

TRANSMITTAL OF RULES ADOPTED BY INSTITUTION OF HIGHER EDUCATION
(Instruction for Completion on Back of Page)

FROM: Community College District VIII
(Name of Institution)

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

The enclosed Permanent rules , being order No. 44
Emergency rules

relating to (Name of rules or description of subject matter)

Reduction -in-Work Force for Community College District VIII

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

pursuant to Notice No. 4402 ① filed with the code reviser
on 12-10-73 ② were regularly adopted as permanent rules of this
(date)
institution at Bellevue Community College on 1-8-74 and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter
28B.19 RCW (1971 1st ex.s. c 57). The effective date of such rules
shall be _____ . ③

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

pursuant to its finding 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
(place) (date)
of the code reviser pursuant to chapter 28B.19 RCW (1971 1st ex.s.
c 57).

The undersigned hereby certifies that the requirements of chapter
28B.19 RCW (1971 1st ex.s. ch 57) and of the Open Public Meetings
Act of 1971, chapter 42.30 RCW (1971 1st ex.s. ch 250) have been
fulfilled.

Dated this _____ 10th _____ day of January 1974.

STATE OF WASHINGTON
FILED
JAN 14 1974
CODE REVISER'S OFFICE
DOCKET #5456 FILE # 1

Community College District VIII
(INSTITUTION)
Merle E. Landerholm
BY Merle E. Landerholm
Secretary, Board of Trustees
Title

Effective 9/7/71

[Form CR-5]

- 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) (1971 1st ex.s. c 57 §5 (2)).
Leave this space blank except in such special cases.

STATE OF WASHINGTON
COMMUNITY COLLEGE DISTRICT VIII
BOARD OF TRUSTEES
January 8, 1974

RESOLUTION NO. 44

Administrative Order No. 20


A RESOLUTION Relating to the adoption of permanent rules establishing a Reduction-in-Force Policy for Community College District VIII.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF COMMUNITY COLLEGE DISTRICT VIII STATE OF WASHINGTON.

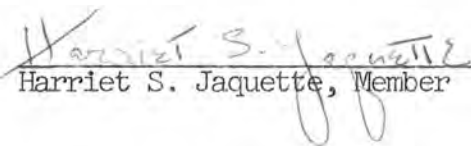
WAC 132H-128-010 through WAC 132H-128-040. REDUCTION-IN-FORCE POLICY FOR COMMUNITY COLLEGE DISTRICT VIII.

APPROVED AND ADOPTED January 8, 1974.

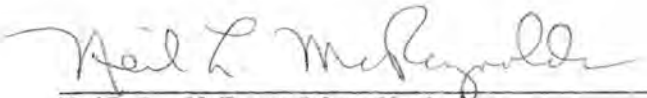
BOARD OF TRUSTEES


C. W. Duffy, Chairman

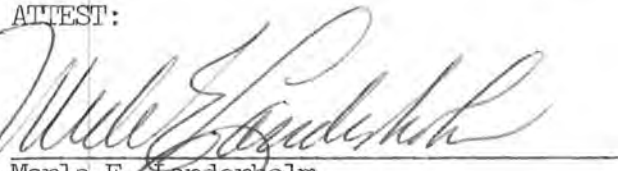

Bob T. Gardner, Vice-Chairman


Harriet S. Jaquette, Member

(Absent)
Roy S. Peterson, Member


Neil L. McReynolds, Member

ATTEST:


Merle E. Fanderholm
Secretary, Board of Trustees

Chapter 132H-128

BELLEVUE COMMUNITY COLLEGE REDUCTION-IN-FORCE POLICY

new WAC 132H-128-010 TITLE. WAC 132H-128 will be known as Reduction-in-Force Policy of Community College District VIII.

new WAC 132H-128-020 OBJECTIVE. The general objective of this procedure is to provide for the accomplishment of the reduction in the academic employee work force to the end that insofar as practical the reduction will be made equitably, expeditiously and economically. At the same time this will result in retention on the payroll of those academic employees regarded by the Board as comprising the academic employee work force that will best accomplish the institution's goals.

new WAC 132H-128-030 AUTHORITY. The location, occurrence and existence of any conditions affecting enrollment, funding or program obsolescence necessitating the work force reduction of academic employees will be determined exclusively by the Board upon recommendation of the President. A full review of all factors contributing to a possible reduction-in-force including other alternative courses of action that may relieve the condition will be made prior to instituting the reduction-in-force procedure.

Academic employees to be laid off as a result of the reduction-in-force policy will be laid off without prejudice and will be given 60 calendar days notice prior to layoff.

new WAC 132H-128-040 PROCEDURE. If an annually contracted employee is to be laid off, the following criteria and procedures will be used: (1) The President, with consultation from his administrative staff, will review the nature of the problem facing the college. If the President determines that reductions in the staff are or will be necessary in the near future, he will give notice of the potential reductions to the Bellevue Community College Education Association. The notice which the President gives to the Bellevue Community College Education Association shall include: (a) The reasons for the proposed reduction-in-force.

(b) The number of academic employees to be considered for layoff.

(2) Representatives of the Bellevue Community College Education Association will then have the right to meet with the President who shall document the need for such reduction in staff. All data included in the decision-making process including the most current financial information available to the college will be made available to the Bellevue Community College Education Association. The President shall present and explain the criteria to be used to identify those to be laid off. Programs to be reduced or eliminated shall be identified.

(3) If academic employees are to be laid off, the President, with advice from the deans and division chairmen, shall decide in the case of each affected division what course offerings and/or other services are most necessary to maintain quality education at Bellevue Community College. The President shall consider but not be limited to the following factors. (a) The enrollment and the trends in enrollment for not less than four consecutive quarters, if applicable, and their effect upon each division.

(b) The goals and objectives of Bellevue Community College and the State Board for Community College Education.

(c) Information concerning faculty and administrative vacancies occurring through retirement, resignation, sabbatical and leave of absence.

(4) The President, after reviewing data and alternatives shall determine those support services to be most necessary at Bellevue Community College.

(5) If it appears a reduction-in-force may occur, a reduction-in-force review committee will be formed.

(a) The committee will be comprised of:

(i) The President of Bellevue Community College Education Association or his designee from the Association.

(ii) Three elected academic employees (one to be elected from the student services or library-media).

(iii) The College Business Manager.

(iv) A designee of the President

(b) The functions of the review committee will be to:

(i) The committee shall elect a chairman.

(ii) Assess the data utilized in the decision-making process leading to a reduction-in-force.

(iii) Advise the President of other possible alternatives.

(iv) Act as a review committee for the appeals of affected employees.

(6) If a reduction-in-force is necessary, the following order of layoff will be utilized; first, probationary appointees with the least seniority; second, tenured academic employees with the least seniority. Seniority shall be calculated by program. Academic employees shall retain their full college seniority in each program within which they have worked at Bellevue Community College.

(7) Seniority shall be determined by establishing the date of the signing of the first annual contract for the most recent period of continuous annually contracted professional service for Bellevue Community College which shall include: leaves of absence, sabbatical leaves and periods of layoff.

(This shall include professional services for the Bellevue School District #405 prior to July 1967, if assigned to Bellevue Community College.)

The longest term of employment as thus established shall be considered the highest level of seniority. In instances where academic employees have the same signature date of the first annual contract, seniority shall be determined by the President, based on his review of the sequence of events leading to the employment decision.

(8) The President with advice from the appropriate dean and the appropriate division chairman will determine if an academic employee is qualified for an assignment when considering possible reassignment due to reduction-in-force.

(9) Upon receipt of a written notice from the President of the college that reductions in staff are, or may be, necessary in the near future, the President of Bellevue Community College Education Association will within 15 calendar days of the receipt of the written notice submit to the President the names of the three elected annually contracted academic employees who will serve on a Reduction-in-Force Review Committee (RIFRC). The elected will be conducted by the Bellevue Community College Education Association with participation limited to annually contracted academic employees.

Following the election, and after alerting the other members of the RIFRC, the President of the college will meet with the RIFRC to present and explain the criteria, all the data and current financial information available to the college used to identify those annually contracted academic employee(s) who are to be or may be laid off as well as the program(s) to be reduced or eliminated.

Following this meeting the RIFRC will proceed to review the information provided by the President together with his reduction-in-force decision and within 15 calendar days of the President's meeting with them the RIFRC shall submit to the President of the college its suggestions, and/or recommendations.

The President of the college shall within five calendar days following receipt of the RIFRC suggestions and/or recommendations, advise the RIFRC of his final decision. If a reduction-in force of annually contracted academic employee(s) is to be instituted the President shall direct the Director of Personnel to prepare written notification of layoff. Notification shall be mailed within five calendar days of the President's directive and shall be sent by Registered Letter, Return Receipt Requested, to the affected employee.

(10) Any annually contracted academic employee, upon receipt of a layoff notice, shall have seven calendar days to submit a written request for appeal to the RIFRC for a review of his/her individual case. Arguments in the appeal process shall be limited to data and reasons for the selection of the individual employee selected for layoff.

The RIFRC shall meet with the affected employee within ten calendar days of the receipt of the appeal and shall inform the academic employee concerned and the President of the college in writing of its recommendation within seven calendar days of the meeting.

Within five calendar days after receipt of the RIFRC recommendation each appellant may appeal in writing for a final review by the President of the college. The President shall within 15 calendar days of receipt of the written request, meet with the appellant, make his decision and give written notification to the academic employee concerned.

(11) An annually contracted academic employee whose contract was not renewed as a result of this academic employee staff reduction procedure has a right to recall (the right to accept or right to first refusal) to any annually contracted teaching position, either a newly created one or a vacancy, providing he is qualified as determined by the college President. The recall shall be in reverse seniority, the most senior first. The right of recall shall extend three years from the date of layoff provided that the laid off academic employee advises the Director of Personnel, in writing, of his current address by the first of each July, October, January and April. Notification of recall shall be sent by Registered Letter, Return Receipt Requested, and a copy of such notification shall be sent to the BCCEA.

If a laid off academic employee rejects an offer of recall, or fails to respond within ten calendar days from the date of acknowledgement of receipt of the Registered Letter or within 20 calendar days of the actual posting date of the Registered Letter, whichever date is sooner, layoff status will be terminated. However, the academic employee shall remain on layoff status if he/she rejects an offer of recall for a position less than commensurate with the position formerly held as determined by the college President. All benefits accrued at the time of lay off shall be reinstated at the time of recall.

(12) The Director of Personnel shall notify all other institutions of Higher Education in the state in a reasonable effort to obtain similar employment for academic employees laid off as a result of reduction-in-force procedure.