

WAC 132V-400-010 Grounds for ineligibility. Any student found to have violated chapter 69.41 RCW, legend drugs, by virtue of a criminal conviction or by decision of the college's designated presiding officer, shall be disqualified from participation in any school-sponsored athletic events or activities.

[Statutory Authority: RCW 28B.50.140(13). 01-24-006, § 132V-400-010, filed 11/21/01, effective 12/22/01; 90-07-038, § 132V-400-010, filed 3/16/90, effective 4/16/90.]

WAC 132V-400-020 Initiation of ineligibility proceedings. Any officer of the college or college staff shall have authority to request the commencement of athletic ineligibility hearing proceedings whenever he or she has reasonable cause to believe that the student has violated chapter 69.41 RCW or upon receipt of notice from any source that the student has been convicted of violating chapter 69.41 RCW. Requests to initiate athletic ineligibility hearing proceedings should be submitted to the dean for student services within ten instructional days of the date the person becomes aware of the alleged violation or conviction of chapter 69.41 RCW.

[Statutory Authority: RCW 28B.50.140(13). 01-24-006, § 132V-400-020, filed 11/21/01, effective 12/22/01; 90-07-038, § 132V-400-020, filed 3/16/90, effective 4/16/90.]

WAC 132V-400-030 Ineligibility proceedings. The dean for student services shall designate a presiding officer who shall be a college officer who is not involved with the athletic program to conduct a brief adjudicative hearing. Within ten calendar days the presiding officer shall conduct the hearing and permit the affected parties to explain both the college's view of the matter and the student's view of the matter. The brief adjudicative proceeding shall be conducted in accordance with the Administrative Procedure Act, RCW 34.05.482-34.05.494.

[Statutory Authority: RCW 28B.50.140(13). 01-24-006, § 132V-400-030, filed 11/21/01, effective 12/22/01; 90-07-038, § 132V-400-030, filed 3/16/90, effective 4/16/90.]

WAC 132V-400-040 Decision. Within ten calendar days of the conclusion of the brief adjudicative proceedings, the presiding officer shall give each party a written decision which shall include a brief statement of the reasons for the decision and, in the event of a decision adverse to the student, the period of loss of eligibility to participate in college-supervised athletic events or activities. Any party shall have the right to present, within five calendar days of notification of the presiding officer's decision, a written request for review directed to the dean for student services appealing the decision or the period of loss of eligibility. The request for review shall explain the party's view of the matter. The dean's decision on the appeal will be in writing, including a brief statement of the reasons for the decision and will be the final decision of the college.

[Statutory Authority: RCW 28B.50.140(13). 01-24-006, § 132V-400-040, filed 11/21/01, effective 12/22/01; 90-07-038, § 132V-400-040, filed 3/16/90, effective 4/16/90.]

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Title 132W WAC COMMUNITY COLLEGES— WENATCHEE VALLEY COLLEGE

Chapters

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Chapter 132W-104 WAC

BYLAWS AND STANDING ORDERS OF THE BOARD OF TRUSTEES

WAC

132W-104-010 through 132W-104-130 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132W-104-010	Promulgation. [Order 77-70, § 132W-104-010, filed 12/19/77; Order 72-16, § 132W-104-010, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-104-020	The board of trustees. [Order 77-70, § 132W-104-020, filed 12/19/77; Order 72-16, § 132W-104-020, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-104-030	Office of board. [Order 77-70, § 132W-104-030, filed 12/19/77; Order 72-16, § 132W-104-030, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-104-040	Meetings of the board of trustees. [Statutory Authority: RCW 28B.50.140. 87-19-050 (Resolution No. 87-126), § 132W-104-040, filed 9/14/87; 80-05-106 (Order 80-87), § 132W-104-040, filed 5/5/80; Order 77-70, § 132W-104-040, filed 12/19/77; Order 72-16, § 132W-104-040, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-104-050	Order of agenda. [Statutory Authority: RCW 28B.50.140. 87-19-050 (Resolution No. 87-126), §

- 132W-104-050, filed 9/14/87; Order 77-70, § 132W-104-050, filed 12/19/77; Order 72-16, § 132W-104-050, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-104-060 Records of board action. [Order 77-70, § 132W-104-060, filed 12/19/77; Order 72-16, § 132W-104-060, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-104-070 Officers of the board. [Order 77-70, § 132W-104-070, filed 12/19/77; Order 72-16, § 132W-104-070, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-104-080 Fiscal year. [Order 77-70, § 132W-104-080, filed 12/19/77; Order 72-16, § 132W-104-080, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-104-090 Official seal. [Order 77-70, § 132W-104-090, filed 12/19/77; Order 72-16, § 132W-104-090, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-104-100 Committees. [Order 77-70, § 132W-104-100, filed 12/19/77; Order 72-16, § 132W-104-100, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-104-110 Amendment of bylaws. [Order 77-70, § 132W-104-110, filed 12/19/77; Order 72-16, § 132W-104-110, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-104-111 Amendment of bylaws—Effective date. [Order 77-70, § 132W-104-111, filed 12/19/77; Order 72-16, § 132W-104-111, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-104-120 Restrictions of individual authority. [Order 77-70, § 132W-104-120, filed 12/19/77; Order 72-16, § 132W-104-120, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-104-130 Delegation of responsibility. [Order 77-70, § 132W-104-130, filed 12/19/77; Order 72-16, § 132W-104-130, filed 11/22/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

WAC 132W-104-010 through 132W-104-130 Repealed. See Disposition Table at beginning of this chapter.

Chapter 132W-105 WAC BOARD OF TRUSTEES

WAC

- 132W-105-010 Legal status of the board.
132W-105-020 Regular meetings.
132W-105-030 Special meetings.
132W-105-040 Executive session.
132W-105-050 Open meetings.
132W-105-060 Appearances before the board.
132W-105-070 Board offices.
132W-105-080 Presidential authority delegate from board.

WAC 132W-105-010 Legal status of the board. By authority contained in the Community College Act of 1967 and as appointed by the governor of the state of Washington, the Wenatchee Valley College board of trustees shall serve the educational needs of Community College District 15 and shall be responsible for developing the policies of Community College District 15 under which Wenatchee Valley Col-

lege operates. The board will delegate certain responsibilities to the president or designee.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-105-010, filed 5/25/01, effective 6/25/01.]

WAC 132W-105-020 Regular meetings. Regular meetings of the board shall be held each month; the dates of the regular meetings shall be the second Wednesday of each month at 3:00 p.m.

A regular meeting may be canceled by action of the board or the board chair. A special meeting may, however, be set for another date and time. When a special meeting is scheduled, notice thereof will be given in conformance with the notice requirements for special meetings contained in RCW 42.30.080.

Board meetings shall be held in the Wells Hall Board Room, 1300 Fifth St., Wenatchee, WA, or at such other places as the board shall determine.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-105-020, filed 5/25/01, effective 6/25/01.]

WAC 132W-105-030 Special meetings. Special meetings may be called by the chair, or by request of three board members, and they shall be conducted in conformance with Washington state law. Only those items published on the agenda shall be considered at a special meeting.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-105-030, filed 5/25/01, effective 6/25/01.]

WAC 132W-105-040 Executive session. The board of trustees may hold an executive session during a regular or special meeting. Executive sessions will be held in conformance with Washington state law.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-105-040, filed 5/25/01, effective 6/25/01.]

WAC 132W-105-050 Open meetings. All regular and special board meetings are open to the public; however, the chair may call an executive session when permitted by Washington state law at which a member of the general public shall not be present unless invited.

Public votes and public records shall be open to the public for inspection and duplication.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-105-050, filed 5/25/01, effective 6/25/01.]

WAC 132W-105-060 Appearances before the board. Each regular meeting of the board shall provide members of the public an opportunity to address the board on any item of business. Groups and individuals are to submit their statements in writing to the president of the college whenever possible no less than two weeks prior to the time of the meeting. The board encourages groups to designate a spokesperson to address the board on their behalf.

The chair of the board reserves the right to determine time limits on statements and presentations.

The intent of the board shall be to provide equal time for both pro and con presentations. The chair also maintains the right to regulate the subject matter of that which may be pre-

sented or discussed at the open meeting including, but not limited to, matters which are the subject of current or pending grievances or adjudicative or disciplinary proceedings. Matters for consideration, discussion, and/or debate will be limited to the extent allowed by the Open Public Meetings Act, chapter 42.30 RCW.

The president of the college shall be given an opportunity, whenever possible, to examine and evaluate each matter of business and to recommend a course of action prior to a decision by the board.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-105-060, filed 5/25/01, effective 6/25/01.]

WAC 132W-105-070 Board offices. The board shall maintain an office at 1300 Fifth St., Wenatchee, WA 98801-1499, where all records, minutes, and the official college seal shall be kept.

This office shall be open during normal business hours.

Correspondence or other business for the board shall be sent to the secretary of the board, who is located in this office.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-105-070, filed 5/25/01, effective 6/25/01.]

WAC 132W-105-080 Presidential authority delegate from board. (1) The president of the college shall have the authority to exercise in the name of the board all of the powers and duties vested in or imposed upon the board by law except those reserved to the board by the board, including all powers granted to the board as governing body by chapter 39.34 RCW or any other statute. The president of the college shall be directly responsible to the board of trustees. The president shall be the principal administrative officer of the college and shall have general supervision of all operations and programs of the institution.

(2) The president shall be the appointing authority for all administrative exempt, classified, faculty and other employees of the college; the president may delegate some or all of that authority in writing to deans and/or other designees. The president shall carry out all rules, regulations, orders, directives and policies established by the board and shall perform all other duties necessary or appropriate to the administration of the college. The essence of the relationship between the board and the president shall be one of full mutual confidence and completely open communication.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-105-080, filed 5/25/01, effective 6/25/01.]

Chapter 132W-108 WAC

PRACTICE AND PROCEDURE

WAC

132W-108-001 through 132W-108-480 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132W-108-001 Formal hearing policy. [Order 72-9, § 132W-108-001, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-005 Definitions. [Order 72-9, § 132W-108-005, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01.

tive 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-010 Appearance and practice before agency. [Order 72-9, § 132W-108-010, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-080 Notice and opportunity for hearing in contested cases. [Order 72-9, § 132W-108-080, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-090 Service of process—By whom served. [Order 72-9, § 132W-108-090, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-100 Service of process—Upon whom served. [Order 72-9, § 132W-108-100, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-110 Service of process—Service upon parties. [Order 72-9, § 132W-108-110, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-120 Service of process—Method of service. [Order 72-9, § 132W-108-120, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-130 Service of process—When service complete. [Order 72-9, § 132W-108-130, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-140 Service of process—Filing with agency. [Order 72-9, § 132W-108-140, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-230 Depositions and interrogatories in contested cases—Right to take. [Order 72-9, § 132W-108-230, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-240 Depositions and interrogatories in contested cases—Scope. [Order 72-9, § 132W-108-240, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-250 Depositions and interrogatories in contested cases—Officer before whom taken. [Order 72-9, § 132W-108-250, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-260 Depositions and interrogatories in contested cases—Authorization. [Order 72-9, § 132W-108-260, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-270 Depositions and interrogatories in contested cases—Protection of parties and deponents. [Order 72-9, § 132W-108-270, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-280 Depositions and interrogatories in contested cases—Oral examination and cross-examination. [Order 72-9, § 132W-108-280, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-290 Depositions and interrogatories in contested cases—Recordation. [Order 72-9, § 132W-108-290, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-300 Depositions and interrogatories in contested cases—Signing attestation and return. [Order 72-9, § 132W-108-300, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-310 Depositions and interrogatories in contested cases—Use and effect. [Order 72-9, § 132W-108-310, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-108-320 Depositions and interrogatories in contested cases—Fees of officers and deponents. [Order 72-9, § 132W-108-320, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

- 132W-108-330 Depositions upon interrogatories—Submission of interrogatories. [Order 72-9, § 132W-108-330, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-108-340 Depositions upon interrogatories—Interrogation. [Order 72-9, § 132W-108-340, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-108-350 Depositions upon interrogatories—Attestation and return. [Order 72-9, § 132W-108-350, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-108-360 Depositions upon interrogatories—Provisions of deposition rule. [Order 72-9, § 132W-108-360, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-108-400 Hearing officers. [Order 72-9, § 132W-108-400, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-108-410 Hearing procedures. [Order 72-9, § 132W-108-410, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-108-420 Duties of hearing officers. [Order 72-9, § 132W-108-420, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-108-430 Stipulations and admissions of record. [Order 72-9, § 132W-108-430, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-108-440 Definition of issues before hearing. [Order 72-9, § 132W-108-440, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-108-450 Continuances. [Order 72-9, § 132W-108-450, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-108-460 Rules of evidence—Admissibility criteria. [Order 72-9, § 132W-108-460, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-108-470 Tentative admission—Exclusion—Discontinuance—Objections. [Order 72-9, § 132W-108-470, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-108-480 Form and content of decisions in contested cases. [Order 72-9, § 132W-108-480, filed 4/21/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

WAC 132W-108-001 through 132W-108-480 Repealed. See Disposition Table at beginning of this chapter.

Chapter 132W-109 WAC PRACTICE AND PROCEDURE

WAC

- 132W-109-010 Formal hearing policy.
132W-109-020 Appointment of presiding officers.
132W-109-030 Method of recording.
132W-109-040 Application for adjudicative proceeding.
132W-109-050 Brief adjudicative procedures.
132W-109-060 Discovery.
132W-109-070 Procedure for closing parts of the hearings.
132W-109-085 Recording devices.

WAC 132W-109-010 Formal hearing policy. The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250 are adopted for use at this college. Those rules may be found in chapter 10-08

WAC. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and procedural rules now or previously adopted by this college, the model rules prevail.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-109-010, filed 5/25/01, effective 6/25/01.]

WAC 132W-109-020 Appointment of presiding officers. The board or its designee shall designate a presiding officer for an adjudicative proceeding. The presiding officer shall be an administrative law judge, a member in good standing of the Washington State Bar Association, a panel of individuals, the president or designee, or any combination of the above. Where more than one individual is designated to be the presiding officer, the president or designee shall designate one person to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-109-020, filed 5/25/01, effective 6/25/01.]

WAC 132W-109-030 Method of recording. Proceedings shall be recorded by a method determined by the presiding officer, among those available under the model rules of procedure.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-109-030, filed 5/25/01, effective 6/25/01.]

WAC 132W-109-040 Application for adjudicative proceeding. An application for adjudicative proceeding shall be in writing. An application shall include the signature of the applicant, the nature of the matter for which an adjudicative proceeding is sought, and an explanation of the facts involved.

Application forms are available at the following address:

Wenatchee Valley College
1300 5th Street
Wenatchee, WA 98801

Written application for an adjudicative proceeding should be submitted to the above address within twenty calendar days of the agency action giving rise to the application, unless provided for otherwise by statute or rule.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-109-040, filed 5/25/01, effective 6/25/01.]

WAC 132W-109-050 Brief adjudicative procedures. This rule is adopted in accordance with RCW 34.05.482 through 34.05.494, the provisions of which are adopted by reference. Brief adjudicative procedures shall be used in all matters related to:

- (1) Residency determinations;
- (2) Challenges to contents of education records;
- (3) Student conduct proceedings;
- (4) Parking violations;
- (5) Outstanding debts owed by students or employees;
- (6) Loss of eligibility for participation in college-sponsored events.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-109-050, filed 5/25/01, effective 6/25/01.]

WAC 132W-109-060 Discovery. Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall refer to the civil rules of procedure. The presiding officer may control the frequency and nature of discovery permitted, and order discovery conferences to discuss discovery issues.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-109-060, filed 5/25/01, effective 6/25/01.]

WAC 132W-109-070 Procedure for closing parts of the hearings. Any party may apply for a protective order to close part of a hearing. The party making the request shall state the reasons for making the application to the presiding officer. If the other party opposes the request, a written response to the request shall be made within ten working days of the request to the presiding officer. The presiding officer shall determine which, if any, parts of the proceeding shall be closed, and state the reasons in writing within twenty working days of receiving the request.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-109-070, filed 5/25/01, effective 6/25/01.]

WAC 132W-109-085 Recording devices. No cameras or recording devices are allowed in those parts of proceedings that the presiding officer has determined shall be closed under WAC 132W-109-070, except for the method of official recording selected by the college.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-109-085, filed 5/25/01, effective 6/25/01.]

Chapter 132W-112 WAC STUDENTS RIGHTS AND FREEDOMS

WAC

132W-112-001	Policy.
132W-112-010	Classroom rights.
132W-112-020	Protection of freedom of expression.
132W-112-030	Protection against improper disclosure.
132W-112-040	Confidentiality of student records.
132W-112-050	Freedom of association.
132W-112-060	Freedom from sexual harassment.
132W-112-070	Right to distribution of materials.
132W-112-080	Commercial activities policy.
132W-112-090	Freedom of publications and press.
132W-112-100	Freedom of speech and assembly.
132W-112-110	Right to invite off-campus speakers.
132W-112-120	Right to be interviewed.
132W-112-130	Right to due process.
132W-112-140	Freedom from unreasonable search.

WAC 132W-112-001 Policy. Wenatchee Valley College shall admit all individuals who qualify according to current admission requirements. The college, in compliance with Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, The Americans with Disabilities Act, and other applicable laws and regulations, does not discriminate on the basis of race, creed, religion, color, national origin, sexual orientation, mental or physical handicaps, age, or gender in any of its policies, practices, or procedures. This

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includes, but is not limited to, admissions, employment, financial aid, and educational services, programs, and activities.

Admissions under the running start program are subject to the rules and regulations of the office of the superintendent of public instruction, the state board for community and technical colleges, and the higher education coordinating board. Curriculum offerings shall be provided to meet the educational and training needs of the community. All students, regardless of their courses of study, shall be considered, known, and recognized equally as members of the student body.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-112-001, filed 5/25/01, effective 6/25/01.]

WAC 132W-112-010 Classroom rights. These protections apply to students attending any class at WVC

(1) Student performance shall be evaluated solely on an academic basis (which may include attendance), not on the opinions or conduct in matters unrelated to academic standards.

(2) Students are expected to attend classes for which they are registered. When absence occurs because of illness or other urgent reasons, including hazardous weather conditions, it is the obligation of the student to COMPLETE makeup work deemed necessary by the instructor

(3) Students shall have the right to appeal their academic evaluation. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-112-010, filed 5/25/01, effective 6/25/01.]

WAC 132W-112-020 Protection of freedom of expression. Students shall be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-112-020, filed 5/25/01, effective 6/25/01.]

WAC 132W-112-030 Protection against improper disclosure. Individual student views, beliefs, and political associations which faculty members acquire in the course of their work as instructors, advisors, and counselors, are to be considered confidential.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-112-030, filed 5/25/01, effective 6/25/01.]

WAC 132W-112-040 Confidentiality of student records. To minimize the risk of improper disclosure, academic and disciplinary records shall be separate. Transcripts of academic records shall contain only information about academic status, except when a student is dismissed for misconduct. Record of dismissal for misconduct shall be entered on a student transcript. Academic records, or information from disciplinary or counseling files, shall not be available to unauthorized persons on campus, or to individuals off cam-

pus, without the written consent of the student involved, except under legal compulsion or in cases where the safety of persons or property is involved. No records shall be kept which reflect the political activities or beliefs of students. Provision shall be made for the destruction of noncurrent disciplinary records after a period of three years. Administrative staff and faculty members shall respect confidential student information acquired in the course of their work.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-112-040, filed 5/25/01, effective 6/25/01.]

WAC 132W-112-050 Freedom of association. Students are free to organize and to participate in voluntary associations of their own choosing. To be officially recognized, the associated students of Wenatchee Valley College must grant student organizations an official charter. Procedures for obtaining an official charter are published in the student handbook and found in the ASWVC bylaws. To receive or maintain official recognition, a student organization must be open to all students without regard to race, color, gender, creed, national origin, mental or physical handicaps, age, or sexual orientation.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-112-050, filed 5/25/01, effective 6/25/01.]

WAC 132W-112-060 Freedom from sexual harassment. Students at Wenatchee Valley College shall be free from sexual harassment. Any student who engages in unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, where such behavior offends the recipient, causes discomfort or humiliation, or interferes with job or academic performance, shall be subject to disciplinary actions.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-112-060, filed 5/25/01, effective 6/25/01.]

WAC 132W-112-070 Right to distribution of materials. Handbills, leaflets and similar materials, whether sold or distributed free of charge, may be distributed by regularly enrolled students and members of recognized student organizations in all areas of the campus, except classrooms, so long as such distribution does not interfere with the educational process, the free flow of traffic, or the rights of others. Such materials shall bear identification as to the distributing organization or individual.

(1) Nonstudents may distribute legal and noncommercial materials on campus in open areas and outside entrances to building so long as such distribution does not interfere with college affairs, scheduled programs and activities, or the free flow of traffic. Material may not be placed on or in automobiles. Inside distribution of materials by nonstudents must have prior approval of the president or a designee.

(2) The college reserves the right at all times to judge each event or activity separately and to regulate the distribution of materials in terms of time, place and manner by furnishing reasonable notice to interested parties.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-112-070, filed 5/25/01, effective 6/25/01.]

WAC 132W-112-080 Commercial activities policy. College facilities may not be used for commercial solicitation, advertising or promotional activities except when such activities clearly serve educational objectives. These activities must be sanctioned by the president or designee and shall not interfere with college affairs or the free flow of traffic. The college reserves the right to charge commercial vendors for the use of college facilities or space. Students have the right to engage in incidental sales of personal property in a private transaction provided college facilities are not explicitly used for this purpose.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-112-080, filed 5/25/01, effective 6/25/01.]

WAC 132W-112-090 Freedom of publications and press. Student publications and the student press are valuable aids in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. The college has developed a publications code that is used to administer all student publications.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-112-090, filed 5/25/01, effective 6/25/01.]

WAC 132W-112-100 Freedom of speech and assembly. No rule shall restrict student expression solely based on disapproval or fear of the student's ideas or motives. Students and student organizations shall be free to examine and discuss all questions of interest to them, and to express opinions publicly and privately.

(1) Students and members of the public are guaranteed the rights of free inquiry, expression, and assembly on the outdoor college facilities that are generally open and available to the public.

(2) Any recognized ASWVC organization may utilize available college facilities for authorized activities as provided for in official ASWVC documents. Facilities will be provided free of charge to the organization except when such use necessitates staffing and services beyond regular college requirements. Standard college fees will be charged in these cases. Use of facilities for purposes other than those approved or in an irresponsible manner may result in withdrawal of this privilege for an organization. Student organizations should schedule the facility use request with the dean of student programs through the ASWVC activity council three (3) days in advance of an event whenever possible.

(3) Modes of expression or assembly that are manifestly unreasonable or disruptive in terms of time, place, or manner may be restricted. Students and members of the public must ensure that assemblies are conducted in an orderly manner;

a) Do not unreasonably interfere with classes, scheduled meetings or ceremonies, or regular functions of the college;

b) Do not unreasonably interfere with pedestrian or vehicular traffic; or

c) Do not cause destruction or damage to college property, including library materials, or private property on college facilities

(4) Assemblies that violate these rules may be ordered to disperse by the college in accordance with Washington state statutes

(5) A nonstudent who violates any provision of the rule may be required to leave the campus or section of campus or facility and/or be referred to civilian authorities for criminal prosecution.

(6) A student, student group, or student organization that violates any provision of the rule may be subject to disciplinary action in accordance with this code. This may also include criminal prosecution.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-112-100, filed 5/25/01, effective 6/25/01.]

WAC 132W-112-110 Right to invite off-campus speakers. Any recognized ASWVC student organization with the written sanction of its adviser, may invite speakers on campus subject to the normal restraints imposed by consideration of the laws of the United States and the state of Washington.

(1) Faculty members may invite speakers to make presentations to classes on topics related to materials being studied.

(2) Faculty organizations may schedule speakers for appearances before faculty groups subject to the normal constraints imposed by consideration of the laws of the United States and the state of Washington.

(3) The appearance of an invited speaker on the campus does not involve an endorsement, either implicit or explicit, of his views by this college, its students, its faculty, its administration or its board of trustees.

(4) The college may require and arrange to have views other than those of the invited speaker represented at the meeting, or at a subsequent meeting. The president may, at his discretion, assign a representative to preside over any meeting where a speaker has been invited.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-112-110, filed 5/25/01, effective 6/25/01.]

WAC 132W-112-120 Right to be interviewed. Every student has the right to be interviewed on campus by any legal organization desiring to recruit at the college.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-112-120, filed 5/25/01, effective 6/25/01.]

WAC 132W-112-130 Right to due process. Students subject to disciplinary action by the college are entitled to a hearing, the procedures for which guarantee that the student will receive fair treatment, and which allow the college to take appropriate action. Pending action on college or civil charges, the status of a student will not be altered, or his or her right to be present on the campus and to attend classes suspended, except for reasons relating to his physical or emotional safety and well-being, or for reasons relating to the safety and well-being of students, staff or college property.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-112-130, filed 5/25/01, effective 6/25/01.]

WAC 132W-112-140 Freedom from unreasonable search. Students have the right to be secure in their persons, quarters, papers, and effects against unreasonable searches and seizures.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-112-140, filed 5/25/01, effective 6/25/01.]

Chapter 132W-115 WAC CODE OF STUDENT CONDUCT

WAC

132W-115-010	Purpose of the disciplinary system.
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132W-115-040	Student participation.
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132W-115-100	Disciplinary process.
132W-115-110	Procedures for resolving disciplinary violations.
132W-115-120	The academic regulations committee (ARC) and serious disciplinary violations.
132W-115-130	Procedural guidelines for hearings involving serious disciplinary violations.
132W-115-140	Disciplinary terms.
132W-115-150	Loss of eligibility in college activities and athletics.
132W-115-160	Student groups and organizations.
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132W-115-180	Transcript notations.
132W-115-190	Refunds and access.
132W-115-200	Readmission after suspension or dismissal.
132W-115-210	Reestablishment of academic standing.
132W-115-220	Reporting, recording and maintaining records.

WAC 132W-115-010 Purpose of the disciplinary system. This code of student conduct protects the unique, diverse community of Wenatchee Valley College. Admission to the college carries with it an expectation that the student will obey appropriate laws, will comply with the policies and procedures of the college, and will maintain a high standard of integrity and honesty. If a student does not accept these responsibilities, corrective action must be taken. The college will impose and carry out sanctions for conduct that interferes with the operation of college. The college may impose sanctions independently of any action taken by civil or criminal authorities. In the case of minors, misconduct may be referred to parents or legal guardians.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-010, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-020 Jurisdiction and authority for student discipline. All rules in this chapter concerning student conduct and discipline apply to every student enrolled at the college whenever the student is engaged in or present at a college-related activity whether occurring on or off college facilities.

The board of trustees, acting pursuant to RCW 28B.50.140(14), has delegated by written order to the president of the college the authority to administer disciplinary action. Pursuant to this authority, the president, or designee, shall be responsible for the administration of the disciplinary procedures provided for herein. However, the president or acting president shall review all disciplinary action in which there is a recommendation that a student be suspended or dismissed.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-020, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-030 Violations of law and college regulations. Students may be accountable both to civil authorities and to the college for acts that constitute violations of law and of this code. Disciplinary action at the college will normally proceed even if criminal proceedings are pending and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced.

Definitions. When used in the code:

(1) The term "aggravated violation" means a violation that resulted or foreseeably could have resulted in significant damage to persons or property or which otherwise posed a substantial threat to the stability and continuance of normal college or college-sponsored activities.

(2) The term "group" means persons who are associated with each other but who have not complied with college requirements for registration or organization.

(3) The terms "institution" and "college" mean Wenatchee Valley College and all of its areas, elements, and programs.

(4) The term "reckless" means conduct that one should reasonably be expected to know would create a substantial risk of harm to persons or property or that would otherwise be likely to result in interference with normal college operations and/or college-sponsored activities.

(5) The term "student" means any person who is enrolled at the college and for whom the college maintains current educational records, as defined by the Family Rights and Privacy Act of 1974, and related regulations.

(6) The term "college facilities" means buildings or grounds owned, leased, operated, controlled, or supervised by the college, including all appurtenances affixed thereon or attached thereto.

(7) "Board" means the board of trustees of Wenatchee Valley College.

(8) "Liquor" means the definition of liquor as contained within RCW 66.04.010

(9) "Drugs" means a narcotic drug as defined in RCW 69.50.101, a controlled substance as defined in RCW 69.50.201 through 69.50.212, or a legend drug as defined in RCW 69.41.010..

(10) "President" means the chief executive officer of the college appointed by the board of trustees.

(11) "Disciplinary action" means the warning, reprimand, summary suspension, suspension and/or expulsion, probation, of a student for the violation of a rule adopted under this policy.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-030, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-040 Student participation. Students will participate in college matters pursuant to these procedures.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-040, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-050 Demand for identification. For the purpose of determining whether probable cause exists for any application of this code to any behavior occurring on a college facility, college personnel or other authorized person-

nel may demand that evidence of student enrollment at the college be produced.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-050, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-060 Free movement on campus. The president or designee is authorized in the instance of any event that he or she deems impedes the movement of persons or vehicles or which he or she deems to disrupt the ingress or egress of persons from the college facilities, to prohibit the entry of, or withdraw the license of, or privileges of, a person or persons or any group of persons to enter onto or remain upon any portion of the college facility.

No person or persons may disrupt the ingress or egress of other persons from college facilities. The president or designee is authorized to prohibit or remove from college facilities any person who disrupts ingress or egress therein.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-060, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-070 Standards of classroom behavior. Academic honesty is vital to the very fabric and integrity of the college. All students must comply with an appropriate and sound academic honesty policy and code of honest behavior. All members of the college community are responsible for knowing and understanding the statement on academic honesty. The statement and procedures will be made readily available to all students and faculty to ensure understanding of the academic honesty system and its proper functioning.

Where suspected violations of the academic honesty system occur, appropriate procedures are designed to protect academic integrity while ensuring due process.

(1) Academic dishonesty: Honest assessment of student performance is crucial to all members of the academic community. Acts of dishonesty are serious breaches of honor and shall be dealt with in the following manner:

(a) The college administration and teaching faculty will provide reasonable and prudent security measures designed to minimize opportunities for acts of academic dishonesty that occur at the college.

(b) Any student who knowingly submits a fraudulent examination, assignment, or any other academic work product shall have committed an act of academic dishonesty. Acts of academic dishonesty shall be cause for disciplinary action.

(c) Any student who aids or abets the accomplishment of an act of academic dishonesty, as described in (b) of this subsection, shall be subject to disciplinary action.

(d) This section shall not be construed as preventing an instructor from taking immediate disciplinary action when the instructor is required to act upon such breach of academic dishonesty in order to preserve order and prevent disruptive conduct in the classroom. This action shall also not be construed as preventing an instructor from adjusting the student's grade on a particular project, paper, test, or class grade for academic dishonesty.

(2) Classroom conduct: Instructors have the authority to take whatever summary actions may be necessary to maintain order and proper conduct in the classroom and to maintain the

effective cooperation of the class in fulfilling the objectives of the course.

(a) Any student who substantially disrupts any college class by engaging in conduct that renders it difficult or impossible to maintain class decorum shall be subject to disciplinary action.

(b) Any college instructor is authorized to take steps necessary to preserve order and to maintain the effective cooperation of the class in fulfilling course objectives; provided that a student shall have the right to appeal such disciplinary action to the dean of student services.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-070, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-080 Code of conduct. Wenatchee Valley College expects that its students while within college facilities or attending a college-sponsored activity, will adhere to high standards of honor and good citizenship at all times. Students will always conduct themselves in a responsible manner that reflects credit on themselves and the college. The following misconduct on college facilities is subject to disciplinary action:

(1) Intentionally or recklessly endangering, threatening, or causing physical harm to any person or oneself, or intentionally or recklessly causing reasonable apprehension of such harm.

(2) Sexual harassment as defined in college policy under Policy 000.340 and 000.350

(3) Intentionally or recklessly interfering with normal college or college-sponsored activities or any form of emergency services.

(4) Unauthorized entry or use of college facilities.

(5) Knowingly violating the term of any disciplinary sanction imposed in accordance with the code.

(6) Theft of property or services; knowing possession of stolen property.

(7) Violating college policies or procedures by any student or by the guest of any student.

(8) Smoking or using tobacco products in classrooms or on the college premises except in designated smoking areas.

(9) The possession, use, sale or distribution of any alcoholic beverage or illegal drug on the college campus; the use of illegal drugs by any student attending a college-sponsored event, even though the event does not take place at the college.

(10) Academic dishonesty, including cheating, plagiarism, or knowingly furnishing false information to the college.

(11) Forgery, alteration, or misuse of college documents, records, funds, or instruments of identification.

(12) Refusal to comply with the direction of college officials acting in the legitimate performance of their duties.

(13) Possession of firearms, licensed or unlicensed, except where possessed by commissioned police officers as prescribed by law.

(14) Failure to comply with the college's technology acceptable use policy, and/or misuse of computing equipment and services and facilities, including use of electronic mail and the Internet.

(15) Ethics violation: The breach of any generally recognized and published code of ethics or standards of professional practice that governs the conduct of a particular trade, skill, craft or profession for which the student is taking courses or is pursuing as their educational goal or major. These ethics codes must be distributed to students as part of an educational program, course, or sequence of courses and the student must be informed that a violation of such ethics codes may subject the student to disciplinary action by the College.

(16) Hazing: Conspiracy to engage in hazing or participation in hazing another. Hazing shall include any method of initiation into a student organization or living group, or any pastime or amusement engaged in with respect to such an organization or living group, that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm to any student or other person attending Wenatchee Valley College. Consent is no defense to hazing. The term does not include customary athletic events or other similar contests or competitions. Hazing is also a misdemeanor, punishable under state law.

(17) Initiation violation: Conduct associated with initiation into a student organization, association, or living group, or any pastime or amusement engaged in with respect to an organization, association or living group not amounting to a violation of under the definition of hazing. Conduct covered by this definition may include embarrassment, ridicule, sleep deprivation, verbal abuse, or personal humiliation. Consent is no defense to initiation violation.

(18) Animals, with the exception of service animals, are not allowed on or in college facilities. All service animals on campus shall be under direct physical control, leashed by their owner or custodian.

19. Gambling: Any form of gambling is prohibited.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-080, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-090 Civil disturbances. In accordance with provision contained in RCW 28B.10.571 and 28B.10.572:

(1) It shall be unlawful for any person, singly or in concert with others, to interfere by force or violence with any administrator, faculty member or student of the college who is in the peaceful discharge or conduct of his duties or studies.

(2) It shall be unlawful for any person, singly or in concert with others, to intimidate by threat of force or violence any administrator, faculty member or student of the college who is in the peaceful discharge of his/her duties or studies.

(3) The crimes described in RCW 28B.10.571 and 28B.10.572 shall not apply to any administrator or faculty member who is engaged in the reasonable exercise of their disciplinary authority.

(4) Any person or persons who violate the provisions of subsections (1) and (2) of this section will be subject to disciplinary action and referred to the authorities for prosecution.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-090, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-100 Disciplinary process. (1) Any infractions of college policies or procedures may be referred

by anyone within the college community to the dean of student services or designee. That official shall then follow the appropriate procedures for any disciplinary action which he or she deems necessary relative to the alleged misconduct.

(2) The disciplinary official may take whatever action deemed appropriate within the framework of this code. If the student concludes that any sanctions imposed are inappropriate, the student may appeal to the academic regulations committee.

(3) If a referral or an appeal is made to the academic regulations committee, the committee shall hold a hearing, reach conclusion, and recommend sanctions. The student may appeal all cases involving suspension or dismissal from the college to the president of the college. All other cases may be appealed to the administrator designated by the president.

(4) The president of the college or his/her designee, after reviewing the case, may reverse, sustain or modify any sanctions. The decision of the president or designee is final.

[Statutory Authority: Chapter 28B.50 RCW, 01-12-015, § 132W-115-100, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-110 Procedures for resolving disciplinary violations. (1) The dean of student services is responsible for initiating disciplinary proceedings. The dean of student services may delegate this responsibility to members of his/her staff, and he/she may also establish committees or other hearing bodies to advise or act for him/her in disciplinary matters.

(2) In order that any informality in disciplinary proceedings not mislead a student as to the seriousness of the matter under consideration, the student involved shall be informed at the initial conference or hearing of the sanctions that may be involved.

(3) Upon initiation of formal disciplinary proceedings, the dean of student services or designee shall provide written notification to the student, either in person or by delivery via regular mail to the student's last known address, specifying the violations with which the student is charged. The dean of student services or designee shall set a time and place for meeting with the student to inform the student of the charges, the evidence supporting the charges, and to allow the student an opportunity to be heard regarding the charges and evidence.

(4) After considering the evidence in a case and interviewing the student or students involved, the dean of student services or designee may take any of the following actions:

(a) Terminate the proceeding, exonerating the student or students;

(b) Dismiss the case after whatever counseling and advice may be appropriate; not subject to the appeal rights provided in this code;

(c) Dismiss the case after verbally admonishing the student, not subject to the appeal rights provided in this code;

(d) Direct the parties to make a reasonable attempt to achieve a mediated settlement;

(e) Impose disciplinary sanctions directly, subject to the student's right of appeal as described in this chapter. The student shall be notified in writing of the action taken except that disciplinary warnings may be given verbally;

(f) Refer the matter to the academic regulations committee requesting their recommendation for appropriate action. The student shall be notified in writing that the matter has been referred to the academic regulations committee.

(5) This section shall not be construed as preventing the appropriate official from summarily suspending a student.

(6) If the dean of student services or his or her designee(s) has cause to believe that any student:

(a) Has committed a felony; or

(b) Has violated any provision of this chapter; and

(c) Presents an imminent danger either to himself or herself, other persons on the college campus or to the educational process; that student shall be summarily suspended and shall be notified by certified and regular mail at the student's last known address, or shall be personally served.

Summary suspension is appropriate only where (c) of this subsection can be shown, either alone or in conjunction with (a) or (b) of this subsection.

(7) During the summary suspension period, the suspended student shall not enter campus other than to meet with the dean of student services or to attend the hearing. However, the dean of student services or the college president may grant the student special permission to enter a campus for the express purpose of meeting with faculty, staff, or students in preparation for a probable cause hearing.

(8) When the president or his/her designee exercises the authority to summarily suspend a student, he/she shall cause notice thereof to be served upon that student by registered or certified mail at the student's last known address, or by causing personal service of such notice upon that student. The notice shall be entitled "notice of summary suspension proceedings" and shall state:

(a) The charges against the student including reference to the provisions of the student code or the law involved; and

(b) That the student charged must appear before the designated disciplinary officer at a time specified in the notice for a hearing as to whether probable cause exists to continue the summary suspension. The hearing shall be held as soon as practicable after the summary suspension.

(9) The summary suspension hearing shall be considered an emergency adjudicative proceeding. The proceeding must be conducted as soon as practicable with the dean of student services or designee presiding. At the summary suspension hearing, the dean of student services shall determine whether there is probable cause to believe that continued suspension is necessary and/or whether some other disciplinary action is appropriate.

(10) If the dean of student services, following the conclusion of the summary suspension proceedings, finds that there is probable cause to believe that:

(a) The student against whom specific violations of law or of provisions of this chapter are alleged has committed one or more of such violations; and

(b) That summary suspension of said student is necessary for the protection of the student, other students or persons on college facilities, college property, the educational process, or to restore order to the campus; and

(c) Such violation or violations of the law or of provisions of this chapter constitute grounds for disciplinary action, then the dean of student services may, with the written

approval of the president, continue to suspend such student from the college and may impose any other disciplinary action as appropriate.

(11) A student who is suspended or otherwise disciplined pursuant to the above rules shall be provided with a written copy of the dean of student services' findings of fact and conclusions, as expressly concurred in by the president, which constituted probable cause to believe that the conditions for summary suspension existed. The student suspended pursuant to the authority of this rule shall be served a copy of the notice of suspension by personal service or by registered mail to said student's last known address within three working days following the conclusion of the summary suspension hearing. The notice of suspension shall state the duration of the suspension or nature of other disciplinary action and the conditions under which the suspension may be terminated.

(12) The dean of student services is authorized to enforce the suspension of the summarily suspended student in the event the student has been served pursuant to the notice requirement and fails to appear at the time designated for the summary suspension proceeding.

(13) Any student aggrieved by an order issued at the summary suspension proceeding may appeal to the academic regulations committee. No such appeal shall be entertained, however, unless:

(a) The student has first appeared at the student hearing in accordance with subsection (9) of this section;

(b) The student has been officially notified of the outcome of the hearing;

(c) Summary suspension or other disciplinary sanction has been upheld; and

(d) The appeal conforms to the standards set forth in chapter 132W-109 WAC. The academic regulations committee shall, within five working days, conduct a formal hearing in the manner described in chapter 132W-109 WAC

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-110, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-120 The academic regulations committee (ARC) and serious disciplinary violations. The Wenatchee Valley College ARC will hear cases referred under this code. In cases involving serious disciplinary violations where suspension or summary suspension from college can result, a subcommittee of the ARC will convene.

(1) An ARC subcommittee, convened by the dean of student services or designee for serious disciplinary violations, will hear and make recommendations on all disciplinary cases referred to it or appealed to it by students. The hearing body will be composed of the following persons:

(a) The committee chair will be a member of the ARC appointed by the president of the college;

(b) The faculty representative will be a member of the ARC appointed by the ARC membership;

(c) The student representative will be a member of the ARC appointed by the ARC membership.

(2) None of the above-named persons shall sit on any case in which he or she has been or will be a complainant or witness, in which he or she has a direct or personal interest, or in which he or she has acted previously in an advisory or official capacity. The entire ARC membership shall make deci-

sions regarding eligibility according to this section, including the selection of alternate committee members.

(3) The committee may recommend to the dean of student services that the student involved:

(a) Be exonerated with all proceedings terminated and with no sanctions imposed;

(b) Be disqualified from participation in any school-sponsored athletic events or activities;

(c) Be given a disciplinary warning;

(d) Be given a reprimand;

(e) Be placed on disciplinary probation;

(f) Be responsible for restitution for damages resulting from the violation;

(g) Be given a suspension;

(h) Be expelled.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-120, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-130 Procedural guidelines for hearings involving serious disciplinary violations. (1) The committee chair shall set the time, place and available seating capacity for a hearing.

(2) All committee proceedings will be conducted with reasonable dispatch and terminated as soon as fairness to all parties involved permits.

(3) The committee chair shall enforce general rules of procedures for conducting hearings consistent with these procedural guidelines.

(4) The student shall be given notice of the date, time and place of the hearing, the charges, a list of witnesses who will appear, and a description of any documentary or other physical evidence that will be presented at the hearing. This notice shall be given to the student in writing and shall be provided in sufficient time to permit him/her to prepare a defense.

(5) The student or his/her representative shall be entitled to hear and examine the evidence against him or her and be informed of the identity of its sources; and shall be entitled to present evidence in his or her own behalf and question witnesses as to factual matters. The student shall be able to obtain information or to request the presence of witnesses or the production of other evidence relevant to the issues at the hearing.

(6) Committee hearings may be held in closed session at the discretion of the council, the only exception being when the student involved invites particular persons or requests an open hearing. If at any time during the conduct of the hearing invited persons are disruptive of the proceedings, the committee chair may exclude such persons from the hearing room.

(7) Only those matters presented at the hearing, in the presence of the student involved, will be considered in determining whether the student is guilty of the misconduct charged, but the student's past record of conduct may be taken into account in formulating the committee's recommendation for disciplinary action.

(8) The failure of a student to cooperate with the hearing procedures, however, shall not preclude the committee from making its findings of fact, reaching conclusions and imposing sanctions. Failure of the student to cooperate may be

taken into consideration by the committee in recommending penalties.

(9) The student may be represented by counsel and/or accompanied by an advisor of his/her choice. If counsel is present for the student, the college may also have counsel present to assist the council. If the student intends to use an attorney, he or she must notify the dean of student services 5 days in advance of the formal hearing.

(10) An adequate summary of the proceedings will be kept. As a minimum, such summary would include a tape recording of testimony. Such record will be available for inspections and copying in the office of the dean of student services during regular business hours.

(11) The student will be provided with a copy of the findings of fact and the conclusions of the committee.

(12) If the council's proceedings were to hear a disciplinary matter pursuant to the request of the dean for student services, the council's recommendation shall be forwarded to the dean of student services for disposition of the matter.

(13) The dean of student services or designee shall notify the student of his or her decision.

(14) The student will also be advised of his/her right to present, within ten calendar days, a written statement of appeal to the president of the college before action is taken on the decision of the committee.

(15) The dean of student services or designee shall notify the student of his or her decision.

(16) The student will also be advised of his/her right to present, within ten calendar days, a written statement of appeal to the president of the college before action is taken on the decision of the committee.

(17) The president of the college or his/her designated representative shall, after reviewing the case, sustain the decision, give directions as to what other disciplinary action shall be taken by modifying its decision, or nullify previous sanctions imposed by reversing the decision. The president or designee shall then notify the dean of student services, the student, and the committee. The president's decision shall be final.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-130, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-140 Disciplinary terms. The definitions set forth in this section apply throughout.

(1) Disciplinary warning means oral or written notice of violation of college rules.

(2) Reprimand means formal action after censuring a student for violation of college rules for failure to satisfy the college's expectations regarding conduct. Reprimands are made in writing to the student by the disciplinary official. A reprimand indicates to the student that continuation or repetition of the specific conduct involved or other misconduct will result in one or more serious disciplinary actions described below.

(3) Disciplinary probation means formal action placing conditions upon the student's continued attendance because of violation of college rules or failure to satisfy the college's expectations regarding conduct. The disciplinary official placing the student on probation will specify, in writing, the period of probation and the conditions, such as limiting the

student's participation in extracurricular activities. Disciplinary probation warns the student that any further misconduct will automatically raise the question of dismissal from the college. Disciplinary probation may be for a specified term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college.

(4) Summary suspension means temporary dismissal from the college and temporary termination of a student's status for a period of time not to exceed ten days which occurs prior to invocation of the formal hearing procedures specified in these rules due to a necessity to take immediate disciplinary action, where a student presents an imminent danger to the college property, or to himself or herself or other students or persons in college facilities on or off campus, or to the educational process of the college.

(5) Suspension means temporary dismissal from the college and temporary termination of student status for violation of college rules or for failure to meet college standards of conduct.

(6) Expulsion means dismissal from the college and termination of student status for violation of college rules or for failure to meet the college standards of conduct for an indefinite period of time or permanently.

(7) Restitution means repayment to the college or to an affected party for damages resulting from a violation of this code.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-140, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-150 Loss of eligibility in college activities and athletics. Any student found to have violated the standards of student conduct or chapter 69.41 RCW shall, in lieu of or in addition to, any other disciplinary action which may be imposed, be disqualified from participation in any school-sponsored athletic events or activities.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-150, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-160 Student groups and organizations. Student groups and organizations may be charged with violations of the student code of conduct.

A student group or organization and its officers may be held collectively and individually responsible when violations of this code by those associated with the group or organization have received the consent or encouragement of the group or organization or of the group's or organization's leaders or officers.

The officers or leaders or any identifiable spokesperson for a student group or organization may be directed by college officials to take appropriate action designed to prevent or end violations of this code by the group or organization. Failure to make reasonable efforts to comply with college officials' order shall be considered a violation of this code, by the officers, leaders or spokesperson for the group or organization and by the group or organization itself.

Sanctions for group or organization misconduct may include revocation or denial of registration or recognition as well as other appropriate sanctions.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-160, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-170 Appeals. Disciplinary actions subject to appeal as specified in board policy may be appealed as described below. Notice of an appeal by a student shall be made in writing and addressed to the dean of student services within ten calendar days of the college's giving of the notice of the disciplinary action.

(1) Disciplinary action by a faculty member or other college staff member may be appealed to, and shall be reviewed by, the dean of student services.

(2) Disciplinary action by the appropriate disciplinary official may be appealed to, and shall be reviewed by, the academic regulations committee.

(3) Disciplinary recommendation by the academic regulations committee and subsequent action by the dean of student services, may be appealed to, and shall be reviewed by, the college president or his/her designee.

(4) Disciplinary action by the president shall either indicate approval of the conclusions by sustaining the decision or shall give directions as to what other disciplinary action shall be taken by modifying the decision, or shall nullify previous sanctions imposed by reversing its decision. The president's decision shall be final.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-170, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-180 Transcript notations. A temporary encumbrance may be placed on a student's college records by the dean of student services while disciplinary proceedings are pending. Permanent notation of disciplinary action will be made on the transcript whenever a student is dismissed for misconduct.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-180, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-190 Refunds and access. (1) There shall be no refund of tuition and/or fees for the quarter in which disciplinary action is taken.

(2) A student suspended on the basis of conduct which disrupted the orderly operation of the campus or any facility of the district, may be denied access to all or any part of the campus or other facility.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-190, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-200 Readmission after suspension or dismissal. Any student suspended from the college for disciplinary reasons will normally be readmitted upon expiration of the time period for which the suspension was issued. If the student has been expelled or feels that circumstances warrant reconsideration of a temporary suspension prior to its expiration, or if the student was suspended with conditions imposed for readmission, the student may be readmitted following approval of a written petition submitted to the dean of student services. Such petition must state reasons which support a reconsideration of the matter. Before readmission may be granted, such petition must be reviewed and approved by the college president or designee.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-200, filed 5/25/01, effective 6/25/01.]

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WAC 132W-115-210 Reestablishment of academic standing. Students who have been suspended pursuant to disciplinary procedures set forth in this chapter and whose suspension upon appeal is found to have been unwarranted shall be provided the opportunity to reestablish their academic and student standing to the extent possible within the abilities of the college, including an opportunity to retake examinations or otherwise complete course offerings missed by reason of such action.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-210, filed 5/25/01, effective 6/25/01.]

WAC 132W-115-220 Reporting, recording and maintaining records. Records of all disciplinary cases shall be kept by the disciplinary official taking or initiating the action. Except in proceedings where the student is exonerated, all documentary or other physical evidence produced or considered in disciplinary proceedings and all recorded testimony shall be preserved, insofar as possible, for not more than three years after resolution of the case. No other records of proceedings wherein the student is exonerated, other than the fact of exoneration, shall be maintained in the student's file or other college repository after the date of the student's graduation or not more than five years.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-115-220, filed 5/25/01, effective 6/25/01.]

Chapter 132W-116 WAC PARKING REGULATIONS

WAC

132W-116-010 through 132W-116-065 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132W-116-010	Purpose for adopting rules. [Statutory Authority: RCW 28B.50.140. 82-01-080 (Order 81-98), § 132W-116-010, filed 12/21/81; 78-12-049 (Order 78-72, Resolution No. 78-72), § 132W-116-010, filed 11/28/78; Order 72-11, § 132W-116-010, filed 7/26/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-116-020	Vehicle registration and parking permits. [Statutory Authority: RCW 28B.50.140. 82-01-080 (Order 81-98), § 132W-116-020, filed 12/21/81; 80-01-039 (Order 79-80), § 132W-116-020, filed 12/18/79; 78-12-049 (Order 78-72, Resolution No. 78-72), § 132W-116-020, filed 11/28/78; Order 72-11, § 132W-116-020, filed 7/26/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-116-040	Visitor parking. [Statutory Authority: RCW 28B.50.140. 80-01-039 (Order 79-80), § 132W-116-040, filed 12/18/79; 78-12-049 (Order 78-72, Resolution No. 78-72), § 132W-116-040, filed 11/28/78; Order 72-11, § 132W-116-040, filed 7/26/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-116-050	Parking and traffic regulations. [Statutory Authority: RCW 28B.50.140. 82-01-080 (Order 81-98), § 132W-116-050, filed 12/21/81; 80-01-039 (Order 79-80), § 132W-116-050, filed 12/18/79; 78-12-049 (Order 78-72, Resolution No. 78-72), § 132W-116-050, filed 11/28/78; Order 72-11, § 132W-116-050, filed 7/26/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-116-065	Parking violations and fines. [Statutory Authority: RCW 28B.50.140. 82-01-080 (Order 81-98), § 132W-116-065, filed 12/21/81.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

WAC 132W-116-010 through 132W-116-065 Repealed. See Disposition Table at beginning of this chapter.

Chapter 132W-117 WAC PARKING AND TRAFFIC

WAC

132W-117-010	Purpose.
132W-117-020	Authority.
132W-117-030	Definitions.
132W-117-040	Applicable traffic rules and regulations—Areas affected.
132W-117-050	Speed.
132W-117-060	Regulatory signs and directions.
132W-117-070	Pedestrians' right of way.
132W-117-080	Impounding—Illegal parking—Disabled or inoperative or abandoned vehicles.
132W-117-090	Bicycles and nonvehicular transportation usage.
132W-117-100	Report of accidents.
132W-117-110	Enforcement.
132W-117-120	Permits required for motor vehicles on campus.
132W-117-130	Authorization for issuance of permits.
132W-117-140	Parking fees.
132W-117-150	Valid permits.
132W-117-160	Display of permit.
132W-117-170	Transfer of permits.
132W-117-180	Permit revocation.
132W-117-190	Right to appeal permit revocation.
132W-117-200	Responsibility of permit holder.
132W-117-210	Right to refuse permit.
132W-117-220	Allocation of parking spaces.
132W-117-230	Parking within designated spaces.
132W-117-240	Special traffic and parking regulations authorized.
132W-117-250	Issuance of traffic citations.
132W-117-260	Fines and penalties.
132W-117-270	Appeal of fines and penalties.
132W-117-280	Liability of college.

WAC 132W-117-010 Purpose. The parking and traffic rules and regulations contained herein provide a fair and uniform method of regulating college vehicular, nonvehicular, and pedestrian traffic and are based on the following objectives:

To protect and control vehicular, nonvehicular, and pedestrian traffic.

To assure access for emergency equipment at all times.

To minimize traffic disturbances during class hours.

To facilitate the work of the college by assuring access for college vehicles and by assigning the limited parking spaces to the most efficient use.

To protect college facilities.

Permission to park or operate a vehicle on college property is governed by these regulations. The purchase of a permit for designated parking does not ensure the regular availability of a parking space.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-010, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-020 Authority. Pursuant to RCW 28B.50.140(10), the board is granted authority to establish rules and regulations for pedestrians and vehicular and nonvehicular traffic over property owned, operated, and/or maintained by the college.

The enforcement of these rules and regulations shall be the responsibility of the plant office..

The security officer or designees are authorized to issue parking and traffic citations, impound and/or immobilize

vehicles, and control and regulate facilities use, traffic, and parking as prescribed in these rules and regulations.

Any person interfering with a college security officer or designees in the discharge of the provisions of these rules and regulations shall be in violation of RCW 9A.76.020, Obstructing governmental operation, and may be subject to arrest by a peace officer.

Failure by students to abide by these rules and regulations may be considered to be a violation of the code of student conduct.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-020, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-030 Definitions. (1) College - Wenatchee Valley College, Community College District 15.

(2) College Property - Campus property, parking lots, or land owned, leased, controlled or maintained by Wenatchee Valley College.

(3) Immobilization - Rendering a vehicle inoperable by use of a wheel-lock device.

(4) Security Officer - The college administrator designated as responsible for managing college security, parking and traffic control.

(5) Impoundment - Removal of a vehicle to a storage facility.

(6) Pedestrian - Any person afoot or who is using a wheelchair or a means of conveyance propelled by human power, other than a bicycle.

(7) Student - Any individual currently registered for classes located on Wenatchee campus property.

(8) Vehicular Traffic or Vehicles - Those devices defined as "vehicles" in RCW 46.04.670.

(9) Nonvehicular Modes of Transportation - Nonvehicular transportation devices shall include, but not be limited to, skateboards, snowmobiles, roller skates and roller blades, snow sleds, and scooters.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-030, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-040 Applicable traffic rules and regulations—Areas affected. The traffic regulations which are applicable upon state lands devoted mainly to the educational activities of the college are as follows:

(1) The motor vehicle and other traffic laws of the state of Washington shall be applicable upon all lands located within the state of Washington.

(2) The traffic code of the city of Wenatchee, Washington, shall be applicable upon all lands located within the city of Wenatchee, Washington. The traffic code for the city of Omak shall be applicable upon all lands located within the city of Omak.

(3) These regulations shall be applicable to all state lands which are or may hereafter be devoted mainly to educational, research, recreational, or parking activities of the college at the Wenatchee campus of district 15. Paragraphs A through K plus AA and AB shall apply equally to Wenatchee Valley College - North campus.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-040, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-050 Speed. No vehicle shall be operated on the campus at a speed in excess of five miles per hour unless otherwise posted or such lower speed as is reasonable and prudent in the circumstances.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-050, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-060 Regulatory signs and directions. Drivers of vehicles shall obey regulatory signs posted by the college. Drivers of vehicles shall also comply with directions given them by officers of the college in the control and regulation of traffic.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-060, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-070 Pedestrians' right of way. (1) The operator of a vehicle shall yield right of way, slowing down or stopping, if need be, to so yield to any pedestrian, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible or unsafe for the driver to yield.

(2) Whenever any vehicle slows or stops so as to yield to pedestrian traffic, the operator of any other vehicle approaching from the rear shall not overtake and pass such a vehicle which has slowed or stopped to yield to pedestrian traffic.

(3) Where a sidewalk is provided, pedestrians shall proceed upon such a sidewalk.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-070, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-080 Impounding—Illegal parking—Disabled or inoperative or abandoned vehicles. (1) Vehicles which have been disabled, inoperative or abandoned may be impounded and stored following 24 hours notice posted at a conspicuous place on the vehicle.

(2) Impoundment without notice: A vehicle may be impounded without notice to the owner or operator in the following circumstances:

(a) When in the judgment of the security officer the vehicle is obstructing or may impede the flow of traffic; or

(b) When in the judgment of the security officer the vehicle poses an immediate threat to public safety; or

(c) When a nonhandicapped operator parks the vehicle in a designated area reserved for the handicapped; or

(d) When three (3) unpaid parking violations are on record for any one (1) vehicle.

(3) Impounding may be implemented by mechanical restraints to vehicles or by towing to an approved impounding agency or to another designated area of the college's parking lot.

(4) Towing companies and/or impounding agencies will be selected on the basis of criteria developed by the college.

(5) Any vehicle impounded shall be at the owner's and/or the operator's risk and expense.

(6) Neither the college nor its employees shall be liable for loss or damage of any kind resulting from impounding and storage.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-080, filed 5/25/01, effective 6/25/01.]

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WAC 132W-117-090 Bicycles and nonvehicular transportation usage. Bicycles may be ridden any place where vehicles are permitted. They may also be ridden on campus sidewalks or pathways, though pedestrians always have the right of way. An audible signal shall be used by bicyclists to warn pedestrians of oncoming bicycles. Bicyclists shall not ride in a reckless manner or engage in stunts or dangerous acts, or operate at speeds greater than five miles per hour or such lower speed as is reasonable and prudent under the circumstances. With the exception of wheelchair conveyances and certain college service vehicles, no other nonvehicular modes of transportation as specified in the preceding "definitions" will be allowed on college property.

Bicycles shall be parked in bicycle racks or other facilities provided for the purpose. Where such facilities are provided, at no time shall a bicycle be parked in a building, against a building, near a building exit, on a path or sidewalk, or chained or otherwise secured to trees, lamp standards, utilities, stairway railings, or signposts. Any bicycle found in violation of this section may be cited for illegal parking and impounded by the plant office without warning.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-090, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-100 Report of accidents. The operator of any vehicle involved in an accident on campus where injury or death of any person results, or where either or both vehicles is damaged in any amount, shall within twenty-four hours make a written report of the accident to the dean of administrative services. This report does not relieve any person so involved in an accident from his or her responsibility to file a state of Washington motor vehicle accident report.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-100, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-110 Enforcement. (1) Enforcement of the parking rules and regulations will begin the first week of classes of fall quarter and will continue until the end of summer quarter. These rules and regulations will not be enforced Saturdays, Sundays and official college holidays.

(2) The security officer or his or her designee(s) shall be responsible for the enforcement of the rules and regulations contained in this chapter.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-110, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-120 Permits required for motor vehicles on campus. Students, faculty members, staff members, guests and visitors shall not stop, park or leave a vehicle whether attended or unattended upon the campus without a parking permit issued pursuant to this chapter; provided, the permit shall not be required of visitors who park in specifically marked visitor areas and the exemptions from traffic and parking restrictions set forth in this chapter.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-120, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-130 Authorization for issuance of permits. Parking permits shall be issued to students, faculty

members, staff members, guests and visitors of the college pursuant to the following regulations:

(1) The dean of administrative services is authorized to issue parking permits to students upon the registration of their vehicle with the college at the beginning of each academic period.

(2) Faculty, staff, and employees may be issued parking permits if they register their vehicle upon employment with the college.

(3) Temporary visitor parking permits or special parking permits may be issued by the dean of administrative services or his or her designee(s) if issuance enhances the business or operation of the college.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-130, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-140 Parking fees. Fees for parking in designated areas will be established by the board of trustees

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-140, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-150 Valid permits. The following are valid parking permits, provided they are properly displayed and unexpired:

- A permanent permit.
- A temporary permit.
- A handicapped permit.
- A visitor's permit.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-150, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-160 Display of permit. (1) A permanent permit shall be displayed hanging from the interior rear view mirror facing out of the vehicle. If the vehicle has no interior mirror, the permit shall be affixed to the driver side lower corner of the windshield.

(2) Permits for motorcycles shall be affixed in visible locations.

(3) A special or temporary parking permit shall be placed on the dashboard of the vehicle where it can be plainly observed.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-160, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-170 Transfer of permits. Parking permits are not transferable from one person to another.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-170, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-180 Permit revocation. Parking permits are the property of the college and may be recalled by the dean of administrative services or his or her designee(s) 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 by an unregistered vehicle or by an unauthorized individual;
- (3) Falsification on a parking permit application;
- (4) Continued violations of parking regulations; or

(5) Counterfeiting or altering a parking permit.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-180, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-190 Right to appeal permit revocation. When a parking permit has been recalled as provided by this chapter, such action may be appealed pursuant WAC 132W-108-050

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-190, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-200 Responsibility of permit holder. The permit holder is responsible for the vehicle to which the permit is affixed. Therefore, he or she will be held responsible for any violations charged to that vehicle. However, an operator of a vehicle will not be relieved of responsibility for violating any rule of this chapter simply because he or she is not also the permit holder.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-200, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-210 Right to refuse permit. The dean of administrative services may refuse to issue a parking permit when it is deemed in the best interests of the college to do so.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-210, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-220 Allocation of parking spaces. The parking space available on campus shall be allocated by the dean of administrative services or his or her designee(s), in such a manner as will best effectuate the objectives [of] this chapter.

(1) Faculty and staff reserved spaces will be so designated for their use; and

(2) Student and staff spaces will be so designated for their use; provided, physically handicapped students may be granted special permits to park in close proximity to the classrooms used by such students; and

(3) Parking space will be designated for use of visitors on campus.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-220, filed 5/25/01, effective 6/25/01.]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency.

WAC 132W-117-230 Parking within designated spaces. (1) No vehicle shall be parked on the campus except in those areas set aside and designated pursuant to this chapter.

(2) Parking in designated areas will be strictly enforced between the hours of 7 a.m. and 8 p.m., Monday through Friday.

(3) All vehicles shall follow traffic arrows and other markings established for the purpose of directing traffic on campus.

(4) In areas marked for diagonal parking, vehicles shall be parked at a forty-five degree angle, facing in, with no part

of the vehicle extending more than two feet beyond the yellow line or barrier.

(5) No vehicle shall be parked so as to occupy any portion of more than one space or stall as designated within the parking area. The fact that other vehicles may have been so parked as to require the vehicle parked to occupy a portion of more than one space or stall will not constitute an excuse for a violation of this section.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-230, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-240 Special traffic and parking regulations authorized. Upon special occasions causing additional and/or heavy traffic and during emergencies, the dean of administrative services or his or her designee(s) is authorized to impose additional traffic and parking regulations to achieve the objectives of this chapter.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-240, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-250 Issuance of traffic citations.

The security officer, or his or her designee(s) may issue citations for any violations of these rules and regulations. Such citations shall include the date, approximate time, vehicle identification number, infraction, identification of the issuing officer and schedule of fines. The traffic citations may be served in person, by mail, or by attaching a copy to a prominent place on the outside of the vehicle.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-250, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-260 Fines and penalties. The dean of administrative services or his or her designee(s) is authorized to impose fines and penalties for the violation of rules and regulations contained in this chapter.

(1) The following \$5.00 citations will be issued for any of the following violations of the campus parking regulations. The fee will be reduced to \$2.50 if paid within 24 hours.

- (a) No valid parking permit displayed.
- (b) Parking out of designated parking space.
- (c) Overtime parking.
- (d) Occupying more than one parking space.
- (e) Blocking traffic.
- (f) Parking in a reserved or restricted area.
- (g) Parking in a driveway or walkway.
- (h) Parking on grass or landscaped area.
- (i) Failure to display handicapped permit.
- (j) Use of forged, stolen, or transferred parking permits.
- (k) Parking in a loading zone.

(l) Parked in any space designated as handicapped parking where the parked vehicle does not have a valid handicapped permit visible.

(m) Parked at an area designated as a fire lane.

(2) The dean of administrative services or his or her designee(s) shall be authorized to impound vehicles parked on college property.

(a) Vehicles left abandoned on college property for an unreasonable duration are subject to impoundment by the

college, pursuant to state law. An unreasonable duration is a period greater than five working days.

(b) Vehicles involved in more than two violations of these regulations within a twelve-month period are subject to impoundment.

(c) Impoundment and storage expenses shall be borne by the owner of the impounded vehicle.

(d) The college shall not be liable for loss or damage of any kind resulting from such impoundment and storage.

(e) Impoundment of a vehicle does not remove the obligation for any fines associated with the citation.

(3) An accumulation of traffic violations by a student will be cause for disciplinary action, and the dean of administrative services shall initiate disciplinary proceedings against such student pursuant to WAC 132W-109-050.

(4) Fines will be paid at the cashier's office.

(5) Unpaid fines will be referred to the registration office for notation. When fines are unpaid, transcripts, quarterly grade reports, or permission to reregister may be withheld.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-260, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-270 Appeal of fines and penalties.

Any fines and penalties levied against a violator of the rules and regulations in this chapter may be appealed pursuant to the provisions of WAC 132W-109-050

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-270, filed 5/25/01, effective 6/25/01.]

WAC 132W-117-280 Liability of college. Except for the college owned and/or operated vehicles, the college assumes no liability under any circumstances for vehicles on campus.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-117-280, filed 5/25/01, effective 6/25/01.]

Chapter 132W-120 WAC GENERAL CONDUCT

WAC

132W-120-010 through 132W-120-400 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132W-120-010	General policies. [Statutory Authority: RCW 28B.50.140. 78-12-051 (Order 78-74, Resolution No. 78-74), § 132W-120-010, filed 11/28/78; Order 72-12, § 132W-120-010, filed 7/25/72. Formerly WAC 132W-124-010.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-120-030	Alcoholic beverages policy. [Statutory Authority: RCW 28B.50.140. 78-12-051 (Order 78-74, Resolution No. 78-74), § 132W-120-030, filed 11/28/78; Order 72-12, § 132W-120-030, filed 7/25/72. Formerly WAC 132W-124-070.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-120-040	Commercial activities policy. [Statutory Authority: RCW 28B.50.140. 78-12-051 (Order 78-74, Resolution No. 78-74), § 132W-120-040, filed 11/28/78; Order 72-12, § 132W-120-040, filed 7/25/72. Formerly WAC 132W-124-040.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

- 132W-120-050 Freedom of expression policy. [Statutory Authority: RCW 28B.50.140. 78-12-051 (Order 78-74, Resolution No. 78-74), § 132W-120-050, filed 11/28/78; Order 72-12, § 132W-120-050, filed 7/25/72. Formerly WAC 132W-124-060.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-120-060 Distribution of materials policy. [Statutory Authority: RCW 28B.50.140. 78-12-051 (Order 78-74, Resolution No. 78-74), § 132W-120-060, filed 11/28/78; Order 72-12, § 132W-120-060, filed 7/25/72. Formerly WAC 132W-124-050.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-120-070 Drugs and narcotics policy. [Statutory Authority: RCW 28B.50.140. 78-12-051 (Order 78-74, Resolution No. 78-74), § 132W-120-070, filed 11/28/78; Order 72-12, § 132W-120-070, filed 7/25/72. Formerly WAC 132W-124-080.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-120-100 Speaker policy. [Statutory Authority: RCW 28B.50.140. 78-12-051 (Order 78-74, Resolution No. 78-74), § 132W-120-100, filed 11/28/78; Order 72-12, § 132W-120-100, filed 7/25/72. Formerly WAC 132W-124-090.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-120-130 Disruptive activities policy. [Statutory Authority: RCW 28B.50.140. 78-12-051 (Order 78-74, Resolution No. 78-74), § 132W-120-130, filed 11/28/78; Order 72-12, § 132W-120-130, filed 7/25/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-120-300 Interference with operations. [Statutory Authority: RCW 28B.50.140. 78-12-051 (Order 78-74, Resolution No. 78-74), § 132W-120-300, filed 11/28/78; Order 72-12, § 132W-120-300, filed 7/25/72.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-120-310 Emergency procedures. [Statutory Authority: RCW 28B.50.140. 78-12-051 (Order 78-74, Resolution No. 78-74), § 132W-120-310, filed 11/28/78.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-120-320 Closure of the college. [Statutory Authority: RCW 28B.50.140. 78-12-051 (Order 78-74, Resolution No. 78-74), § 132W-120-320, filed 11/28/78. Formerly WAC 132W-124-020 and 132W-124-022.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-120-330 Closure of the college—Appeal. [Statutory Authority: RCW 28B.50.140. 78-12-051 (Order 78-74, Resolution No. 78-74), § 132W-120-330, filed 11/28/78. Formerly WAC 132W-124-024.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-120-400 Admission to events. [Statutory Authority: RCW 28B.50.140. 78-12-051 (Order 78-74, Resolution No. 78-74), § 132W-120-400, filed 11/28/78. Formerly WAC 132W-124-100.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

WAC 132W-120-010 through 132W-120-400 Repealed. See Disposition Table at beginning of this chapter.

Chapter 132W-125 WAC

WITHHOLDING SERVICES FOR OUTSTANDING DEBTS

WAC

- 132W-125-010 Statement of policy.
- 132W-125-020 Withholding services for outstanding debts.
- 132W-125-030 Appeal of initial order upholding the withholding of services for outstanding debts.

WAC 132W-125-010 Statement of policy. The college expects that students who receive services for which a financial obligation is incurred will exercise responsibility in meeting these obligations. Appropriate college staff is empowered to act in accordance with regularly adopted procedures to carry out the intent of this policy, and if necessary to initiate legal action to insure that collection matters are brought to a timely and satisfactory conclusion.

Admission to or registration with the college, conferring of degrees and issuance of academic transcripts may be withheld for failure to meet financial obligations to the college.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-125-010, filed 5/25/01, effective 6/25/01.]

WAC 132W-125-020 Withholding services for outstanding debts. (1) Upon receipt of a request for services where there is an outstanding debt owed to the college from the requesting person, the college shall notify the person, in writing by certified mail to the last known address, that the services will not be provided since there is an outstanding debt, and further that until that debt is satisfied, no such services will be provided to the individual. The notice shall include a statement to inform the college that he or she has a right to a hearing before a person designated by the president of the college if he or she believes that no debt is owed. The notice shall state that the request for the hearing must be made within twenty-one days from the date of notification.

(2) Upon receipt of a timely request for a hearing, the person designated by the president shall have the records and files of the college available for review and, at that time, shall hold a brief adjudicative proceeding concerning whether the individual owes or owed any outstanding debts to the institution. After the brief adjudicative proceeding, a decision shall be rendered by the president's designee indicating whether the college is correct in withholding services and/or applying offset for the outstanding debt.

(a) If the outstanding debt is found to be owed by the individual involved, no further services shall be provided.

(b) Notice of the decision shall be sent to the individual within five days after the hearing.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-125-020, filed 5/25/01, effective 6/25/01.]

WAC 132W-125-030 Appeal of initial order upholding the withholding of services for outstanding debts. (1) Any person aggrieved by an order issued under WAC 132W-125-020 may file an appeal with the president. The appeal must be in writing and must clearly state errors in fact or matters in extenuation or mitigation that justify the appeal.

(2) The appeal must be filed within twenty-one days from the date on which the appellant received notification of the order issued under WAC 132W-125-020 upholding the withholding of services for outstanding debts. The president's determination shall be final.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-125-030, filed 5/25/01, effective 6/25/01.]

**Chapter 132W-129 WAC
TENURE AND DISMISSAL**

WAC

132W-129-001 Repealed.

**DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER**

132W-129-001 General statement of policy. [Statutory Authority: RCW 28B.50.140. 85-21-044 (Order 85-112), § 132W-129-001, filed 10/14/85.] Repealed by 01-13-073, filed 6/18/01, effective 7/19/01. Statutory Authority: Chapter 28B.50 RCW.

WAC 132W-129-001 Repealed. See Disposition Table at beginning of this chapter.

**Chapter 132W-131 WAC
TUITION AND FEES**

WAC

132W-131-010 Tuition and fee schedules.
132W-131-020 Location of schedules.
132W-131-030 Tuition and fee waivers.

WAC 132W-131-010 Tuition and fee schedules. Chapter 28B.15 RCW sets the parameters for tuition and fee levels at state community colleges. The legislature establishes the tuition and fee rates each biennium. The tuition and fee rates charged by Wenatchee Valley College are based on this legislation. The specific amounts to be charged are transmitted to Wenatchee Valley College by the state board for community college education.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-131-010, filed 6/25/01, effective 7/26/01.]

WAC 132W-131-020 Location of schedules. Additional and detailed information and specific amounts to be charged for each category of students will be found in the class schedule and at the following locations on the Wenatchee Valley College campuses:

- (1) The counseling center;
- (2) The admission/registration office;
- (3) The WVC-North administration office;
- (4) The instruction office;
- (5) The financial aid office.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-131-020, filed 6/25/01, effective 7/26/01.]

WAC 132W-131-030 Tuition and fee waivers. (1) Wenatchee Valley College may periodically establish tuition and fee waivers as authorized by state law and by the state board for community and technical colleges. This will be done in accordance with chapter 131-28 WAC and under regular college fiscal processes. Information regarding specific waivers will be available as provided in WAC 132W-131-020.

(2) Upon an applicant's request, individual determinations on tuition and fee waivers will be reviewed by the college (registrar), in a brief adjudicative proceeding under RCW 34.05.482 through 34.05.494.

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[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-131-030, filed 6/25/01, effective 7/26/01.]

**Chapter 132W-134 WAC
RULES COORDINATOR**

WAC

132W-134-010 Rules coordinator.

WAC 132W-134-010 Rules coordinator. The rules coordinator for Wenatchee Valley College as designated by the president is:

Dean of Administrative Services
Wenatchee Valley College
1300 Fifth St.
Wenatchee, WA 98801

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-134-010, filed 6/25/01, effective 7/26/01.]

**Chapter 132W-135 WAC
ENVIRONMENTAL PROTECTION POLICY**

WAC

132W-135-010 Repealed.

**DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER**

132W-135-010 Environmental protection. [Order 76-57, § 132W-135-010, filed 12/14/76.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

WAC 132W-135-010 Repealed. See Disposition Table at beginning of this chapter.

**Chapter 132W-140 WAC
USE OF COLLEGE FACILITIES**

WAC

132W-140-010 through 132W-140-013 Repealed.

**DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER**

132W-140-010 Facilities rental. [Statutory Authority: RCW 28B.50.140. 78-12-049 (Order 78-72, Resolution No. 78-72), § 132W-140-010, filed 11/28/78; Order 72-20, § 132W-140-010, filed 11/22/72.] Repealed by 01-13-073, filed 6/18/01, effective 7/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-140-011 Facilities rental—Scheduling. [Statutory Authority: RCW 28B.50.140. 78-12-049 (Order 78-72, Resolution No. 78-72), § 132W-140-011, filed 11/28/78; Order 72-20, § 132W-140-011, filed 11/22/72.] Repealed by 01-13-073, filed 6/18/01, effective 7/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-140-012 Facilities rental—Rental. [Statutory Authority: RCW 28B.50.140. 78-12-049 (Order 78-72, Resolution No. 78-72), § 132W-140-012, filed 11/28/78; Order 72-20, § 132W-140-012, filed 11/22/72.] Repealed by 01-13-073, filed 6/18/01, effective 7/19/01. Statutory Authority: Chapter 28B.50 RCW.

132W-140-013 Facilities rental—Damages bond. [Statutory Authority: RCW 28B.50.140. 78-12-049 (Order 78-72, Resolution No. 78-72), § 132W-140-013, filed 11/28/78; Order 73-41, § 132W-140-013, filed 10/18/73; Order 72-20, § 132W-140-013, filed 11/22/72.] Repealed by 01-13-073, filed 6/18/01, effective 7/19/01. Statutory Authority: Chapter 28B.50 RCW.

WAC 132W-140-010 through 132W-140-013 Repealed. See Disposition Table at beginning of this chapter.

Chapter 132W-141 WAC USE OF FACILITIES

WAC

132W-141-010	Policy statement.
132W-141-020	Scheduling.
132W-141-030	Rental fees, additional charges, payment.
132W-141-040	Optional services.
132W-141-050	Violation of responsibilities.
132W-141-060	Liability.
132W-141-070	Damages.
132W-141-080	Cancellations.
132W-141-090	Exemptions from or reduction in rental fees.

WAC 132W-141-010 Policy statement. The college is committed to providing quality educational and cultural services to the people of the college district. On this basis, college facilities are made available for use by organizations conducting educational, cultural, civic, or community activities. College related activities of public educational, cultural or community service nature shall be given first priority consideration for the use of college facilities. Exemptions to the rental fee must be authorized by the president or designee, if deemed to further the best interests of the college, its faculty, staff or students.

The college reserves the right to deny an application by any group, organization, or individual which discriminates in their membership or limits participation in a manner inconsistent with the college's nondiscrimination policy.

College facilities may not be used for religious worship, exercise, or instruction (Washington State Constitution, Article 1, Section 11). College facilities may not be used in ways which interfere with the college's teaching, research, public service or support programs or interfere with the flow of pedestrian or vehicular traffic.

College facilities may be used for activities of a commercial nature or by commercial firms provided that the activity does not conflict with college functions and that charges are levied reflecting the full cost of the facility usage.

The college reserves the right to deny any application or to revoke any permit at any time if actions resulting from such application or permission constitute unlawful activity; or, if in the judgment of the administration, present imminent danger of unlawful activity, or if a prospective user has previously violated the provisions or rules and regulations of the college; or if activities which, in the judgment of the president or designee, conflict with, directly compete with, or are incompatible with the programs or mission of the college.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-141-010, filed 6/25/01, effective 7/26/01.]

WAC 132W-141-020 Scheduling. 1. College facilities are made available for outside agencies or individuals by scheduling through the room calendar coordinator on each campus with approval by the dean of administrative services. Students must request facility usage with the student programs office, which will schedule requests through room scheduling. Any organization wishing to use college facilities

on the college campus shall provide the following information:

- a. Name of sponsoring organization;
- b. Name of person in charge of arrangements;
- c. Number of participating individuals;
- d. Nature of proposed meeting;
- e. Desired dates and times;
- f. Type of facilities desired;
- g. Desired special optional equipment or arrangements.

2. If the desired facility is available, a contract for the use of the facility is prepared by the office of the dean of administrative services and is to be completed and returned by the user group representative. Requests for scheduling will normally not be allowed more than two months in advance or beyond the end of the quarter in which a request is made. All applications shall be presented in time to allow consideration by the college board of trustees if needed.

3. No publicity may be released until the college receives copy of the contract signed by the user. Publicity for all non-college sponsored events must include the name of the sponsoring organization. This publicity must not imply Wenatchee Valley College sponsorship.

4. The possession or consumption of alcoholic beverages on college premises or at college-related activities is prohibited except when pre-approved by the board of trustees or the president in accordance with state board for liquor control regulations.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-141-020, filed 6/25/01, effective 7/26/01.]

WAC 132W-141-030 Rental fees, additional charges, payment. The following fees and charges are applicable to all noncollege use of college facilities.

1. Rental fees include routine custodial services during normal working hours. Any custodial/security/technical services required in addition to the routine service normally provided shall be paid by the user at current rates which may include overtime.

2. User organizations using campus facilities after 10:00 p.m. on weekdays, or on weekends, or college holidays will be charged custodial/security/technical services at current hourly rates of time and one-half for a minimum of two hours.

3. The rental schedule shall apply to by all noncollege groups. Exemption and/or reduction in fees are allowed under WAC 132W-141-090. The dean of administrative services is responsible for financial negotiations regarding custodial and rental expenses.

4. The business office prepares and issues invoices for rental fees and any required guarantee or bond (WAC 132W-141-060). All fees will be made payable to Wenatchee Valley College one week before the use of the facility.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-141-030, filed 6/25/01, effective 7/26/01.]

WAC 132W-141-040 Optional services. The user shall arrange food and beverage services in advance with the food services manager. Outside food service is not permitted without prior written approval from the food services manager. For a fee, college-owned audio-visual equipment may be

used on campus by any group using college facilities when arranged in advance through college media services.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-141-040, filed 6/25/01, effective 7/26/01.]

WAC 132W-141-050 Violation of responsibilities. 1. College officials shall have the right to terminate a contract immediately and without notice upon discovery of a violation of any term, condition, or provision of this policy.

2. Contracts will be terminated immediately if, in the judgment of the college administration, imminent danger exists or unlawful activity is practiced by the using organization.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-141-050, filed 6/25/01, effective 7/26/01.]

WAC 132W-141-060 Liability. 1. The dean of administrative services may require that any user post of an adequate bond, deposit or a certificate of insurance before any rental agreement is consummated.

2. The amount of the insurance for liability and property damage is at the discretion of the dean of administrative services, proof of coverage must be presented to the dean at least fourteen days prior to the date of the event. The college may request it be named as an additional insured on such liability insurance policy or certificate.

3. In consideration of the permission granted to the user of college facilities, the user shall release the college and its agents, employees, or officers from all debts, claims, demands, damages, actions and causes of action whatsoever, which may occur as a result of the use of college facilities. The user shall further agree to protect, indemnify, and hold harmless the district, college, and its agents, employees, and officers from any claims, demands, actions, damages or causes of action directly or indirectly arising out of the use of the facilities or premises. Any group or individual applying for the use of a college facility shall accept financial responsibility and liability. Application for college facility use shall constitute acceptance by said group/individual of the responsibility stated above and willingness to comply with all rules and regulations regarding the use of college facilities.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-141-060, filed 6/25/01, effective 7/26/01.]

WAC 132W-141-070 Damages. The user organization is responsible for and shall be liable for any repairs or replacement occasioned or made necessary by negligence or misuse of the facility. Damage to college equipment, including stage, audio-visual, or lighting equipment, during and by reason of the occupancy of the premises by the user, shall be paid from the guarantee deposit. The balance, if any, shall be returned to the organization making the deposit. If the guarantee deposit is not sufficient to cover the damage, the group using the facilities will be billed for the difference.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-141-070, filed 6/25/01, effective 7/26/01.]

WAC 132W-141-080 Cancellations. 1. Cancellations for facility rentals should be made at least 48 hours in

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advance. Notice of cancellation must be directed to the Dean of Administrative Services, Wenatchee Valley College, 1300 Fifth Street, Wenatchee, WA 98801-1799, telephone number 509-662-1651 ext. 2133. Failure to cancel at least 48 hours in advance may result in the forfeiture of rental fees.

2. Cancellations for catering services are the responsibility of the applicant and must be made at least 48 hours in advance. Notice of cancellation must be directed to the Food Services Manager, Wenatchee Valley College, 1300 Fifth Street, Wenatchee, WA 98801-1799, telephone number 509-662-1651 ext. 2410. Failure to cancel at least 48 hours in advance may require the user to reimburse the college for preparation and personnel expenses.

3. Cancellations for audio/visual services are the responsibility of the applicant and must be made at least 48 hours in advance. Notice of cancellations must be directed to the Office of Media Services, Wenatchee Valley College, 1300 Fifth Street, Wenatchee, WA 98801-1799, telephone number 509-662-1651 ext. 2802. Failure to cancel at least 48 hours in advance may result in the forfeiture of rental fees.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-141-080, filed 6/25/01, effective 7/26/01.]

WAC 132W-141-090 Exemptions from or reduction in rental fees. 1. WAC 132W-141-010 allows for exemptions from rental fees. Such exemptions or reductions in rental fees must be authorized by the president or designee, if the planned use deemed to further the best interests of the college and its.

Applications for reductions or exemptions must be made in writing to the dean of administrative services two weeks prior to the event. The application must cite why the exemption meets the best interests and educational mission of the college.

2. If space is available, exemptions for classroom use are normally granted to state-supported educational institutions with charges only to recover direct costs. A WVC facility use agreement addendum will outline such cost recoveries.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-141-090, filed 6/25/01, effective 7/26/01.]

Chapter 132W-149 WAC HUMAN RIGHTS POLICY

WAC

132W-149-010 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132W-149-010 General human rights policy. [Statutory Authority: RCW 28B.50.140. 81-17-044 (Order 81-97, Resolution No. 81-97), § 132W-149-010, filed 8/14/81; 78-12-051 (Order 78-74, Resolution No. 78-74), § 132W-149-010, filed 11/28/78; Order 77-63, § 132W-149-010, filed 5/23/77.] Repealed by 01-13-073, filed 6/18/01, effective 7/19/01. Statutory Authority: Chapter 28B.50 RCW.

WAC 132W-149-010 Repealed. See Disposition Table at beginning of this chapter.

**Chapter 132W-164 WAC
PUBLIC WORKS CONTRACTS AND BID
PROCEDURES**

WAC

132W-164-010 through 132W-164-020 Repealed.

**DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER**

132W-164-010	Purchasing. [Order 72-26, § 132W-164-010, filed 11/22/72.] Repealed by 01-13-073, filed 6/18/01, effective 7/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-164-011	Purchasing—Contracts. [Order 72-26, § 132W-164-011, filed 11/22/72.] Repealed by 01-13-073, filed 6/18/01, effective 7/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-164-012	Purchasing—Procedures. [Statutory Authority: RCW 28B.50.140. 80-01-040 (Order 79-81), § 132W-164-012, filed 12/18/79; Order 72-26, § 132W-164-012, filed 11/22/72.] Repealed by 01-13-073, filed 6/18/01, effective 7/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-164-013	Purchasing—Documentation. [Order 72-26, § 132W-164-013, filed 11/22/72.] Repealed by 01-13-073, filed 6/18/01, effective 7/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-164-020	Emergency purchases. [Statutory Authority: RCW 28B.50.140. 80-01-040 (Order 79-81), § 132W-164-020, filed 12/18/79; Order 72-26, § 132W-164-020, filed 11/22/72.] Repealed by 01-13-073, filed 6/18/01, effective 7/19/01. Statutory Authority: Chapter 28B.50 RCW.

WAC 132W-164-010 through 132W-164-020 Repealed. See Disposition Table at beginning of this chapter.

**Chapter 132W-168 WAC
USE OF COLLEGE LIBRARIES**

WAC

132W-168-010	Library loans.
132W-168-020	Loss and damage.
132W-168-030	Inspection.
132W-168-040	Prohibited entry.

WAC 132W-168-010 Library loans. Materials from the college library-media center are checked out only to the following groups.

1. All currently registered students of the college;
2. All current faculty and administrative staff members;
3. All persons currently employed in classified staff positions;
4. All holders of currently valid courtesy cards.
5. All (verified) residents of District 15

This latter group includes members of the board of trustees, community educators whose work might necessitate usage of library-media materials, and other individuals who show a particular need for specialized items in the library-media collections which are not available elsewhere; They may check-out print materials only. No audio-visual material checkout or computer access.

6. Students from other institutions with which the college library-media center has a reciprocal lending agreement through a "shared use plan." This group may use materials on a loan basis at the discretion of the circulation supervisor who

will determine lending priorities based upon the current usage of individual items by Wenatchee Valley College students.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-168-010, filed 6/25/01, effective 7/26/01.]

WAC 132W-168-020 Loss and damage. In cases where damage or loss of library material occurs, the patron will be assessed the replacement cost. When materials are not returned, holds are placed on the transcript records of those involved. In extreme cases, when expensive or valuable items are involved, the provisions of RCW 27.12.340 concerning willfully retaining library materials may be invoked.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-168-020, filed 6/25/01, effective 7/26/01.]

WAC 132W-168-030 Inspection. The library shall have the right to inspect packages, brief cases, containers, articles, and materials leaving the building to prevent the unauthorized removal of library resources. The inspection may be done by persons or devices designed to detect unauthorized removals.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-168-030, filed 6/25/01, effective 7/26/01.]

WAC 132W-168-040 Prohibited entry. The library shall have the right to prevent entry of foods and beverages, animals (except for service animals) or other things detrimental to the library purpose.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-168-040, filed 6/25/01, effective 7/26/01.]

**Chapter 132W-276 WAC
PUBLIC RECORDS**

WAC

132W-276-001 through 132W-276-110 Repealed.

**DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER**

132W-276-001	Public records policy. [Statutory Authority: RCW 28B.50.140. 78-12-049 (Order 78-72, Resolution No. 78-72), § 132W-276-001, filed 11/28/78; Order 73-35, § 132W-276-001, filed 7/23/73.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-276-005	Definitions. [Statutory Authority: RCW 28B.50.140. 78-12-049 (Order 78-72, Resolution No. 78-72), § 132W-276-005, filed 11/28/78; Order 73-35, § 132W-276-005, filed 7/23/73.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-276-010	Definition of public record. [Statutory Authority: RCW 28B.50.140. 78-12-049 (Order 78-72, Resolution No. 78-72), § 132W-276-010, filed 11/28/78; Order 73-35, § 132W-276-010, filed 7/23/73.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-276-060	Designation of public records officers. [Statutory Authority: RCW 28B.50.140. 78-12-049 (Order 78-72, Resolution No. 78-72), § 132W-276-060, filed 11/28/78; Order 73-35, § 132W-276-060, filed 7/23/73.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
132W-276-070	Availability for public inspection and copying or reproduction of public records. [Statutory Authority: RCW 28B.50.140. 78-12-049 (Order 78-72, Resolution No.

- 78-72), § 132W-276-070, filed 11/28/78; Order 73-35, § 132W-276-070, filed 7/23/73.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-276-080 Requests for public records. [Statutory Authority: RCW 28B.50.140. 78-12-049 (Order 78-72, Resolution No. 78-72), § 132W-276-080, filed 11/28/78; Order 73-35, § 132W-276-080, filed 7/23/73.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-276-090 Charges. [Statutory Authority: RCW 28B.50.140. 78-12-049 (Order 78-72, Resolution No. 78-72), § 132W-276-090, filed 11/28/78; Order 73-35, § 132W-276-090, filed 7/23/73.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-276-100 Determination regarding exempt records. [Statutory Authority: RCW 28B.50.140. 78-12-049 (Order 78-72, Resolution No. 78-72), § 132W-276-100, filed 11/28/78; Order 73-35, § 132W-276-100, filed 7/23/73.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.
- 132W-276-110 Review of denials of public records requests. [Statutory Authority: RCW 28B.50.140. 78-12-049 (Order 78-72, Resolution No. 78-72), § 132W-276-110, filed 11/28/78; Order 73-35, § 132W-276-110, filed 7/23/73.] Repealed by 01-07-059, filed 3/19/01, effective 4/19/01. Statutory Authority: Chapter 28B.50 RCW.

WAC 132W-276-001 through 132W-276-110 Repealed. See Disposition Table at beginning of this chapter.

Chapter 132W-277 WAC

ACCESS TO PUBLIC RECORDS

WAC

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| 132W-277-010 | Purpose. |
| 132W-277-020 | Definitions. |
| 132W-277-030 | Description of central and field organization of Wenatchee Valley College District No. 15. |
| 132W-277-040 | Operations and procedures. |
| 132W-277-050 | Public records available. |
| 132W-277-060 | Public records officer. |
| 132W-277-070 | Office hours. |
| 132W-277-080 | Requests for public records. |
| 132W-277-090 | Copying. |
| 132W-277-100 | Determination regarding exempt records. |
| 132W-277-110 | Review of denials of public records requests. |
| 132W-277-120 | Protection of public records. |
| 132W-277-130 | Records index. |
| 132W-277-140 | Adoption of form. |

WAC 132W-277-010 Purpose. The purpose of this chapter is to ensure that Wenatchee Valley College complies with the provisions of chapter 42.17 RCW and in particular with those sections of that chapter dealing with public records.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-277-010, filed 5/25/01, effective 6/25/01.]

WAC 132W-277-020 Definitions. (1) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds or symbols, combi-

nation thereof and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, disks, drums and other documents.

(3) "Wenatchee Valley College" is an agency organized by statute pursuant to RCW 28B.50.040. Wenatchee Valley College shall hereafter be referred to as the "district." Where appropriate, the term "district" also refers to the staff and employees of the district.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-277-020, filed 5/25/01, effective 6/25/01.]

WAC 132W-277-030 Description of central and field organization of Wenatchee Valley College District No. 15.

(1) Wenatchee Valley College is a state agency established and organized under the authority of chapter 28B.50 RCW for the purpose of implementing the educational goals established by the legislature in RCW 28B.50.020. The administrative office of the district is located on the college campus within the county of Chelan, Washington. The college campus likewise comprises the central headquarters for all operations of the district.

(2) The district is operated under the supervision and control of a board of trustees. The board of trustees consists of five members appointed by the governor. The board of trustees normally meets at least once each month, as provided in WAC 132W-105-010. The board of trustees employs a president, an administrative staff, instructors, and other employees. The board of trustees takes such actions and promulgates such rules, and policies in harmony with the rules established by the state board for community and technical colleges, as are necessary to the administration and operation of the district.

(3) The president of the district is responsible to the board of trustees for the operation and administration of the district.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-277-030, filed 5/25/01, effective 6/25/01.]

WAC 132W-277-040 Operations and procedures. Formal decision-making procedures are established by the board of trustees through rules promulgated in accordance with the requirements of chapter 34.05 RCW, the Administrative Procedure Act.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-277-040, filed 5/25/01, effective 6/25/01.]

WAC 132W-277-050 Public records available. All public records of the district, as defined in this chapter, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310 or other statutes.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-277-050, filed 5/25/01, effective 6/25/01.]

WAC 132W-277-060 Public records officer. The district's public records shall be in the charge of the public records officer designated by the chief administrative officer of the district. The public records officer shall be responsible for implementation of the district's rules regarding release of

public records, coordinating district employees in this regard, and generally ensuring compliance by district employees with the public records disclosure requirements in chapter 42.17 RCW.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-277-060, filed 5/25/01, effective 6/25/01.]

WAC 132W-277-070 Office hours. Public records shall be available for inspection and copying during the customary office hours of the district. For purposes of this chapter, the customary office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 5:00 p.m., Monday through Friday, excluding legal holidays and holidays or days of closure established by the college calendar or by order of the college president.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-277-070, filed 5/25/01, effective 6/25/01.]

WAC 132W-277-080 Requests for public records. Requests for public records shall be made at the administrative office of the district at Wenatchee Valley College, 1300 5th St Wenatchee WA 98801. In accordance with the requirements of RCW 42.17.290 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records are obtainable by members of the public only when those members of the public comply with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the district which shall be available at the district administrative office. The form shall be presented to the public records officer or, if the public records officer is not available, to any member of the district's staff at the district administrative office during customary office hours. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the information requested is referenced within the current index maintained by the public records officer, a reference to the requested record as it is described in such current index;
- (e) If the requested information is not identifiable by reference to the current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer, or person to whom the request is made, to assist the member of the public in succinctly identifying the public record requested.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-277-080, filed 5/25/01, effective 6/25/01.]

WAC 132W-277-090 Copying. No fee shall be charged for the inspection of public records. The district may impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy public records and such charges shall not exceed the amount necessary to reimburse the district for its actual costs incident

to such copying. No person shall be released a record so copied until and unless the person requesting the copied public record has tendered payment for such copying to the appropriate district official. All charges must be paid by money order, cashier's check, or cash in advance.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-277-090, filed 5/25/01, effective 6/25/01.]

WAC 132W-277-100 Determination regarding exempt records. (1) The district reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132W-277-080 is exempt pursuant to the provisions set forth in RCW 42.17.310 or other statute. Such determination may be made in consultation with the public records officer, president of the college district, or an assistant attorney general assigned to the district.

(2) Pursuant to RCW 42.17.260, the district reserves the right to delete identifying details when it makes available or publishes any public record when there is reason to believe that disclosure of such details would be an unreasonable invasion of personal privacy or impair a vital governmental interest: Provided, however, In each case, the justification for the deletion shall be explained fully in writing.

(3) Response to requests for a public record must be made promptly. For the purposes of this section, a prompt response occurs if the college, within five business days, either:

- (a) Provides the record;
- (b) Acknowledges receipt of the request and provides a reasonable estimate of the time the college will require to respond to the request; or
- (c) Denies the request.

(4) All denials of request for public records must be accompanied by a written statement, signed by the public records officer or designee, specifying the reason for the denial, a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the public record withheld.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-277-100, filed 5/25/01, effective 6/25/01.]

WAC 132W-277-110 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement which constituted or accompanied the denial.

(2) The written request by a person demanding prompt review of a decision denying a public record shall be submitted to the president of the district or the president's designee.

(3) Within two business days after receiving the written request by a person petitioning for a prompt review of a decision denying a public record, the president or designee, shall complete such review.

(4) During the course of the review the president or designee shall consider the obligations of the district to comply with the intent of chapter 42.17 RCW insofar as it requires providing full public access to official records, but shall also consider the exemptions provided in RCW 42.17.310 or other

pertinent statutes, and the provisions of the statute which require the district to protect public records from damage or disorganization, prevent excessive interference with essential functions of the agency, and prevent any unreasonable invasion of personal privacy by deleting identifying details.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-277-110, filed 5/25/01, effective 6/25/01.]

WAC 132W-277-120 Protection of public records.

Public records and a facility for their inspection will be provided by the public records officer. Such records shall not be removed from the place designated. Copies of such records may be arranged according to the provisions of WAC 132W-277-090.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-277-120, filed 5/25/01, effective 6/25/01.]

WAC 132W-277-130 Records index. (1) The district has available for the use of all persons a current index which provides identifying information as to the following records issued, adopted, or promulgated by the district after March 14, 2001:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the agency;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(2) The current index maintained by the district shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-277-130, filed 5/25/01, effective 6/25/01.]

WAC 132W-277-140 Adoption of form. The district shall adopt an appropriate form for use by all persons requesting inspection and/or copying or copies of its records.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-277-140, filed 5/25/01, effective 6/25/01.]

Chapter 132W-300 WAC

GRIEVANCE PROCEDURES—DISCRIMINATION

WAC

132W-300-001 Grievance procedures—Discrimination.

132W-300-010	Definitions.
132W-300-020	Scope of procedure.
132W-300-030	Confidentiality and right to privacy.
132W-300-040	Limits to authority.
132W-300-050	Informal petition options.
132W-300-060	Formal grievance procedures.

WAC 132W-300-001 Grievance procedures—Discrimination. The procedures for resolving all types of discrimination and harassment complaints are described below and provide a means for resolving any alleged unfair or improper action.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-300-001, filed 6/25/01, effective 7/26/01.]

WAC 132W-300-010 Definitions. (1) Complaint means the cause of dissatisfaction, resentment, or discontent which leads to a petition, a grievance, or an appeal.

(2) Discrimination means an action or actions based on prejudice.

(3) Grievance means the formal request to some higher authority for action when the complaint includes the allegation of violations of the policies of the college.

(4) Grievant means an individual or a group of individuals who have a complaint or are filing a grievance.

(5) Harassment means to persistently act to disturb or irritate.

(6) Petition means an informal request to resolve complaints prior to engaging in the grievance process.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-300-010, filed 6/25/01, effective 7/26/01.]

WAC 132W-300-020 Scope of procedure. A complaint may be initiated by an individual or group of individuals, who shall be known as the grievant. The alleged incident may be initiated by any individual, group of individuals, or by the college itself. Claims of alleged harassment or discrimination may be made by any student, faculty member, administrative/exempt employee, classified staff member of the college, or by any applicant for admission or employment.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-300-020, filed 6/25/01, effective 7/26/01.]

WAC 132W-300-030 Confidentiality and right to privacy. Each complaint shall be handled in a confidential manner so as to protect the privacy of the parties involved to the fullest extent possible.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-300-030, filed 6/25/01, effective 7/26/01.]

WAC 132W-300-040 Limits to authority. (1) Violations of this policy on the part of a classified staff member may result in the application of disciplinary procedures outlined in chapter 251-11 WAC up to and including dismissal.

(2) Violations of this policy on the part of a faculty member may result in the application of procedures outlined in negotiated agreement with the AHE up to and including dismissal.

(3) Violations of this policy on the part of an administrative/exempt staff member may lead to immediate dismissal.

(4) Violations of this policy on the part of a student may lead to disciplinary procedures outlined in the WVC student handbook.

(5) Nothing in this procedure shall prevent the district president from taking immediate disciplinary action in accordance with federal and state laws, rules and regulations, and the applicable negotiated agreement(s) should it be deemed necessary.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-300-040, filed 6/25/01, effective 7/26/01.]

WAC 132W-300-050 Informal petition options. The parties are encouraged to meet informally in an effort to resolve all complaints. Anyone with a complaint may use one or more of the options outlined below.

(1) Any individual with a complaint alleging harassment or discrimination may discuss the complaint with the person or group of people acting in a discriminatory manner.

(2) An individual may choose not to discuss the issue with the parties directly involved. In such a case the issue may be brought to the appropriate administrative supervisor (i.e., either director or dean).

(3) The complaint may be discussed with the director of personnel, or the special populations coordinator, or the multicultural affairs coordinator, who have two courses of action:

(a) Investigate the complaint; or,

(b) Act as a neutral third-party when the complainant discusses the allegation with the other party.

(4) A complaint may be brought to the Washington State Human Rights Commission, the U.S. Department of Education's Office of Civil Rights, or the U.S. Equal Employment Opportunity Commission at any time.

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-300-050, filed 6/25/01, effective 7/26/01.]

WAC 132W-300-060 Formal grievance procedures. If the parties are unable to resolve the complaint informally through the one of the options listed in WAC 132W-300-050 above, the grievance shall be resolved in the following manner.

(1) Requirements. In order to conduct an adequate investigation, and resolve the complaint as fully and justly as possible the following requirements shall be in force:

(a) All grievances must be in writing and shall include: The date and time of the alleged incident; the name of the individual or group whom the complaint is against, if known; a statement of the incident; the remedy being sought; the name(s) of the grievant(s); the grievant's relationship to the college (i.e., student, faculty, classified, administrator, or applicant); and must include the signature of the grievant(s), and the date which the grievance is signed.

(b) Evidence used to substantiate the claim(s) should be submitted at step 1. Evidence not introduced at step 1 and not brought out during the investigation, (step 2), will not be considered in preparing the finding of fact or conclusions.

(c) Grievances must be submitted within thirty calendar days of the date of the alleged incident, or the date the grievant knew or should have known of the incident.

(2) Grievance Procedures

STEP 1. Reporting the incident. The grievant shall report the incident, in writing, and submit the report to the dean of the north campus, the director of personnel services or the multicultural affairs coordinator within thirty calendar days of the date of the alleged incident, or the date the grievant knew or should have known of the incident. Grievances filed with the dean of the north campus will be delivered to the director of personnel services within five calendar days. Incidents reported after thirty days will not be considered. Reports which do not conform to the requirements specified in F.I.a) above may be dropped if insufficient information is available, and the grievant or other witnesses are not able to provide further information.

STEP 2. Investigation. Complaints may be handled by either an internal or outside investigator, as determined by the district president. The district president shall appoint an investigator to conduct an investigation and prepare findings of fact and conclusions. If the complaint is against the district president or a member or members of the board of trustees, the board of trustees may designate an outside investigator. A written report of findings and conclusions shall be submitted to the district president within thirty calendar days of the college's receipt of the grievance. In the case of a complaint against the district president or a member or members of the board of trustees, the written report shall be submitted to the board of trustees. The investigator may request, and the district president or board of trustees may grant, up to thirty additional days to complete the investigation for good cause.

STEP 3. Outcome and feedback. The district president board chair, or board of trustees as a whole shall send a copy of the report to the grievant, the accused, and the appropriate supervisor within ten calendar days. Each recipient may respond in writing to the district president or the board of trustees within ten days of the date the report was sent.

STEP 4. Action. The district president board chair, or board of trustees as a whole shall determine the appropriate course of action, including any disciplinary action to be taken, within ten calendar days after a response was due. Such action shall be in accordance with federal and state laws, rules and regulations, district policies, and the appropriate negotiated agreement(s).

[Statutory Authority: Chapter 28B.50 RCW. 01-14-016, § 132W-300-060, filed 6/25/01, effective 7/26/01.]

Chapter 132W-325 WAC ENVIRONMENTAL PROTECTION

WAC

132W-325-010 Environmental protection.

WAC 132W-325-010 Environmental protection. (1) It shall be the operational procedure of Community College District No. 15 that capital projects proposed and developed by the district shall comply with the provisions of chapter 43.21C RCW, the State Environmental Policy Act (SEPA); chapter 197-11 WAC, guidelines for SEPA implementation; and WAC 131-24-030, SEPA implementation rules of the state board for community college education.

(2) In compliance with WAC 197-11-910, the district president, or an administrative officer designated by the dis-

strict president, shall be the "responsible official" for carrying out this policy.

[Statutory Authority: Chapter 28B.50 RCW. 01-12-015, § 132W-325-010, filed 5/25/01, effective 6/25/01.]

Title 136 WAC COUNTY ROAD ADMINISTRATION BOARD

Chapters

136-16	Standard of good practice—Annual road program, construction report, and day labor limits.
136-18	Standard of good practice—Day labor construction.
136-130	Regional prioritization of RAP projects.
136-150	Eligibility for rural arterial trust account funds.
136-161	Project submittal, selection and initial allocation of RATA funds to projects.
136-163	Allocation of RATA funds to emergent and emergency projects.
136-167	Withdrawals, early termination, and lapsing of approved projects.
136-170	Execution of a CRAB/county contract.
136-210	Design standards for rural arterial program projects.

Chapter 136-16 WAC

STANDARD OF GOOD PRACTICE—ANNUAL ROAD PROGRAM, CONSTRUCTION REPORT, AND DAY LABOR LIMITS

WAC

136-16-022 Day labor limit.

WAC 136-16-022 Day labor limit. The statutory day labor limit shall be computed in accordance with RCW 36.77.065 in the following manner for counties with populations equal to or exceeding 50,000:

(1) When the total annual county road construction budget is four million dollars or more, the day labor limit is eight hundred thousand dollars or fifteen percent of the total annual county road construction budget, whichever is greater.

(2) When the total annual county road construction budget is one million five hundred thousand dollars or more and less than four million dollars, the day labor limit is five hundred twenty-five thousand dollars or twenty percent of the total annual county road construction budget, whichever is greater.

(3) When the total annual county road construction budget is five hundred thousand dollars or more and less than one million five hundred thousand dollars, the day labor limit is two hundred and fifty thousand dollars or thirty-five percent of the total annual county road construction budget, whichever is greater.

(4) When the total annual county road construction budget is less than five hundred thousand dollars, the day labor limit shall be two hundred and fifty thousand dollars, unless

the county legislative authority, by resolution, elects the alternate procedure set forth in RCW 36.77.065. When such alternate procedure is chosen, an individual project limit of thirty-five thousand dollars shall apply, and each project shall be administered in accordance with chapter 136-18 WAC.

(5) The statutory day labor limit shall be computed in accordance with RCW 36.77.065 in the following manner for counties with populations less than 50,000:

(a) When the total annual county road construction budget is four million dollars or more, the day labor limit is eight hundred eighty thousand dollars or twenty-five percent of the total annual county road construction budget, whichever is greater.

(b) When the total annual county road construction budget is one million five hundred thousand dollars or more and less than four million dollars, the day labor limit is five hundred seventy-seven thousand dollars or thirty percent of the total annual county road construction budget, whichever is greater.

(c) When the total annual county road construction budget is five hundred thousand dollars or more and less than one million five hundred thousand dollars, the day labor limit is two hundred seventy-five thousand dollars or forty-five percent of the total annual county road construction budget, whichever is greater.

(d) When the total annual county road construction budget is less than five hundred thousand dollars, the day labor limit shall be two hundred seventy-five thousand dollars, unless the county legislative authority, by resolution, elects the alternate procedure set forth in RCW 36.77.065. When such alternate procedure is chosen, an individual project limit of thirty-eight thousand five hundred dollars shall apply, and each project shall be administered in accordance with chapter 136-18 WAC.

Determination by the county road administration board that a violation of RCW 36.77.065 has occurred shall be cause for issuance of a conditional certificate of good practice by the board as specified in WAC 136-04-060 on behalf of the county in which the violation occurred. The first condition of such a conditional certificate of good practice shall be that the county be required, at the next regular or special meeting of the county road administration board, to show cause why a certificate of good practice should not be denied to that county.

[Statutory Authority: Chapter 36.79 RCW and SSB 5733. 01-24-074, § 136-16-022, filed 12/3/01, effective 1/3/02. Statutory Authority: Chapter 36.79 RCW. 99-01-021, § 136-16-022, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 36.78.070 and 36.79.060. 96-17-013, § 136-16-022, filed 8/12/96, effective 9/12/96. Statutory Authority: RCW 36.78.070. 90-07-076 (Order 76), § 136-16-022, filed 3/21/90, effective 4/21/90. Statutory Authority: Chapter 36.78 RCW. 80-16-020 (Order 40), § 136-16-022, filed 10/29/80; 80-09-084 (Order 38), § 136-16-022, filed 7/22/80.]

Chapter 136-18 WAC

STANDARD OF GOOD PRACTICE—DAY LABOR CONSTRUCTION

WAC

136-18-020 Definitions.