

TRANSMITTAL OF RULES ADOPTED BY INSTITUTION OF HIGHER EDUCATION

FROM: Clark College
(Name of Institution)

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

The enclosed rules Permanent rules Emergency rules, being Order No. 77-2
relating to (Name of rules or description of subject matter)

Practice and Procedure for Clark Community College District No. 14: (1) The Need for Reduction in Force (WAC 132N-128-090), and (2) Specific Implementation of Reduction in Force (WAC 132N-128-110) to accommodate title changes brought about by reorganization and to comply with the intent of the affirmative action policy.

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

pursuant to Notice No. 7445 (1) filed with the code reviser on March 11, 1977 (2) were regularly adopted as permanent rules of this institution at Clark College Admin. Building Room AD 011 on April 12, 1977 and are herewith 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 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 5th day of May 1977.

STATE OF WASHINGTON

FILED

MAY 5 1977

CODE REVISER'S OFFICE

DOCKET # 8166 FILE # 1

Clark Community College District No. 14

(INSTITUTION)

Richard A. Fanning

By

Assistant Attorney General

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.

STATE OF WASHINGTON

CLARK COMMUNITY COLLEGE DISTRICT NO. 14

ADMINISTRATIVE ORDER NO.: 77-2

The Clark College Board of Trustees of the State of Washington, by virtue of the authority vested under chapter 28B.19.RCW (1971 1st ex.s. c57) and 28B.50.852 RCW do promulgate and adopt the annexed rules and regulations, to wit:

Practice and Procedure for Clark Community College District No. 14:

(1) The Need for Reduction in Force (WAC 132N-128-090)

(2) Specific Implementation of Reduction in Force (WAC 132N-128-110)

as permanent rules of this institution.

This order, after being first recorded in the order register of this institution, shall be forwarded to the Code Reviser for filing pursuant to chapter 28B.19 RCW (1971 1st ex.s. c 57 WAC).

These rules approved and adopted April 12 1977.

Signature: Betty Mage

Betty Mage, Chairman
Clark College Board of Trustees

I certify that the foregoing rules were adopted on April 12, 1977, by the Board of Trustees of Clark Community College District No. 14 during the course of a duly called and held public meeting.

Signature: Richard A. Finnigan

Richard A. Finnigan
Assistant General

WAC 132N-128-090 THE NEED FOR REDUCTION-IN-FORCE. (1) If the President anticipates the need for a reduction-in-force, he/she shall begin a thorough process of discussions and consultations with the Dean of Faculty, Dean of Students/Administrative Services, and other appropriate administrators, and with three faculty members designated by the Executive Council of the Association as early as possible but no later than seven weeks before the end of winter quarter. The Association will then have the right to meet as often as is necessary to offer full consultation to the President. At least one of these discussions and consultations shall include all these persons together in a joint session. The Dean of Faculty shall keep the Instructional Advisory Council informed and solicit views from its members. Other relevant campus committees shall be available for consultation by the President.

(2) The president shall provide for use in these discussions and consultations the following information:

(a) Enrollment and budget data for the preceding three years, shown by divisions and departments

(b) The number and duties of each faculty member by division and department, enrollment projections, if possible

(c) Lists of forthcoming faculty vacancies due to retirement, resignation, or leave

(d) Other data requested by those he/she is consulting

(e) Brief written statement of his/her reasons in support of his/her tentative assumption of a need for reduction-in-force

(3) The President after such discussion and consultation will, no later than four weeks before the end of winter quarter, issue a written report giving his/her conclusions as to whether or not there is a need for reduction-in-force, and including a summary of his/her supporting evidence. If the President decides that a reduction in spending is necessary, he/she will, if possible, propose that the dollar cutback be achieved by granting up to three years leave (without pay) in lieu of non-renewal.

WAC 132N-128-100 SPECIFIC IMPLEMENTATION. (1) If the President then decides to initiate reduction-in-force, he/she will, after discussion with the Deans of the Instructional Advisory Council, decide which faculty member's contract will not be renewed for the following year. Layoff shall be accomplished on the basis of seniority as set forth herein: PROVIDED, that affirmative action employment related practices required by law or federal contract shall prevail and be complied with concurrently.

(2) The following order of layoff will be used provided there are qualified faculty members to replace and perform all the needed duties of the faculty members to be laid off: first, part-time faculty members; second, probationary appointees with the least seniority; third, full-time tenured faculty members with the least seniority.

(3) Seniority shall be determined by establishing the date of the signing of the first full-time contract for the most recent period of continuous professional service for Clark College, which shall include leaves of absence, sabbatical leaves and periods of layoffs. (This shall include professional services for the Vancouver School District No. 37 prior

to 1967). In instances where faculty members have the same beginning date for full-time professional employment, seniority shall be determined in the following order:

(a) First date of the signature evidencing acceptance of employment

(b) First date of application for employment

(4) Clark College shall be one employment unit and an employee must meet minimum qualifications, as determined by the Dean of Faculty, appropriate Division Chairpersons and Department Chairpersons to instruct in other departments. This determination, as to whether faculty members to be laid off meet the minimum qualifications to instruct in another department, shall be made by the Dean of Faculty with the counsel of the respective Division or Department where the individual wishes to be considered for professional employment.