

TRANSMITTAL OF RULES ADOPTED

FROM: Community College District No. 18
Big Bend Community College
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. 71-4
Emergency rules ,
relating to (Name of rules or description of subject matter)

Amendment of WAC 132R-16-065, Nonrenewal of tenured
faculty,

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

pursuant to Notice No. _____ ① filed with the code reviser
on _____ ② were regularly adopted as permanent rules of this
(date)
agency at _____ on _____ and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 34.04
RCW. The effective date of such rules shall be _____ ③

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

pursuant to its finding that the immediate adoption of
these rules is necessary for the preservation of the public
health, safety, or general welfare and that observance of the
requirements of notice and opportunity to present views on
the proposed action would be contrary to the public interest,
were regularly adopted as emergency rules of this agency at
Moses Lake on 3/22/71 and are herewith filed in
(place) (date)
the office of the code reviser pursuant to chapter 34.04 RCW.

Dated this 23rd day of March 1971.

STATE OF WASHINGTON
FILED
MAR 24 1971
CODE REVISER'S OFFICE
DOCKET # 3330 FILE # 1

Community College District No. 18
(AGENCY)
[Signature]
By
Sr. Assistant Attorney General
Title Attorney for Community College Distr

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY RE-
VISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
- ② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVIS-
ER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
- ③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED
IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING:
RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

BOARD OF TRUSTEES
COMMUNITY COLLEGE DISTRICT NO. 18
BIG BEND COMMUNITY COLLEGE
EMERGENCY RESOLUTION NO. 71-4

WHEREAS, the Washington State Board for Community College Education has informed this Board that the budget for the upcoming academic year will be substantially reduced, thus forcing Big Bend Community College to operate with less monies than it utilized in the 1970-1971 academic year; and

WHEREAS, the present tenure regulations for Community College District No. 18, WAC 132R-16, require that notice of nonrenewal of tenured faculty instructors must be given prior to dismissal of any tenured faculty members; and

WHEREAS, the combination of the discord caused by the recent alleged student boycott at this college and the college's efforts to secure additional state funding for the District No. 18 1971-72 budget has forced this Board to delay notice of nonrenewal to certain tenured faculty members until the last possible moment that the laws allow, and

WHEREAS, pursuant to RCW 42.32.010, notice of this special meeting of the Board of Trustees for District No. 18 has been given by notifying the press, radio and television of this county, and

WHEREAS, this Board finds, pursuant to RCW 34.04.030 that

immediate adoption of an amendment to WAC 132R-16-065, which is the provision of District No. 18 tenure regulations regarding nonrenewal of tenured faculty, is required by the fiscal emergency facing Big Bend Community College, and the general welfare of the college therefore requires an emergency amendment to said WAC 132R-16-065,

NOW, THEREFORE, BE IT RESOLVED that this Board, which serves as the appointing authority for District No. 18, pursuant to the Community College Tenure Law, that:

- (1) The president of Big Bend Community College is hereby directed to notify those tenured faculty members who hold contracts that should not be renewed for the academic year 1971-72 because of budget reasons, change of instructional program, or lack of students participating in a particular instructional program. The president shall further refer the matter of each such nonrenewal to the Tenure Review Committee of Big Bend Community College in accordance with WAC 132R-16-065, as amended by this Resolution;
- (2) WAC 132R-16-065, that particular Big Bend Community College tenure regulation regarding

nonrenewal of tenured faculty members' contracts, shall be amended by emergency amendment, which amendment is attached hereto and incorporated by reference herein.

ADOPTED this 22nd day of March, 1971, at a special meeting of the Board of Trustees for Washington State Community College District No. 18, with a quorum present, after notice of emergency meeting was tendered as required by law.

BOARD OF TRUSTEES
COMMUNITY COLLEGE DISTRICT NO. 18

Alma S. Galbreath
Chairman

Harold L. Tracy, M.D.

Dean D. Judd

Walter S. Clark

Victor L. Luman

ATTEST:

Robert J. Wallenstein
Secretary

AMD.

WAC 132R-16-065 NON-RENEWAL OF TENURED FACULTY.

(1) The appointing authority shall be deemed to have authority not to renew the contract of any tenured faculty appointee for budget reasons, change of instructional program, or lack of students participating in a particular instructional program; if notice of such nonrenewal is tendered to the individual tenured faculty appointee prior to the third Friday of April, and the appropriate review committee after having the matter referred to it shall have determined that such nonrenewal is justified for either budget reasons, change of instructional program, or lack of students participating in a particular instructional program.

(2) The failure of any review committee to make a finding pursuant to section 1 (a) after having been so requested by the president, and submitting to the president not later than seven days prior to the third Friday of April, shall be deemed a determination that sufficient cause as defined in section 1 of this rule exists for the nonrenewal of a tenured faculty appointee's contract for the ensuing regular college year.

(3) After the college president has determined that the contract of a tenured faculty appointee shall not be renewed for the ensuing regular college year, but prior to referring the matter to the appropriate review committee for its determination, the college president shall:

(a) Determine whether the individual faculty appointee is qualified for another faculty position within Community College District No. 18; or

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

(4) If an individual tenured faculty appointee's contract is not renewed for the reasons previously stated and a change of circumstances has caused a re-establishment of the former teaching position, the president shall then offer such appointment to the tenured faculty member whose contract was not previously renewed. Provisions of this section shall be in effect for a period of at least three years.

AFFIDAVIT OF
PUBLIC NOTICE
BIG BEND COMMUNITY COLLEGE
SPECIAL MEETING

I, Robert J. Wallenstien, being duly deposed and sworn, hereby state that on the 17th day of March, 1971, I ordered appropriate staff to notify the press, radio and television medias of Grant County of the March 22nd special meeting of the Board of Trustees for Big Bend Community College which notice is hereby further proven by copy of the attached news release provided by the news bureau for Big Bend Community College.

Signed Robert J. Wallenstien
Robert J. Wallenstien, President
Big Bend Community College

NOTARIZATION:

Subscribed and sworn before me on 22nd day of March,
19 71.

Notary Hollie M. Buche
in and for the State of Washington,
Grant County, residing at Moses Lake.

October 06, 1972
Commission Expires

NEWS BUREAU

BIG BEND COMMUNITY COLLEGE
Moses Lake, Wash. 98837

3/17/71

MOSES LAKE, Wash.--A special meeting of the Board of Trustees of Big Bend Community College has been scheduled at 8:00 p.m., on Monday in the Community Center on the North Campus, it has been announced by Mrs. Alma Galbreath, chairman.

She said the board will consider cuts in the college budget for the next school year resulting from a reduced appropriation of state funds. Present indications are that the college must reduce its budget by as much as \$50,000 to \$100,000 to meet the prospective funding.