary appeal"** is the process by which an aggrieved party can appeal the discipline imposed or recommended by the student conduct officer. Disciplinary appeals from a suspension in excess of 10 instructional

days or a dismissal from the college are heard by the student conduct committee. Appeals of all other disciplinary action shall be reviewed by a conduct review officer through brief adjudicative proceedings.

(7) **"Filing"** is the process by which a document is officially delivered to a college official responsible for facilitating a disciplinary review. Unless otherwise provided, filing shall be accomplished by:

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

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

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

(8) **"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.

(9) **"President"** is the president of the college. The president is authorized to:

(a) Delegate any of their responsibilities as set forth in this chapter as may be reasonably necessary; and

(b) Reassign any and all duties and responsibilities as set forth in this chapter as may be reasonably necessary.

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

(11) **"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.

(12) **"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.

(13) **"Respondent"** is a student who is alleged to have violated student conduct code.

(14) **"Service"** is the process by which a document is officially delivered to a party. Unless otherwise provided, service upon a party shall be accomplished by:

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

(b) By sending the document by email and by certified mail or first-class mail to the party's last known address.

Service is deemed complete upon hand delivery of the document or upon the date that the document is emailed and deposited in the mail, whichever is first.

(15) **"Student"** includes all persons taking courses at or through the college, whether on a full-time or part-time basis, and whether such courses are credit courses, noncredit courses, online courses, or otherwise. Persons who withdraw after allegedly violating the code, who are not officially enrolled for particular term but who have a continuing relationship with the college, or who have been notified of their acceptance for admission are considered a "student" for purposes of this chapter.

(16) **"Student conduct officer"** is a college administrator designated by the president to be responsible for implementing and enforcing the student conduct code.

(17) **"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.

(18) **"Student group"** is a student organization, athletic team, including, but not limited to, student clubs and organizations, members of a class or student cohort, and student performance groups.

(19) **"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.

(20) **"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.

WAC 495A-119-050 Prohibited student conduct.

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

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

(2) **Abuse in later life.**

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

(b) Domestic violence, dating violence, sexual assault, or stalking of an adult aged 50 or older by any individual; and

(c) Does not include self neglect.

(3) **Academic dishonesty.** Any act of academic dishonesty, including:

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

(b) Plagiarism - Taking and using as one's own, without proper attribution, the ideas, writings, work of

another person, or artificial intelligence, in completing an academic 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 - Falsifying data, information, or citations in completing an academic assignment and also includes providing false or deceptive information to an instructor concerning the completion of an assignment.

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

(4) **Acts of dishonesty.** Acts of dishonesty include, but are not limited to:

(a) Forgery, alteration, and/or submission of falsified documents or misuse of any college document, record, or instrument of identification;

(b) Furnishing false information, or failing to furnish correct information, in response to the request or requirement of a college officer or employee;

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

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

(6) **Cannabis, drug, and tobacco violations.**

(a) **Cannabis.** The use, possession, growing, delivery, sale, or being visibly under the influence of cannabis or the psychoactive compounds found in cannabis and intended for human consumption, regardless of form, or the possession of cannabis paraphernalia on college premises or college-sponsored events. While state law permits the recreational use of cannabis, federal law prohibits such use on college premises or in connection with college activities.

(b) **Drugs.** The use, possession, production, delivery, sale, or being observably under the influence of any legend drug, including anabolic steroids, androgens, or human growth hormones as defined in chapter 69.41 RCW, or any other controlled substance under chapter 69.50 RCW, except as prescribed for a student's use by a licensed practitioner.

(c) **Tobacco, electronic cigarettes, and related products.** The use of tobacco, electronic cigarettes, and related products in any building owned, leased or operated by the college or in any location where such use is prohibited, including 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.

(7) **Cyber misconduct.** 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 an-other person. Prohibited activities include, but are not limited to, unauthorized monitoring of another's email communications directly or through spyware, sending threatening emails, disrupting electronic communications with spam or by sending a computer virus, sending false messages to third parties using another's email identity, nonconsensual recording of sexual activity, and nonconsensual distribution of a recording of sexual activity.

(8) **Disruption or obstruction.** Disruption or obstruction of instruction, research, administration, disciplinary proceeding, or other college activity, including the obstruction of the free flow of pedestrian or vehicular movement on college premises or at a college activity, or any activity that is authorized to occur on college premises, whether or not actually conducted or sponsored by the college.

(9) **Discriminatory harassment.**

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

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

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

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

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

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

(10) **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.

(11) **Failure to comply with directive.** Failure to comply with the direction of a college officer (campus safety) or employee who is acting in the legitimate performance of their duties, including failure to properly identify oneself to such a person when requested to do so.

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

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

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

(c) For purposes of this code, "intimidation" is an implied threat. Intimidation exists when a reasonable person would feel threatened or coerced even though an explicit threat or display of physical force has not been made. Intimidation is evaluated based on the intensity, frequency, context, and duration of the comments or actions.

(13) **Hazing.** Hazing is any act committed as part of a person's recruitment, initiation, pledging, admission into, or affiliation with a college-sponsored student organization, athletic team, or living group, or any pastime or amusement engaged in with respect to such an organization, athletic team, or living group that causes, or is likely to cause, bodily danger or physical harm, or serious psychological or emotional harm, to any student, 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.

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

(15) **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.

(16) **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 purposes of this subsection includes computer passwords, access codes, identification cards, personal financial account numbers, other confidential personal information, intellectual property, and college trademarks.

(17) **Retaliation.** Harming, threatening, intimidating, coercing, or other adverse action taken against any individual for reporting, providing information, exercising one's rights or responsibilities, participating, or refusing to participate, in the process of responding to, investigating, or addressing allegations or violations of federal, state, or local law, or college policies.

(18) **Safety violations.** 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) **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, 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.

(20) **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.

(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) **Weapons.** Possession, holding, wearing, transporting, storage or presence of any firearm, dagger, sword, knife, or other cutting or stabbing instrument, club, explosive device, or any other weapon apparently capable of producing bodily harm is prohibited on the college campus and during college programming and activities, subject to the following exceptions:

(a) Commissioned law enforcement personnel or legally authorized military personnel while in performance of their official duties.

(b) Students with legally issued weapons permits may store their weapons in their 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.

(c) The president 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.

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

WAC 495A-119-060 Corrective action, disciplinary sanctions, terms and conditions.

(1) One or more of the following corrective actions or disciplinary sanctions may be imposed upon a student or upon college-sponsored student organizations, athletic teams, or living groups found responsible for violating the student conduct code.

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

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

(c) **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.

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

(e) **Dismissal.** The revocation of all rights and privileges of membership in the college community and exclusion from the campus and college-owned or controlled facilities without any possibility of return. There will be no refund of tuition or fees for the quarter in which the dismissal is imposed.

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

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

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

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

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

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

(d) **No contact 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.

(e) **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.

(f) **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.

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

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

(4) If a student withdraws from the college or fails to reenroll before completing a disciplinary sanction or condition, the disciplinary sanction or condition must be completed either prior to or upon the student's reenrollment, depending on the nature of the sanction, condition, and/or the underlying violation. Completion of disciplinary sanctions and conditions may be considered in petitions for readmission to the college.

WAC 495A-119-070 Hazing sanctions.

(1) 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 non-profit, the individual directors of the corporation may be held individually liable for damages.

(2) 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.

(3) Any student group that knowingly permits 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.

(4) Any student group 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.

WAC 495A-119-080 Initiation of disciplinary action.

(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 complainant in cases involving allegations of sex discrimination shall be provided the same procedural 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 him or her to attend a disciplinary meeting. The notice shall briefly describe the factual allegations, the provision(s) of the conduct code the respondent is alleged to have violated, the range of possible sanctions for the alleged violation(s), and specify the time and location of the meeting.

(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 ex-tension 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 495A-119-060; 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.

WAC 495A-119-090 Appeal from disciplinary action.

(1) Except as specified for cases involving allegations of sex discrimination, as set forth in WAC 495A-119-080(12), the respondent may appeal a disciplinary action by filing a written notice of appeal with the student conduct officer within 21 calendar days of service of the student con-duct officer's decision. Failure to timely file a notice of appeal constitutes a waiver of the right to appeal and the student conduct officer's decision shall be deemed final.

(2) The notice of appeal must include a brief statement explaining why the respondent is seeking review.

(3) The parties to an appeal shall be the respondent, complainant, if any, and the student conduct officer.

(4) A respondent, who timely appeals a disciplinary action or whose case is referred to the student conduct committee, has a right to a prompt, fair, and impartial hearing as provided for in these procedures.

(5) On appeal, the college bears the burden of establishing the evidentiary facts underlying the imposition of a disciplinary sanction by a preponderance of the evidence.

(6) Imposition of disciplinary action for violation of the student conduct code shall be stayed pending appeal, unless respondent has been summarily suspended.

(7) A conduct review officer shall conduct a brief adjudicative proceeding for appeals of:
(a) Suspensions of 10 instructional days or less;
(b) Disciplinary probation;
(c) Written reprimands; and
(d) Any conditions or terms imposed in conjunction with one of the foregoing disciplinary actions.

(8) The student conduct committee shall hear appeals from:
(a) Disciplinary suspensions in excess of 10 instructional days;
(b) Dismissals;
(c) Sex discrimination, including sex-based harassment cases; and
(d) Disciplinary cases referred to the committee by the student conduct officer, a conduct review officer, or the president.

WAC 495A-119-100 Brief adjudicative proceedings—Initial hearing.
(1) Brief adjudicative proceedings shall be conducted by a conduct review officer. The conduct review officer shall not participate in any case in which they are a complainant or witness, or in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory capacity.

(2) 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 agency's view of the matter; and
(b) An opportunity to explain the party's view of the matter.

(3) The conduct review officer shall serve an initial decision upon the respondent and the student conduct officer within 10 calendar days of consideration of the appeal. The initial decision shall contain a brief written statement of the reasons for the decision and information about how to seek administrative review of the initial decision. If no request for review is filed within 21 calendar days of service of the initial decision, the initial decision shall be deemed the final decision.

(4) If the conduct review officer upon review determines that the respondent's conduct may warrant imposition of a disciplinary suspension in excess of 10 instructional days or expulsion, the matter shall be referred to the student conduct committee for a disciplinary hearing.

WAC 495A-119-110 Brief adjudicative proceedings—Review of an initial decision.
(1) An initial decision is subject to review by the president or designee, provided a party files a written request for review with the conduct review officer within 21 calendar 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, prejudice, or bias, or in which they have acted previously in an advisory capacity.

(3) During the review, the president shall give all parties an opportunity to file written responses explaining their view of the matter and shall make any inquiries necessary to ascertain whether the sanctions should be modified or

whether the proceedings should be referred to the student conduct committee for a formal adjudicative hearing.

(4) The decision on review must be in writing and must include a brief statement of the reasons for the decision and must be served on the parties within 20 calendar days of the initial decision or of the request for review, whichever is later. The decision on review will contain a notice that judicial review may be available. A request for review may be deemed to have been denied if the president does not make a disposition of the matter within 20 calendar days after the request is submitted.

(5) If the president upon review determines that the respondent's conduct may warrant imposition of a disciplinary suspension of more than 10 instructional days or expulsion, the matter shall be referred to the student conduct committee for a disciplinary hearing.

WAC 495A-119-120 Student conduct committee.
(1) The student conduct committee shall consist of five members:
(a) Two full-time students appointed by the student government;
(b) Two faculty members appointed by the president;
(c) One faculty member or administrator (other than an administrator serving as a student conduct or conduct review officer) appointed by the president at the beginning of the academic year.

(2) The faculty member or administrator appointed on a yearly basis shall serve as the chair of the committee and may take action on preliminary hearing matters prior to convening the committee.

(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 conduct committee shall not participate in any case in which they are a party, complainant, or witness, in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory capacity. Any party may petition 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.

WAC 495A-119-130 Student conduct committee—Prehearing.
(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 the student conduct officer's notification 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.

(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 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) 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) 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 disciplinary 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, student conduct officer shall provide reasonable assistance to the respondent and complainant in accessing and reviewing 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.

WAC 495A-119-140 Student conduct committee—Presentation of evidence.
(1) Upon the failure of any party to attend or participate in a hearing, the student conduct committee may either:
(a) Proceed with the hearing and issuance of its decision; or
(b) Serve a decision of default in accordance with RCW 34.05.440.

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

(3) The chair shall cause the hearing to be recorded by a method that they select, in accordance with RCW 34.05.449. That recording, or a copy, shall be made available to any party upon request. The chair shall 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 question 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 be-tween 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.

WAC 495A-119-150 Student conduct committee—Initial decision.

(1) At the conclusion of the hearing, the committee chair shall permit the parties to make closing arguments in whatever form, written or verbal, the committee wishes to receive them. The committee also may permit each party to propose findings, conclusions, and/or a proposed decision for its consideration.

(2) Within 21 calendar days following the later of the conclusion of the hearing or the committee's receipt of closing arguments, the committee shall issue a decision in accordance with RCW 34.05.461 and WAC 10-08-210. The decision shall include findings on all material issues of fact and conclusions on all material issues of law, including which, if any, provisions of the student conduct code were violated. Any findings based substantially on the credibility of evidence or the demeanor of witnesses shall be so identified and explained.

(3) The committee's decision shall also include a determination of appropriate sanctions, if any. If the matter was referred to the committee by the student conduct officer, the committee shall identify and impose disciplinary sanction(s) or conditions (if any) as authorized in the student code. If the matter is an appeal by a party, the committee may affirm, reverse, or modify the disciplinary sanction and/or conditions imposed by the student conduct officer and/or impose additional disciplinary sanction(s) or conditions as authorized here-in.

(4) The committee chair shall cause copies of its decision to be served on the parties and their attorney, if any. The notice will inform all parties of their appeal rights. The committee chair shall al-so promptly transmit a copy of the decision and the record of the committee's proceedings to the president.

(5) In cases involving sex-based harassment, the initial decision shall be served on all parties simultaneously, as well as the Title IX coordinator.

WAC 495A-119-160 Student conduct committee—Review of initial decision.

(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.

WAC 495A-119-170 Summary suspension.
(1) Summary suspension is a temporary exclusion from specified college premises or denial of access to all activities or privileges for which a respondent might otherwise be eligible, while an investigation and/or formal disciplinary procedures are pending.

(2) The student conduct officer may impose a summary suspension if there is probable cause to believe that the respondent:

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

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

(4) The written notification shall be entitled "notice of summary suspension" and shall include:

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

(b) The date, time, and location when the respondent must appear before the conduct review officer for a hearing on the summary suspension; and
(c) The conditions, if any, under which the respondent may physically access the campus or communicate with members of the campus community. If the respondent has been trespassed from the campus, a no-tice against trespass shall be included warning respondent that their privilege to enter into or remain on college premises has been withdrawn, and that the respondent shall be considered trespassing and subject to arrest for criminal trespass if they enter the college campus other than to meet with the student conduct officer or conduct re-view officer, or to attend a disciplinary hearing.

(5) The conduct review officer shall conduct a hearing on the summary suspension as soon as practicable after imposition of the summary suspension.
(a) During the summary suspension hearing, the issue before the conduct review officer is whether there is probable cause to believe that the summary suspension should be continued pending the conclusion of disciplinary proceedings and/or whether the summary suspension should be less restrictive in scope.
(b) The respondent shall be afforded an opportunity to explain why summary suspension should not be continued while disciplinary proceedings are pending or why the summary suspension should be less re-strictive in scope.
(c) If the respondent fails to appear at the designated hearing time, the conduct review officer may order that the summary suspension remain in place pending the conclusion of the disciplinary proceedings.
(d) As soon as practicable following the hearing, the conduct re-view officer shall issue a written decision which shall include a brief explanation for any decision continuing and/or modifying the summary suspension and notice of any right to appeal.
(e) To the extent permissible under applicable law, the conduct review officer shall provide a copy of the decision to all persons or offices who may be bound or protected by it.

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

WAC 495A-119-180 Classroom conduct.
The student code of conduct shall not be construed as preventing an instructor from taking immediate disciplinary action when the instructor is required to act upon such breach of performance dishonesty in order to preserve order and prevent disruptive conduct in the classroom. 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 performance dishonesty.

(1) Faculty members have the authority to take appropriate action to maintain order and proper conduct in their classroom and maintain the effective cooperation of students in fulfilling the objectives of the course.

(2) Bringing any person, thing, or object to a teaching and learning environment that may disrupt the environment or cause a safety or health hazard without the expressed approval of the faculty member is prohibited.

(3) Faculty members have the right to temporarily suspend any student(s) from their classroom/course/lab/clinical/activity for up to three days if the student's misconduct creates disruption to the point that it is difficult or impossible to maintain the decorum of the class, related activity, or the learning and teaching environment. The faculty member's syllabus shall outline how an absence of this type will impact the student's responsibilities in completing assignments, other coursework, or activities. The faculty member shall report this temporary suspension to the student conduct officer or designee on the same day. In consultation with

the faculty member, the student conduct officer may set conditions for the student that must be followed upon returning to the class or activity.

(4) The suspension of up to three days discussed in subsection (3) of this section shall not be subject to any further appeal or review. However, any further discipline imposed by the student conduct officer or designee shall be processed in accordance with this chapter.

(5) Any suspension initiated by a faculty member or instructional administrator under this section will not affect any student grading that is based directly on attendance.

WAC 495A-119-190 Student grievances.

(1) Grievances should be filed as soon as possible and no more than 30 days after the incident occurs. For matters relating to Title IX violations, the college shall follow the process previously outlined in this chapter.

(a) Step one. The student shall first schedule an informal meeting with the instructor or staff member to resolve the concern(s).

If an informal meeting does not resolve the concern(s), within 10 working days from the time of the informal meeting, the student may present the grievance in writing to the instructor or staff member involved with a copy sent to the area administrator of student services. Within 10 working days after receiving the grievance, the instructor or staff member shall respond to the grievance in writing.

(b) Step two. If the grievance is not resolved at step one, the student may within 10 working days of the receipt of the written response, appeal to the area administrator by submitting the appropriate copy of the grievance form and all documents from step one to the area administrator.

(i) The area administrator shall hear the grievance within 10 working days after receipt of the grievance form and shall render a decision in writing within 10 working days after such hearing.

(ii) The student will be afforded an adequate and fair opportunity to fully present their position and the relevant facts as they relate to the issues raised by the grievance.

(c) Step three. If the grievance is not resolved at step two, the student may within 10 working days of receipt of the written response, provide the appropriate copy of the student grievance form and a written appeal, accompanied by documents and correspondence, to the senior administrator of student services.

(i) The senior administrator of student services shall hear the grievance within 10 working days after receipt of the written appeal and shall render a decision in writing within 10 working days after such hearing concludes.

(ii) The student will be afforded an adequate and fair opportunity to fully present their position and the relevant facts and issues to be addressed in the grievance.

(iii) The decision of the senior administrator of student services shall be final and binding on all parties involved in the grievance.

(iv) Any settlement of the grievance shall be applicable to that grievance only and shall not be a precedent or have binding effect or disposition on any other grievances of similar nature.

(2) Complaints should be filed as soon as possible and no more than 30 days after the incident occurs.

(a) Step one. The student shall first schedule an informal meeting with the instructor or staff member to resolve the concern(s).

If an informal meeting does not resolve the concern(s), within 10 working days from the time of the informal meeting, the student may present the grievance in writing to the instructor or staff member involved with a copy sent to the area administrator of student services. Within 10 working days after receiving the grievance, the instructor or staff member shall respond to the grievance in writing.

(b) Step two. If the grievance is not resolved at step one, the student may within 10 working days of the receipt of the written response, appeal to the area administrator by submitting the appropriate copy of the

grievance form and all documents from step one to the area administrator.

(i) The area administrator shall hear the grievance within 10 working days after receipt of the grievance form and shall render a decision in writing within 10 working days after such hearing.

(ii) The student will be afforded an adequate and fair opportunity to fully present their position and the relevant facts as they relate to the issues raised by the grievance.

(c) Step three. If the grievance is not resolved at step two, the student may within 10 working days of receipt of the written response, provide the appropriate copy of the student grievance form and a written appeal, accompanied by documents and correspondence, to the senior administrator of student services.

(i) The senior administrator of student services shall hear the grievance within 10 working days after receipt of the written appeal and shall render a decision in writing within 10 working days after such hearing concludes.

(ii) The student will be afforded an adequate and fair opportunity to fully present their position and the relevant facts and issues to be addressed in the grievance.

(iii) The decision of the senior administrator of student serv-ices shall be final and binding on all parties involved in the grievance.

(iv) Any settlement of the grievance shall be applicable to that grievance only and shall not be a precedent or have binding effect or disposition on any other grievances of similar nature.

WAC 495A-119-200 Time limits on filing a grievance.

The student must file a grievance within one quarter of the event, which caused the grievance to be filed. The senior administrator of student services may suspend this rule under exceptional circumstances such as ex-tended illness or a leave of absence. No complaints will be considered after two quarters of the occurrence of the source of the grievance. When either party to the grievance is no longer present at the college and does not expect to return, the senior administrator of student services will give the absent party reasonable opportunity to reply to the grievance before making a decision.

The student must file a complaint within one quarter of the event, which caused the grievance to be filed. The senior administrator of student services may suspend this rule under exceptional circumstances such as extended illness, or a leave of absence. No complaints will be considered after two quarters of the occurrence of the source of the grievance. When either party to the complaint is no longer present at the college and does not expect to return, the senior administrator of student services will give the absent party reasonable opportunity to reply to the complaint before making a decision.

WAC 495A-119-210 Grievances excluded.

(1) The student grievance procedure described in this section is not intended to cover com-plaints of discrimination or sexual discrimination. The college has separate, specific procedures for such complaints. See the senior administrator of human resources for information on those specific procedures.

(2) A student may not use the provisions of these sections as the basis for filing a grievance based on the outcome of summary or other disciplinary proceedings described in earlier sections of this student rights and responsibilities code or for resolution of specific categories of student complaints where other procedures are required.

(3) Federal and state laws, rules and regulations, in addition to policies, regulations and procedures adopted by the state board for community and technical colleges or the board of trustees of Bates Technical College, District No. 28 are excluded from being grieved.

Gainful Employment

Bates Technical College is participating in early implementation of the rescission from the Gainful Employment requirements allowable by the Secretary's authority under section 482(c) of the HEA to designate the regulatory changes to subpart Q and subpart R of the Student Assistance General Provisions at title 34, part 668, of the Code of Federal Regulations for early implementation beginning on July 1, 2019.

Family Educational Rights and Privacy Act (FERPA):
Visit the Bates FERPA webpage for more information and a downloadable copy of the FERPA Policy.

The Family Educational Rights and Privacy Act of 1974 (FERPA), also known as the Buckley Amendment, establishes that the educational records of students attending or having attended Bates Technical College are confidential and can be released only with the written consent of the students, or under limited and clearly defined circumstances.

All students admitted and registered at Bates are protected under FERPA, including former students of the College. Students have the following rights and protections related to the privacy of their educational records at the College:

- The right to be informed and inspect their educational records within 45 calendar days of the day the Director of Enrollment/Registrar's Office at the College receives the request.
- The right to request, in writing, amendment of the records that the student believes are inaccurate or misleading.
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
- The right to waive their rights in writing.
- The right to file a complaint to the Department of Education if they feel their FERPA rights have been violated. The office at the Department of Education that administers FERPA is:

  Family Policy Compliance Office
  U.S. Department of Education
  400 Maryland Avenue S.W.
  Washington, DC 20202-4605

Education Records
Education records are defined as any record maintained by Bates Technical College, or an agent of the College, which are directly related to the student. Education records can exist in any medium, including handwritten, typed, computer generated, videotape, audiotape, film, microfilm, microfiche, and email, among others.

Education records do not include the following:

- Personal records kept by a staff member, not accessible or revealed to any other person, or kept on file;
- Records created and maintained by public safety for strictly law enforcement purposes;
- Employment records unless employment is contingent upon student status;
- Records maintained by the counseling center if the record is only used for treatment and not made available to others; or
- Alumni records containing only information about a student after they are no longer in attendance.

Directory Information

Directory information is generally not considered harmful or an invasion of privacy if released and may be disclosed without the prior written consent of the student. Students have the option of refusing the release of directory information by logging into their ctcLink Student Homepage and updating their Privacy Restrictions. The College has designated the following items as directory information:

- Student name
- Major field of study
- Enrollment status
- Dates of attendance
- Participation in recognized activities
- Degrees and certificates awarded
- Honors

Disclosure of Records

The College will disclose information from student's educational records only with the written consent of the student, except under the following limited circumstances authorized by FERPA:

- To school officials with legitimate educational interests. A school official is defined as a person employed by the College in an administrative, supervisory, academic or support staff position (including College security)
- In connection with a student's request for or receipt of financial aid to determine eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid
- To other organizations providing financial aid to the student
- Accrediting organizations
- To organizations conducting studies for or on behalf of the College
- To appropriate parties in a health or safety emergency
- To military recruiters, pursuant to the Solomon Amendment, as determined by the Department of Education
- To the Department of Homeland Security
- To the IRS in response to the 1997 Taxpayer Relief Act
- To the Department of Veterans Affairs for those students receiving veteran's benefits
- In response to a legally served subpoena

Inquiries from all third parties, including family members, other students, outside agencies, groups and organizations, and the public are considered as coming from outside the college and will require written authorization from the student. The Family Educational Rights and Privacy Act (FERPA) requires that students be informed at least annually of their rights under FERPA.