

**WAC 132K-135-030 Definitions.** The following definitions shall apply for the purposes of this student conduct code:

(1) "Business day" means a weekday, excluding weekends, college holidays, and college closures unless otherwise specified.

(2) "College" means Pierce College district and any other community college centers or premises established within Washington State Community College District No. 11.

(3) "College community" means students, employees, trustees, and volunteers.

(4) "College official" includes any person employed by the college performing assigned duties.

(5) "College premises" shall include all campuses of the college, wherever located, and includes all land, buildings, facilities, vehicles, equipment, and other property owned, used, rented, leased, operated or controlled by the college. College premises extends to distance education classroom environments, and agencies or institutions that have educational agreements with the college.

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

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

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

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

(7) "Conduct review officer" is the dean of student success or other college administrator designated by the chancellor to be responsible for receiving and for reviewing or referring appeals of student disciplinary actions in accordance with the procedures of this code.

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

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

(10) "Faculty member" and "instructor" are any employee of Community College District No. 11 who is employed on a full-time or part-time basis as a teacher, instructor, counselor, faculty advisor, or librarian.

(11) "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 email address and official's office address.

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

(12) "President" is the president of a college campus. The president is authorized to delegate any and all responsibilities as set forth in the chapter as may be reasonably necessary.

(13) "Respondent" is the student against whom disciplinary action is initiated.

(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 both email, and by either 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 the document is emailed and deposited in the mail.

(15) "Sexual misconduct" has the meaning ascribed to this term in WAC 132K-135-070(15).

(16) "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 a particular term, but who have a continuing relationship with the college, or who have been notified of their acceptance for admission are considered "students."

(17) "Student conduct officer" is a college administrator designated by the president or vice president of learning and student success to be responsible for implementing and enforcing the student conduct code.

(18) "Student organization" means any number of students who have met the college's formal requirements of clubs or organizations.

(19) "Visitors" means guests, applicants, contractors, vendors, advisory board members, foundation board members, and members of the public on college premises.

[Statutory Authority: RCW 28B.50.140(13). WSR 21-11-045, § 132K-135-030, filed 5/13/21, effective 6/13/21; WSR 17-13-102, § 132K-135-030, filed 6/20/17, effective 7/21/17.]