

FORM OF ORDER AND TRANSMITTAL BY BOARD, COMMISSION, OR COUNCIL

State of Washington

BOARD OF TRUSTEES

(name of governing body)

COLUMBIA BASIN COLLEGE

(name of institution)

Resolution No. _____

Administrative Order No. 86-1

(1) Be it resolved by the board of TRUSTEES
of the Columbia Basin College
(institution)
acting at Columbia Basin College
(place)

that it does adopt the annexed rules relating to: Annual Workload Standards; Tenure regulations, (nonrenewal of tenured faculty contracts); Applications and accounting for absences and benefits, obligations, and reimbursement; Types of leaves. Repeal Faculty promotion, selection, screening & final list.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 86-10-033
filed with the code reviser on May 5, 1986. These rules shall take effect:
 thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).
 at a later date, such date being _____

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

We, _____, find that an emergency exists and that this order 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 public interest. A statement of the facts constituting the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of WAC 1-13-040¹ that each order shall set forth an appropriate statement of state statutory authority fill in statement (a), (b), or (c) as appropriate:

- (a) This rule is promulgated pursuant to RCW _____ and is intended to administratively implement that statute.
- (b) This rule is promulgated pursuant to RCW _____ which directs that the

_____ (institution)
has authority to implement the provisions of _____
(name of act or RCW citation)

(c) This rule is promulgated under the general rule-making authority of the Columbia Basin College
(institution)
as authorized in RCW 28B.19B & RCW 28B.50

(4) The undersigned hereby declares that the institution has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order after being first recorded in the order register of this governing body is herewith transmitted to the Code Reviser for filing pursuant to chapter 28B.19 RCW and chapter 1-13 WAC.

STATE OF WASHINGTON ADOPTED July 7, 1986, 19____

FILED

JUL 25 1986

By Jean Shum
Administrative Asst.
Title

CODE REVISER'S OFFICE

WSR 86-16-010

AMENDATORY SECTION (Amending Order 82-1, filed 10/11/82)

WAC 132S-30-011 ACADEMIC EMPLOYEE--ANNUAL WORKLOAD STANDARDS. The annual workload standards for full-time contracted academic employees shall average ((as-fellows)) thirty hours of campus responsibilities per week and shall include the following specific responsibilities:

- (1) 15 minimum and 17 maximum classroom contact hours per week, per quarter, for straight lecture mode;
- (2) 18 minimum and 22 maximum classroom contact hours per week, per quarter, for lecture/lab mode, e.g., science, art, music, physical education;
- (3) 22 minimum and 27 maximum classroom contact hours per week, per quarter, for a predominantly lab mode, e.g., occupational programs, skills labs; and
- (4) 35 student contact hours per week, per quarter, for counselors and librarians.

Hourly ranges are designed to reflect both existing programs and provide flexibility to meet future programs needs. Academic employees who have met minimum hours per week per quarter will not be required to teach extended day classes except as provided in WAC 132S-30-014.

AMENDATORY SECTION (Amending Order 82-1, filed 10/11/82)

WAC 132S-30-042 FACULTY PROMOTION--GENERALLY. Academic employees at Columbia Basin College shall be provided the opportunity to be promoted from one salary range to a higher range. This opportunity is made available to those academic employees who have demonstrated a commitment to professional instruction beyond that which is expected for incremental salary schedule advancement.

The minimum requirements for each salary range ((are)) shall be expressed in the annually adopted salary schedule. All academic employees who meet the minimum requirements are eligible for promotion and shall be considered for possible recommendation annually.

AMENDATORY SECTION (Amending Order 82-1, filed 10/11/82)

WAC 132S-30-064 TENURE REGULATIONS--NONRENEWAL OF TENURED FACULTY CONTRACTS. (1) The appointing authority shall be deemed to have authority not to renew the contract of any tenured faculty appointee for sufficient cause which for the purpose of ((WAC-132S-30-064)) this section shall include those grounds enumerated in WAC 132S-30-060 as well as budget reasons, change of instructional program, or lack of students participating in a particular instructional program, if:

(a) Notice of such nonrenewal is tendered to the individual faculty appointee prior to the last day of winter quarter of any regular college year. Three weeks prior to tendering such notice the president shall refer the matter of nonrenewal to the review committee with appropriate documentation specifying the grounds for the intended nonrenewal of a tenured faculty appointee's contract.

(b) The review committee to which the matter is referred shall then conduct proceedings pursuant to WAC 132S-30-062 (3) and (4) and at the conclusion of such proceedings make an appropriate recommendation to the appointing authority: PROVIDED, If the review committee to which a proceeding is referred pursuant to this subsection fails to make a recommendation through the president to the appointing authority prior to the last day of winter quarter, such a failure shall be deemed a recommendation that sufficient cause as defined in subsection

(1) of this section exists for the nonrenewal of the specific tenured faculty appointee's contract for the ensuing regular college year.

(2) After the college president has determined that the contract of a tenured faculty appointee shall not be renewed for the ensuing regular college year, but prior to referring the matter to the review committee for proceedings and the recommendations of such review committee, the college president shall:

(a) Determine whether fiscal problems can be eliminated by the nonrenewal of a probationary faculty appointee's contract for the ensuing regular college year, and if such procedure would not provide a feasible solution;

(b) Determine whether the individual tenured faculty appointee is qualified for another faculty position within Community College District 19; or

(c) If such tenured faculty member is not qualified for another position, the college president shall use his best efforts in attempting to procure similar employment for such faculty member in another community college district within the state of Washington.

(3) If an individual tenured faculty appointee's contract is not renewed for the reasons previously stated in this rule, and a change of circumstances has caused the reestablishment of such former teaching position the president shall then offer such appointment to the tenured faculty member whose contract was not previously renewed.

AMENDATORY SECTION (Amending Order 82-1, filed 10/11/82)

WAC 132S-30-082 APPLICATIONS AND ACCOUNTING FOR ABSENCES AND BENEFITS, OBLIGATIONS, AND REIMBURSEMENT. All applications and accounting for absences will be the mutual responsibility of the individual employee and the administration, the processing of which will follow administrative channels to ensure maximum accountability and accurate personal record keeping.

This general policy shall apply to all leaves of absence for periods of one day or more. In no instance shall a leave of absence be granted for a period in excess of one calendar year except for military service during a period of national emergency. Leave of absence for a period of less than one day shall be granted at the discretion of the chief administrative officer.

Application for leave of absence shall be made on an appropriate form provided by the college. Applications shall require approval one week in advance of the anticipated absence. Exceptions to this requirement shall be absences which are impossible to anticipate such as bereavement or personal illness or injury. In such cases, the employee shall notify the appropriate supervisor at least one hour prior to his or her first working assignment.

All employee benefits shall continue during the period of leave except as specifically restricted by regulations implementing this policy.

Employees on leave of absence may be required to meet certain obligations relating to their leave status as specifically provided by regulations implementing this policy.

Employees on leave for one quarter or more duration shall be required to notify the college at the earliest possible time of an intent to return to a full-time position. If the leave is for a year duration, such notification must be submitted to the office of academic personnel prior to the end of winter quarter during the year in which the leave is taken.

The college shall reimburse employees on leave of absence for all travel and related living expenses only when such travel and expenses are at the convenience of the college and approved by the chief administrative officer.

AMENDATORY SECTION (Amending Order 82-1, filed 10/11/82)

WAC 132S-30-084 TYPES OF LEAVES. (1) Bereavement leaves. A bereavement leave, not to exceed five days with pay, will be allowed all academic, administrative, and exempt employees for each death in the immediate family. "Immediate family" means the mother, mother substitute, mother-in-law, father, father substitute, father-in-law, son-in-law, daughter-in-law, grandchildren, spouse, son, daughter, brother or sister of the employee, or any relative living in the immediate household of the employee.

(2) ~~((Educational))~~ Sabbatical leaves. The purpose of a ~~((professional))~~ sabbatical leave shall be to improve the professional skills of the faculty member through study, research, and creative work.

~~((The--institution--will--receive--direct--benefit--of--such--an--experience--through--the--increased--effectiveness--of--those--persons--participating--in--a--professional--leave--program.))~~ Application for sabbatical leave shall be submitted in writing to the office of the president of the college prior to the end of winter quarter in the year previous to the year in which the leave is desired.

Selection for ~~((professional))~~ sabbatical leave shall be based on the worthiness of the project or plan as submitted by the faculty member. ~~((It--is--intended--that--each--institution--conduct--a--rigorous--and--thorough--selection--procedure--in--awarding--of--professional--leave.))~~

Projects or plans ~~((should))~~ will be evaluated according to their value to the institution based on the following criteria:

(a) Value of project or plan in relationship to teaching responsibilities;

(b) Ability of applicant to achieve goals of project or plan as based on past experience and academic background;

(c) Need for new or additional knowledge in subject field to be studied;

(d) Quality of replacement personnel designated to take the responsibility of the applicant;

(e) Evidence of support (in the form of recommendations and/or financial) from other institutions, foundations, or persons concerned with the proposed plan or project.

~~((All--other--criteria,--rules--and--regulations--governing--educational--leave--shall--be--in--conformity--with--the--professional--leave--guidelines--as--developed--by--the--council--on--higher--education--as--amended--May--5,--1972.))~~ The aggregate cost of the leave, including cost of replacement personnel, shall not exceed one hundred fifty percent of the cost of the salary which would have otherwise been paid to the employee, as outlined in RCW 28B.10.650.

(3) Maternity leave. Maternity leave will be granted to a pregnant employee, married or unmarried, if the leave is requested in advance by the employee. The employee shall inform her immediate supervisor, in advance, and in writing, of her intention to take leave and the approximate time she expects to return to work. Within thirty calendar days after termination of her pregnancy, the employee shall inform her immediate supervisor of the specific date she expects to return to work. The leave shall begin no sooner than one hundred twenty calendar days before the expected date of delivery, and shall continue no later than sixty calendar days after the actual termination of the pregnancy. However, the one hundred twenty day pretermination period will be extended to a longer period if a physician's statement indicates a different period is necessary to protect the health of the employee or the unborn child. The post-termination period of sixty days may be extended for a period not to exceed the extent of the current contract year if a physician's statement indicates that complications resulting from the pregnancy or its termination necessitate a longer period of time in order to protect the health of the employee. In the event that the employee's supervisor or the community college administration in good faith questions the statement of the employee's physician, the employee may be required to obtain a statement of verification from a different physician. The

verifying physician shall be selected by the community college administration and the costs for an examination and statement shall be paid for by the community college.

An employee who temporarily vacates a position due to pregnancy is on official leave status. The vacated position can be filled temporarily, but cannot be filled permanently.

(4) Military leaves. Pursuant to state statutes, an employee who leaves a position in the school system to serve in the armed forces upon being honorably released from active duty shall resume the contract status held prior to entering the military service, subject to passing a medical examination certifying that the individual is competent to perform the functions of said contract.

(5) Personal leaves. A personal leave is considered a leave of absence from duty by an employee of the college, for which written request has been made and formal approval granted by the president.

All personal leaves of absence are without pay with the exception of: (a) Personal catastrophe ((to-a-maximum-of)), and (b) personal business, both of which shall not exceed three days per year, nonaccumulative.

Leave under (b) personal business, shall require approval in advance and shall be taken only on professional (nonteaching) days.

The exception to the above conditions would be when an employee is summoned to appear in court as a witness or a defendant when notified to attend a hearing. A faculty member who is called for jury duty may do so without loss of pay. The college shall guarantee the salary difference between the juror's pay and that which would be received.

(6) Personal illness or injury leaves. This leave is to be considered in the form of an insurance which will protect the employee from loss of pay or employment status in the event of temporary illness or injury. The employee is responsible to provide, for recording purposes, a determination of the condition which caused the absence. A written excuse from a licensed physician may be required for verification of the absence.

Twelve days per calendar year, unlimited accumulation, for each full-time employee is allowed for absences due to personal illness or injury. No salary deduction shall be made for such absences taken within the number of total days accrued by the employee for such purposes.

All employee benefits shall continue during the period of leave except as specifically restricted by regulations implementing this policy. The institution shall not continue such entitlements, including salary, beyond the total number of days accrued for an employee's personal illness or injury.

(7) Professional leaves. Professional leaves of absence without deduction of pay and with reimbursement of certain expenses may be granted to attend professional meetings upon request to the president. When necessary, the college shall provide a substitute academic employee to perform the duties of the academic employee who has been granted leave to attend a professional meeting. When a substitute cannot be obtained or other activity arranged, the class may be canceled upon the approval of the division chairman.

(8) Other leaves. Any day on which a certificated employee, while absent, is engaged in an activity under the direction of the board of trustees shall not be regarded as an absence provided such business has been cleared through the president's office. For example:

- (a) Visitation to other schools;
- (b) Speaking engagements involving education;
- (c) Research or preparation involved in presenting professional projects;
- (d) Instructionally related field trips;
- (e) College related activity supervision.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 132S-30-044 FACULTY PROMOTION--SELECTION PROCESS.
WAC 132S-30-046 FACULTY PROMOTION--SCREENING PROCESS.
WAC 132S-30-048 FACULTY PROMOTION--FINAL LIST OF CANDIDATES.