



PROPOSED RULE MAKING

CR-102 (July 2022)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 19, 2022

TIME: 3:03 PM

WSR 22-19-072

Agency: Lower Columbia College

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

- Preproposal Statement of Inquiry was filed as WSR 22-16-115 ; or
- Expedited Rule Making--Proposed notice was filed as WSR _____; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or
- Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) WAC 132M-126 Code of Student Conduct updates to comply with new hazing prevention law.†

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
November 16, 2022	5:00 PM	1600 Maple Street Administration Bldg, Room 100 Longview, WA 98632 Or Join Zoom Meeting https://lowercolumbia.zoom.us/j/81904193936 Meeting ID: 819 0419 3936 One tap mobile +12532158782,,81904193936 # US (Tacoma) +13462487799,,81904193936 # US (Houston) Dial by your location +1 253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston) +1 669 900 6833 US (San Jose) +1 312 626 6799 US (Chicago) +1 646 876 9923 US (New York) +1 301 715 8592 US (Washington DC) Meeting ID: 819 0419 3936 Find your local number: https://lowercolumbia.zoom.us/j/81904193936 https://lowercolumbia.zoom.us/j/81904193936	

	<p>Join by SIP 81904193936@zoomcrc.com</p> <p>Join by H.323 162.255.37.11 (US West) 162.255.36.11 (US East) 115.114.131.7 (India Mumbai) 115.114.115.7 (India Hyderabad) 213.19.144.110 (Amsterdam Netherlands) 213.244.140.110 (Germany) 103.122.166.55 (Australia Sydney) 103.122.167.55 (Australia Melbourne) 149.137.40.110 (Singapore) 64.211.144.160 (Brazil) 149.137.68.253 (Mexico) 69.174.57.160 (Canada Toronto) 65.39.152.160 (Canada Vancouver) 207.226.132.110 (Japan Tokyo) 149.137.24.110 (Japan Osaka) Meeting ID: 819 0419 3936</p>	
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Date of intended adoption: November 16, 2022 (Note: This is **NOT** the **effective** date)

<p>Submit written comments to:</p> <p>Name: Bryanna Smith Address: 1600 Maple Street, PO Box 3010, Longview, WA 98632 Email: rulemaking@lowercolumbia.edu Fax: 360-442-2129 Other: By (date) <u>Nov. 10, 2022</u></p>	<p>Assistance for persons with disabilities:</p> <p>Contact Bryanna Smith Phone: 360-442-2100 Fax: 360-442-2129 TTY: 800-833-6388 Email: rulemaking@lowercolumbia.edu Other: By (date) <u>Nov. 10, 2022</u></p>
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Purpose of the proposal and its anticipated effects, including any changes in existing rules: Sam’s Law requires Lower Columbia College to amend its Student Conduct Code to prohibit hazing both on and off campus, and revise the definition of “hazing.” To this end, Lower Columbia College must amend its Student Conduct Code, WAC 132M-126-015, 132M-126-020, & 132M-126-030; and must adopt 132M-126-036 in order to meet its obligations under “Sam’s Law” 2SHB 1751 (2022) regarding hazing prevention. Sam’s Law amends RCW 28B.10.900 and adds a new section, RCW 28B.10.904.

Reasons supporting proposal: “Sam’s Law” 2SHB 1751 (2022) was signed into law in 2022 amending RCW 28B.10.900 and adding a new section, RCW 28B.10.904, regarding hazing prevention. The changes affect Lower Columbia College’s Student Conduct Code regarding the definition of hazing and requires the college to prohibit hazing both on and off campus.

Statutory authority for adoption: Chapter 34.05 RCW and RCW 28B.50.140(13); 2SHB 1751 (2022) amending RCW 28B.10.900 and adding RCW 28B.10.904.

Statute being implemented: RCW 28B.10.900 and RCW 28B.10.904

Is rule necessary because of a:

Federal Law? Yes No

Federal Court Decision? Yes No

State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

Type of proponent: Private Public Governmental
Name of proponent: (person or organization) Lower Columbia College

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Kendra Sprague	1600 Maple Street PO BOX 3010 Longview, WA 98632	360-442-2121
Implementation:	Sue Orchard	1600 Maple Street PO BOX 3010 Longview, WA 98632	360-442-2301
Enforcement:	Sue Orchard	1600 Maple Street PO BOX 3010 Longview, WA 98632	360-442-2301

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:
Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

No: Please explain: A cost-benefit analysis is not required under RCW 34.05.328. Pursuant to RCW 34.05.328(5)(a)(i), this agency is not mandated to comply with RCW 34.05.328. Further, the agency does not voluntarily make that section applicable to the adoption of this rule pursuant to subsection (5)(a)(ii), and to date the joint administrative rules committee has not made that section applicable to the adoption of this rule.

Regulatory Fairness Act and Small Business Economic Impact Statement
Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:
This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:

[RCW 34.05.310](#) (4)(b)
(Internal government operations)

[RCW 34.05.310](#) (4)(e)
(Dictated by statute)

[RCW 34.05.310](#) (4)(c)
(Incorporation by reference)

[RCW 34.05.310](#) (4)(f)
(Set or adjust fees)

[RCW 34.05.310](#) (4)(d)
(Correct or clarify language)

[RCW 34.05.310](#) (4)(g)
(i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#) (does not affect small businesses).

This rule proposal, or portions of the proposal, is exempt under RCW .

Explanation of how the above exemption(s) applies to the proposed rule: Since the proposed rules are limited to amending the Student Conduct Code, the proposed rules do not affect small businesses.

(2) Scope of exemptions: *Check one.*

The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.

The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):

The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. This change is not anticipated to impose any additional cost on business.

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: 9/19/2022

Name: Kendra Sprague

Title: Vice President of Foundation, HR, & Legal Affairs

Signature:

