

TRANSMITTAL OF RULES ADOPTED BY INSTITUTION OF HIGHER EDUCATION

FROM: Big Bend Community College
(Name of Institution)

TO: CODE REVISER
LEGISLATIVE BLDG. (Southwest Corner, Ground Floor)
OLYMPIA 98504

The enclosed rules Permanent rules , being Order No. 76-28
Emergency rules
relating to (Name of rules or description of subject matter)

WAC 132R-128 REGULATIONS ON TENURE, NONRENEWAL OF FACULTY
PROBATIONERS' CONTRACTS, AND FACULTY DISMISSALS

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 7233 ① filed with the code reviser
on Nov. 1, 1976 ② were regularly adopted as permanent rules of
(date)
this institution at Moses Lake, WA on Dec. 6, 1976 and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 28B.19
RCW. The effective date of such rules shall be _____. ③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding in the attached administrative order,
that the immediate adoption of these rules is necessary for the
preservation of the public health, safety, or general welfare and
that observance of the requirements of notice and opportunity to
present views on the proposed action would be contrary to the
public interest, were regularly adopted as emergency rules of this
institution at _____ on _____ and
(place) (date)
are herewith filed in the office of the code reviser pursuant to
chapter 28B.19 RCW.

The undersigned hereby certifies that the requirements of chapter
28B.19 RCW and of the Open Public Meetings Act of 1971, chapter
42.30 RCW have been fulfilled.

Dated this 22nd day of December 1976.

STATE OF WASHINGTON

FILED

DEC 23 1976

CODE REVISER'S OFFICE

DOCKET # 2877 FILE # 1

BIG BEND COMMUNITY COLLEGE
(INSTITUTION)

By Robert J. Wallenstien

President

Title

- ① Notice number as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use no. of last notice)
- ② Stamped date as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use date of last notice)
- ③ Unless a later date is specified in this order or is prescribed in another statute, rules are effective 30 days after filing:
RCW 28B.19.050(2). Leave this space blank except in such special cases.

BOARD OF TRUSTEES
COMMUNITY COLLEGE DISTRICT NO. 18

RESOLUTION 76-28


WHEREAS, pursuant to the powers vested in us by RCW 28B.50.140, and because of the requirements of RCW 28B.19, we, the Board of Trustees for Washington State Community College District No. 18, do hereby find that the preservation of the general welfare of BIG BEND COMMUNITY COLLEGE requires the amendment of regulations on tenure, nonrenewal of faculty probationers' contracts, and faculty dismissals;

NOW, THEREFORE, BE IT RESOLVED that the attached amendments to WAC 132R-128, Regulations on Tenure, Nonrenewal of Faculty Probationers' Contracts, and Faculty Dismissals policy are hereby approved and adopted as permanent rules of Big Bend Community College.


BE IT FURTHER RESOLVED that this resolution and attached amended policy shall be forwarded to the Code Reviser for filing.

ADOPTED at a regular meeting of the Board of Trustees of Community College District No. 18, State of Washington, on December 6, 1976, with a quorum of such Board members duly present after notice of such meeting had been duly given as required by law.

BOARD OF TRUSTEES
COMMUNITY COLLEGE DISTRICT NO. 18


Chairman

ATTEST:


Secretary

WAC 132R-128-020 DEFINITIONS. As used in this chapter of WAC 132R-128, the following terms and definitions shall mean:

(1) "Administrative appointment" shall mean employment in a specific administrative position as determined by the appointing authority. Only those persons paid on the basis of the administrative pay schedule are deemed administrators.

(2) "Appointing authority" shall mean the board of trustees of Community College District No. 18, State of Washington.

(3) "The district president" shall be the chief administrative officer for the board of trustees of Washington State Community College District No. 18, if and when appointed.

(4) "The college president" shall mean the chief executive officer of a specific community college within Washington State Community College District No. 18.

(5) "College" shall mean any community college administered by the board of trustees for Washington State Community College District No. 18.

(6) "Faculty appointment" shall mean a full-time appointment as an instructor, counselor, librarian, or other position for which the training, experience and responsibilities are comparable as determined by the appointing authority, except administrative appointments.

(7) "The association" shall mean the Faculty Association of Big Bend Community College, currently representing the present holders of full-time faculty appointments in Washington State Community College District No. 18 and any successor organization or organizations which may be certified as a bargaining agent for persons holding faculty appointments pursuant to the faculty tenure law, sections 32 through 45, chapter 283, Laws of 1969, 1st ex. sess., as now enacted or hereinafter amended.

(8) "Full-time" shall mean faculty with the following assignment: Combination lecture-lab, 15 credit hours and 20 contacts, lecture only, 15 credits-15 contacts, composition classes 15 credits and shop classes, 25 contact hours.

(9) "Part-time" shall mean an appointment less than full time.

(10) "Probationer" shall mean a person holding a probationary faculty appointment, pursuant to chapter 283, Laws of 1969, 1st ex. sess.

(11) "Regular college year" shall mean a faculty appointment inclusive of fall, winter and spring quarters.

(12) "Review committee" shall mean a committee of three faculty peers, one student, and one administrative staff appointed pursuant to WAC 132R-128-030.

(13) "Hearing Review Committee" shall mean a committee comprised for the express purpose of hearing dismissal cases and/or nonrenewal cases as defined pursuant to WAC 132R-128-100.

WAC 132R-128-100 DISMISSAL FOR SUFFICIENT CAUSE. In all instances which involve dismissal for sufficient cause, as distinguished from nonrenewal of a probationary appointee's appointment, as specified in WAC 132R-128-070.

(1) The appropriate dean and the appropriate division chairman shall jointly investigate all matters regarding dismissal for cause, as enumerated in WAC 132R-128-090, of a tenured faculty member or probationary faculty member prior to the expiration of such probationary faculty appointee's employment term. If either the appropriate dean or the appropriate division chairman working jointly has cause to believe that a faculty member should be dismissed for cause, he shall advise the college president, and if the college president deems a sufficient cause exists, shall discuss the matter with the individual faculty member involved within ten (10) working days. The college president has ten (10) working days in which to initiate charges. If the president of the college deems sufficient cause exists, a formal charge will be brought against the faculty member in the following manner:

A letter over the signature of the college president will be sent to the faculty member when a charge of dismissal for sufficient cause is made. Copies of this letter will go to the appropriate dean, the appropriate division chairman, the chairman of the Professional Rights and Responsibilities Committee and the president of the Professional Association.

(2) A hearing review committee comprised for the express purpose of hearing dismissal cases and non-renewal cases shall be formulated by no later than October 15, and shall be comprised of the following members:

(a) An administrator chosen by the college president.

(b) Three (3) faculty members chosen by the faculty and division heads acting in a body; provided that, the initial hearing review committee faculty member shall serve a one-year term and a two-year term respectively. All subsequent elections to this hearing review committee by the faculty and department heads shall be limited to an election of a member to a two-year term so that all future elections of a faculty member to this committee shall be accomplished on a staggered term basis.

(c) A student chosen by the Associated Student Body.

(3) The committee shall, after receiving the written charge from the college president, establish a date for a committee hearing giving the faculty member so charged twenty (20) working days' notice of such hearing, and inform in writing the faculty member so charged of the time, date and place of such hearing.

(4) The committee shall:

(a) Hear testimony from all interested parties, including but not limited to other faculty members and students and receive any evidence offered by same.

(b) Afford the faculty member whose case is being heard the right of cross-examination and the opportunity to defend himself and be accompanied by both a personal advisor and legal counsel; provided, that if the faculty member is represented by legal counsel, the college may be represented by an assistant attorney general.

(c) Make a recommendation based exclusively on the evidence produced at the hearing to the appointing authority as to whether there is sufficient cause to believe that the faculty member did in fact perform the conduct which justifies dismissal for cause pursuant to WAC 132R-128-080.

(d) Promptly and forthrightly prepare recommendations as to the appropriate action to be taken.

(e) Prepare an informal record of the proceedings before the hearing review committee and make the same available to the accused faculty member, the appointing authority, and provide a record for the hearing review committee. For purposes of making a record of proceedings for this hearing review committee, an informal transcription of a tape recording of the hearing will be sufficient.