



**RULE-MAKING ORDER**  
(RCW 34.05.360)

**CR-103** (10/1/89)

Agency: Clover Park Technical College

- Permanent Rule
- Emergency Rule

(1) Date of adoption: September 15, 1992

(2) Purpose: Adoption of new rules for administration of a legislatively created new technical college

(3) Citation of existing rules affected by this order:

- Repealed:
- Amended:
- Suspended:

(4) Authority for adoption:

Statute: RCW 28B.50.140  
Other Authority: RCW 42.30.075; Laws of 1991, chapter 238

(5.1) **PERMANENT RULE ONLY**

Pursuant to notice filed as WSR 92-12-050 on May 29, 1992 (date).

Describe any changes other than editing from proposed to adopted version: WAC 495C-116-030 definition of "student" added; WAC 495C-116-050 "trade extension" changed to "continuing education"; WAC 495C-116-060, stricken and succeeding sections renumbered accordingly; WAC 495C-130-020, change "Business Office" to "Financial Services"; WAC 495C-280-060, student records to be maintained in accordance with State Archivist's retention schedule; WAC 495C-180-110, change "Student Services" to "Student Records"; change registration records custodian to Vice President, Administrative Services.

(5.2) **EMERGENCY RULE ONLY**

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes  No If yes, explain:

(6) Effective date of rule:

**Permanent Rules**

**Emergency Rules**

- 31 days after filing
- Other (specify) \_\_\_\_\_ \*
- Immediately
- Later (specify) \_\_\_\_\_

\*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

NAME (TYPE OR PRINT)

Philip S. Hayes

SIGNATURE

*Philip S. Hayes*

Chair, Board of Trustees

DATE

9/15/92

**CODE REVISER USE ONLY**  
CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

SEP 23 1992

TIME: 2:26  
WSR 92-19-131

## Chapter 495C-116 WAC

### PARKING AND TRAFFIC

#### NEW SECTION

**WAC 495C-116-010 Purpose for adopting parking and traffic rules.** Under the authority granted RCW 28B.50.140(10), the board of trustees of Clover Park Technical College is granted authority to adopt rules for pedestrian and vehicular traffic upon public lands devoted to, operated by, or maintained by the college. The objectives of these rules are to:

- (1) Protect and control pedestrian and vehicular traffic;
- (2) Assure access at all times for emergency traffic;
- (3) Minimize traffic disturbances during class hours;
- (4) Facilitate the work of the college by assuring access to its vehicles and by assigning limited parking space for the most efficient use by all;
- (5) Regulate the use of parking spaces;
- (6) Protect state-owned property.

#### NEW SECTION

**WAC 495C-116-020 Applicable parking and traffic rules.** (1) All rules in this chapter and all motor vehicle and other traffic laws of the state of Washington apply on the campus.

(2) The traffic code of the county of Pierce applies upon all lands located within the county of Pierce.

#### NEW SECTION

**WAC 495C-116-030 Definitions.** The definitions set forth in this section apply throughout this chapter.

(1) "Board" means the board of trustees of Clover Park Technical College.

(2) "Campus" means all lands and buildings devoted to, operated by, or maintained by Clover Park Technical College.

(3) "Campus security officer" means an employee of the college who is responsible for campus traffic control, parking, security, and safety.

(4) "College" means Clover Park Technical College.

(5) "Safety and security supervisor" means the college's safety and security supervisor.

(6) "Employee" means an individual appointed to the staff or administration of the college.

(7) "Guests or visitors" mean persons who come upon the campus as guests or persons who lawfully visit the campus.

(8) "Continuing permits" mean permits issued to full-time employees for an indefinite period of time.

(9) "Annual permits" mean permits that are valid from the date of issue until the first day of the following fall quarter.

(10) "Temporary permits" mean permits that are valid for a specific period designated on the permit.

(11) "Vehicle" means an automobile, truck, motor-driven cycle, scooter, or any vehicle otherwise powered.

(12) "Student" means any person enrolled in a program at the college.

#### NEW SECTION

##### **WAC 495C-116-040 Authorization for issuance of permits. (1)**

The campus security officer or a designee may issue parking permits to students, employees, and guests upon the following:

(a) When the vehicle is properly registered with the college;

(b) When a permanent or special parking permit is necessary to enhance the business or operation of the college.

(2) Additional permits are available at the current fee schedule to individuals who may be registered to drive any one of several vehicles. Only one vehicle registered to an individual under one permit fee is permitted to park on campus at any one time.

#### NEW SECTION

##### **WAC 495C-116-050 Vehicle parking permits. (1)**

All full-time and part-time employees and students of the college except evening continuing education employees and students shall obtain and display a currently valid parking permit on all vehicles parked or left standing unattended upon the college campus for either day or night classes, in accordance with WAC 495C-116-040.

(2) All persons parking on the campus shall, as required, secure and display a currently valid parking permit within five days from their date of registration or from their first day of employment.

NEW SECTION

**WAC 495C-116-060 Responsibility of person to whom permit is issued.** The person to whom a parking permit is issued is responsible for all violations of rules involving the vehicle; however, that responsibility does not relieve the driver of the responsibility for violations of the rules established by this chapter. If a vehicle in violation is not registered with the college, the current registered owner will be responsible for the violations of the campus rules.

NEW SECTION

**WAC 495C-116-070 Display of permits.** The parking permit issued by the college must be visibly affixed on the outside of the rear window of the vehicle for which the permit is issued, on the lower left-hand corner of the window as viewed from the rear of the vehicle or be suspended from the rearview mirror with the special hanger provided. Motorcycle permits must be affixed in a conspicuous place.

NEW SECTION

**WAC 495C-116-080 Transfer of permits.** Parking permits are not transferable. If a vehicle is sold or traded, the permit is voided and the replacement vehicle must be registered and a permit will be reissued.

NEW SECTION

**WAC 495C-116-090 Permit revocation.** Permits are licenses and are the property of the college, and may be revoked for any of the following reasons:

- (1) When the purpose for which the permit was issued changes or no longer exists;
- (2) When a permit is used on an unregistered vehicle or by an unauthorized person;
- (3) Falsification on a vehicle registration application;
- (4) Continued violations of parking and traffic rules;
- (5) Counterfeiting or altering of permits;
- (6) Failure to comply with the Washington State Financial Responsibility Act;
- (7) Unpaid fines.

NEW SECTION

**WAC 495C-116-100 Right to refuse permit.** The college vice-president for auxiliary services or designee reserves the right to refuse the issuance of a parking permit to anyone who has had a previous permit revoked, or whose driving or parking record indicates a disregard for the rights or safety of others.

NEW SECTION

**WAC 495C-116-110 Appeal of permit revocation or refusal.** When a parking permit has been revoked under WAC 495C-116-090 or has been refused in accordance with WAC 495C-116-100 or when a fine or penalty has been levied against a violator of this chapter, that action by the vice-president for auxiliary services or designee may be appealed in accordance with WAC 495C-116-170.

NEW SECTION

**WAC 495C-116-120 Delegation of authority.** The authority and powers conferred upon the president by this chapter are subject to delegation to subordinates.

NEW SECTION

**WAC 495C-116-130 Enforcement.** (1) Parking and traffic rules will be enforced at all times.

(2) The vice-president for auxiliary services or designee is responsible for the enforcement of this chapter.

NEW SECTION

**WAC 495C-116-140 Violation of parking and traffic rules.** (1) Operators of illegally operated or parked vehicles shall be warned or cited through an appropriate means that they are in violation of this chapter. All fines are payable at the cashier's office.

(2) In instances where violations are flagrant or repeated, and in the judgment of the campus security officer or designee, with appropriate documented evidence, the vehicle may be impounded.



## NEW SECTION

### **WAC 495C-116-150 Issuance of traffic tickets or summons. (1)**

The campus security officer or designee may issue a warning or citation for a violation of these regulations. The warning or citation must set forth the date, the approximate time, permit number, license information, and the nature of violation.

(2) The warning or citation may be served by attaching or affixing a copy in some prominent place outside the vehicle or by personally serving the operator.

## NEW SECTION

**WAC 495C-116-160 Fines and penalties.** The vice-president for auxiliary services or designee may impose the following fines and penalties for violation of this chapter:

(1) The college shall publish the schedule in the College Handbook and on the traffic parking citation form.

(2) Fines will be assessed in accordance with the schedule for the following violations:

- (a) No valid permit displayed;
- (b) Visitor parking violations;
- (c) Occupying more than one parking space;
- (d) Occupying a space or area not designated for parking;
- (e) Handicapped parking violation;
- (f) Parking in an area not authorized by a permit;
- (g) Parking in reserved staff space without authorization;
- (h) Blocking or obstructing traffic (may be towed if creating a safety hazard);
- (i) Parking adjacent to a fire hydrant (may be towed if creating a safety hazard);
- (j) Parking in a fire lane (may be towed if creating a safety hazard);
- (k) Parking in a zone or area marked no parking;
- (l) Other violations of college parking traffic rules.

(3) At the discretion of the vice-president for auxiliary services or designee, an administrator or staff member who has an accumulation of citations may be subject to disciplinary action or have the matter turned over to a private collection agency for the collection of past due fines. Other appropriate collection procedures may be initiated as deemed necessary.

(4) If a student fails or refuses to pay an uncontested fine that has been outstanding in excess of five working days, the vice-president for auxiliary services or designee may initiate the following actions:

- (a) The student may not be able to obtain college records until all fines are paid;
- (b) The student will not be able to register for subsequent quarters until all fines are paid.

(5) Vehicles parking in a manner so as to obstruct traffic, including access to and from parking spaces and areas, may be subject to a fine and may be impounded and taken to a place for storage selected by the campus security officer or designee. The

expenses of the impounding and storage are the responsibility of the registered owner or driver of the vehicle.

(6) Vehicles impounded by means of an immobilizing device shall be charged a service fee according to the current fee schedule.

(7) The college is not liable for loss or damage of any kind resulting from impounding and storage of vehicles.

(8) Persons may appeal the issuance of a citation according to WAC 495C-116-170.

#### NEW SECTION

**WAC 495C-116-170 Appeal of citations and penalties.** (1) Appeals must be made in writing, giving full particulars, including a list of witnesses and evidence expected to be presented, etc.

(2) Appeals must be submitted to the vice-president for auxiliary services or designee within five working days from the date of citation.

(3) If an appeal is not resolved to the satisfaction of the alleged violator, he or she has five additional working days from the receipt of the decision of the vice-president for auxiliary services or designee to appeal.

#### NEW SECTION

**WAC 495C-116-180 Disclaimer of liability by college.** The college assumes no liability under any circumstances for theft or damage occurring to motor vehicles, bicycles, or their contents. No bailment of any sort is created by the purchase of a parking permit.

#### NEW SECTION

**WAC 495C-116-190 Designation of parking.** The parking spaces available on campus may be allocated and designated by the vice-president for auxiliary services in such a manner as will best achieve the objectives of this chapter.

(1) Special provisions shall be made for physically disabled employees, visitors, students, or their designees. Physically disabled individuals using handicapped parking spaces must display on that vehicle a valid state-issued disabled parking permit or license plate. The campus security officer or designee shall issue permits for temporarily handicapped persons and for those with state handicapped parking permits pending. In addition to the

disabled permit, valid college parking permits must be displayed on the vehicle.

(2) Spaces specifically designated as "visitor" are to be used only by visitors driving vehicles without continuing or annual permits as specified by the posted signs.

(3) The vice-president for auxiliary services or designee may designate parking spaces for special purposes as deemed necessary.

#### NEW SECTION

**WAC 495C-116-200 Parking within designated spaces.** (1) No vehicle may be parked on the campus except in those areas set aside and designated for parking.

(2) No vehicle may be parked so as to occupy any portion of more than one parking space or stall.

#### NEW SECTION

**WAC 495C-116-210 Regulatory signs, markings, barricades, etc.** The vice-president for auxiliary services or designee may make and erect signs, barricades, and other structures and paint marks and other directions upon the streets, entrances, exits, and roadways for the regulation of traffic and parking upon the various public lands devoted to, operated by, or maintained by the college. Drivers of vehicles shall observe and obey all the signs, barricades, structures, markings, and directions.

#### NEW SECTION

**WAC 495C-116-220 Speed limit.** No vehicle may be operated on the campus at a speed in excess of that posted, or such slower speed as is reasonable and prudent to the circumstances.

#### NEW SECTION

**WAC 495C-116-230 Pedestrian right of way.** (1) The operator of a vehicle shall yield the right of way to any pedestrian. A pedestrian shall not leave a curb or other place of safety and walk or run into the path of an oncoming vehicle.

(2) When a sidewalk or crosswalk is provided, pedestrians shall proceed upon the sidewalk or crosswalk.



NEW SECTION

**WAC 495C-116-240 Two-wheeled motorcycles or bicycles.** All vehicles and bicycles shall park in designated areas only.

NEW SECTION

**WAC 495C-116-250 Report of accidents.** (1) The operator of a vehicle involved in an accident on campus resulting in injury or death of a person or claimed damage to either or both vehicles exceeding five hundred dollars shall immediately report the accident to the campus security office. Accidents occurring after the close of business must be reported the next working day.

(2) Other minor accidents may be reported to the campus security office for insurance record purposes.

NEW SECTION

**WAC 495C-116-260 Disabled or inoperative vehicles-- Impounding.** (1) Disabled or inoperative vehicles shall not be parked on the campus for a period exceeding seventy-two hours, without authorization from the vice-president for auxiliary services or designee.

(2) Vehicles parked over seventy-two hours without authorization may be impounded and stored at the expense of either or both the owner and operator of the vehicle.

(3) Notice of intent to impound will be posted on the vehicle and sent by registered mail to the legal owner at least forty-eight hours before impounding.

NEW SECTION

**WAC 495C-116-270 Authority to establish parking fee.** The president or designee shall set and review as necessary parking permit fees in accordance with WAC 495C-116-280 and a schedule of fines and penalties in accordance with WAC 495C-116-160.

NEW SECTION

**WAC 495C-116-280 Parking permit fees.** Fees shall be levied in accordance with the current published fee schedule.

**Chapter 495C-130 WAC**  
**TUITION AND FEE SCHEDULES**

NEW SECTION

**WAC 495C-130-010 Tuition and fee schedules.** Chapter 28B.15 RCW sets the parameters for tuition and fee levels at state community and technical colleges. The legislature then establishes current biennium tuition and fee rates.

NEW SECTION

**WAC 495C-130-020 Location of schedules.** Additional and detailed information and specific amounts to be charged for each category of students will be found in the following locations on the Clover Park Technical College campus:

- (1) Counseling office;
- (2) Financial aid office;
- (3) Financial services;
- (4) Student records office.

## Chapter 495C-280 WAC

### FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

#### NEW SECTION

**WAC 495C-280-010 General policy.** Clover Park Technical College implements the policy contained in this chapter in compliance with the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) and its implementing regulation (34 C.F.R. § 99). Briefly, Clover Park Technical College is required to provide students with access to their own education records, to permit students to challenge their records on the grounds that they are inaccurate, misleading, or otherwise in violation of the student's privacy or other right, to obtain written consent before releasing certain information and to notify students of these rights.

#### NEW SECTION

**WAC 495C-280-015 Definitions.** For the purposes of this policy, the following definitions of terms apply:

(1) "Student" means any individual who is or has been in attendance at Clover Park Technical College and for whom the college maintains education records.

(2) "Education records" are defined as those records, files and documents (in handwriting, print, tapes, film, microfiche or other medium) maintained by Clover Park Technical College which contain information directly related to the individual student. Education records include only the following:

(a) Records pertaining to admission, advisement, registration, grading, and progress toward a degree that are maintained by student records.

(b) Testing information used for advisement purposes by the counseling center.

(c) Information concerning payment of fees as maintained by the business office.

(d) Financial aid information as collected by the financial aid office.

(e) Information regarding students participating in student government or other student activities maintained by the student council advisor's office.

(3) "Directory Information" means the student's name, address, telephone number, date and place of birth, major field of study, eligibility for and participation in officially recognized



activities, organizations, dates of attendance, honor roll, degrees and awards received, and the most recent previous educational agency or institution attended by the student. Directory information may be disclosed at the discretion of the college and without the consent of the student unless he or she elects to prevent disclosure as provided for in WAC 495C-280-070.

(4) "Written consent" means a written authorization for disclosure of student education records which is:

(a) Signed;

(b) Dated;

(c) Which specifies the records to be disclosed; and

(d) Which specifies to whom disclosure is authorized.

(5) "Personally identifiable" means data or information which includes: The name of the student, the student's parent(s), or other family members; a personal identifier such as the student's social security number or student number; or a list of personal characteristics which would make the student's identity easily traceable.

#### NEW SECTION

**WAC 495C-280-020 Annual notification of rights.** Clover Park Technical College will notify students of their rights under the Family Educational Rights and Privacy Act of 1974 by publication in the college catalog and new students during the registration process. The college shall make available upon request a copy of the policy governing release of student records. In addition, the college shall post at conspicuous places on the campus information regarding the existence of this policy and of the availability of copies.

#### NEW SECTION

**WAC 495C-280-030 Procedure to inspect education records.** (1) Students may inspect and review their education records upon request to the appropriate college official as designated in WAC 495C-280-110.

(2) Students must submit to the appropriate college official a written request which identifies as precisely as possible the record or records he or she wishes to inspect.

(3) The appropriate college official will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given in forty-five working days or less from the receipt of the request.

NEW SECTION

**WAC 495C-280-040 Disclosure of education records. (1)**

Disclosure of education records. In addition to "directory information" the college may, at its discretion, make disclosures from education records of students to the following listed parties:

(a) College staff, and students officially elected or appointed to the Clover Park Technical College student council. Access or release of records to the above is permissible only when the information is required for advisement, counseling, recordkeeping, reporting, or other legitimate educational interest consistent with their specific duties and responsibilities;

(b) To officials of another school in which the student seeks or intends to enroll;

(c) To authorized federal, state, or local officials as required by law;

(d) In connection with financial aid for which the student has applied or received;

(e) To appropriate parties in a health or safety emergency;

(f) To accrediting organizations to carry out their functions;

(g) To parents of an eligible student who claim the student as a dependent for income tax purposes; and

(h) To comply with a judicial order or a lawfully issued subpoena.

(2) The college shall not permit access to or the release of education records or personally identifiable information contained therein, other than "directory information," without the written consent of the student, to any party other than the above.

(3) Education records released to third parties shall be accompanied by a statement indicating that the information cannot be subsequently released in a personally identifiable form to other parties without obtaining the consent of the student. The college is not precluded from permitting third party disclosure to other parties listed in (a) through (h) of this subsection.

NEW SECTION

**WAC 495C-280-050 Limits on rights to review and inspect and obtain copies of education records. (1)** When a record contains information about more than one student, the student may inspect and review only the records which relate to him or her.

(2) Clover Park Technical College reserves the right to refuse to permit a student to inspect the following records:

(a) The financial statement of the student's parents;

(b) Letters and statements of recommendation for which the student has waived his or her right of access, or which were placed in file before January 1, 1975;

(c) Records connected with an application to attend Clover Park Technical College if that application was denied; and

(d) Those records which are excluded from the Federal Rights and Privacy Act definition of education records.

(3) Clover Park Technical College reserves the right to deny transcripts or copies of records not required to be made available

by the Federal Educational Rights and Privacy Act in any of the following situations:

- (a) The student has an unpaid financial obligation to the college;
- (b) There is an unresolved disciplinary action against the student.

#### NEW SECTION

**WAC 495C-280-060 Record of request and disclosures.** (1) The college shall maintain a record of requests for and disclosures of personally identifiable information in the education records of each student. The record maintained under this section shall be available for inspection and review as provided in WAC 495C-280-050.

(2) The college shall maintain the record with the education records of the student in accordance with the state archivist's retention schedule.

(3) The record must include:

- (a) The names of parties who have received personally-identifiable information;
- (b) The interest the parties had in requesting or obtaining the information; and
- (c) The names and interests of additional parties to which the reviewing educational agency or institution may disclose or redisclose the information.

(4) The following parties may inspect the record of requests and disclosures relating to a student:

- (a) The student;
- (b) The college officials who are responsible for the custody of the records; and
- (c) Persons authorized to audit the recordkeeping procedures of the college.

(5) The college is not required to maintain a record if the request was from, or the disclosure was to:

- (a) The student;
- (b) A school official;
- (c) A party with written consent from the student; or
- (d) A party seeking directory information.

#### NEW SECTION

**WAC 495C-280-070 Disclosure of directory information.** Directory information may be disclosed at the discretion of the college and without the consent of the student unless the student elects to prevent disclosure by filing a written request with the president or designee to prevent disclosure. The request continues in effect according to its terms unless revoked in writing by the student.



NEW SECTION

**WAC 495C-280-080 Requests for corrections, hearings, adding statements to education records.** Students have the right to request to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records:

(1) A student must submit a written request to amend his or her education record to the appropriate college official responsible for the custody of the record as designated in WAC 495C-280-110. The request must identify the part of the record he/she desires changed and specify why the record is believed to be inaccurate, misleading or in violation of his or her privacy or other rights.

(2) A student whose request for amendment of an education record has been denied may request a hearing by submitting a written request to the president or designee within ten working days following the denial. The written request must be signed by the student and shall indicate the reasons why the records should be amended. The president or designee shall notify the student of the hearing within thirty working days after receipt of a properly filed request. In no case will the notification be less than ten working days in advance of the date, time and place of the hearing.

(3) The hearing shall be a brief adjudicative proceeding as provided in RCW 34.05.482 and 34.05.485 through 34.05.494 and shall be conducted by a designee who does not have a personal interest in the outcome of the hearing. At the hearing, the student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The student may be assisted by one or more individuals, including an attorney.

(4) The hearing officer will prepare a written decision, within thirty working days after the conclusion of the hearing, based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision. A copy of the decision shall be made available to the student.

(5) If the hearing officer decides the information is inaccurate, misleading, or in violation of the student's right of privacy, the custodian of the record will amend the record and notify the student, in writing, that the record has been amended.

(6) If the hearing officer decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, the hearing officer will notify the student in writing that the student has a right to place in the record a rebuttal statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.

(7) The student's rebuttal statement will be maintained as part of the student's education records as long as the contested portion is maintained. If the contested portion of the education record is disclosed, the statement will also be disclosed.



NEW SECTION

**WAC 495C-280-090 Fees for copies.** Copies of student records shall be made at the expense of the requesting party at actual cost for copying as posted at the student records office.

NEW SECTION

**WAC 495C-280-100 Waiver.** A student may waive any of his or her rights under this chapter by submitting a written, signed, and dated waiver to the office of the president or designee. Such a waiver shall be specific as to the records and persons or institutions covered. A waiver continues in effect according to its terms unless revoked in writing which is signed and dated.

NEW SECTION

**WAC 495C-280-110 Type and location of education records.**

Types	Location	Custodian
Admission Records,	Student Records	Vice-President, Administrative Services
Instructional	Student Records	Vice-President, Administrative Services
Records, Testing Records, Registration	Student Records	Vice-President, Administrative Services
Payment of Tuition Records	Student Records	Vice-President for Administrative Services
Student Council	Counseling Office	Vice-President, Student Services
Financial Aid	Financial Aid Office	Vice-President for Student Services
Records, Student	Student Records	Vice-President, Administrative Services
Employment Records	Human Resources	Vice-President for Human Resources

NEW SECTION

**WAC 495C-280-120 Remedy for students protected by this act.** A student may file a written complaint with the U.S. Department of

Education regarding an alleged violation of the Federal Education Rights and Privacy Act. The address is:

Family Policy and Regulations Office  
U.S. Department of Education  
Washington, D.C. 20202