

FORM OF ORDER AND TRANSMITTAL BY INSTITUTION HAVING SINGLE HEAD

State of Washington

CENTRAL WASHINGTON UNIVERSITY
(name of institution)

Administrative Order No. 59

(1) I, Jerry L. Jones, Special Assistant to the President
(position)

of the Central Washington University
(institution)

do promulgate and adopt at Samuelson Union Building 208, CWU, Ellensburg
(place)

the annexed rules relating to:
Title 106 WAC, Central Washington University

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

This action is taken pursuant to Notice No. 86-20-045
filed with the code reviser on 9/26/86. These rules shall take effect:
[X] thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).
[] at a later date, such date being

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

I, find that
an emergency exists and that this order is necessary for the preservation of the public health, safety, or general
welfare and that observance of the requirements of notice and opportunity to present views on the proposed action
would be contrary to public interest. A statement of the facts constituting the emergency is:

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

(3) Pursuant to the requirements of WAC 1-13-040 that each order shall set forth an appropriate statement
of state statutory authority fill in statement (a), (b), or (c) as appropriate:

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

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

(c) This rule is promulgated under the general rule-making authority of the
CENTRAL WASHINGTON UNIVERSITY
(institution)

as authorized in RCW 28B.19.050 and RCW 28B.35.120(11)

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

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

APPROVED AND ADOPTED November 5, 1986

By Jerry L. Jones
Jerry L. Jones
Special Assistant to the President
Title

NOV 7 1986

CODE REVISER'S OFFICE
NSR 86-23-007

AMENDATORY SECTION (Amending Order 43, filed 5/16/79)

WAC 106-08-001 REGULAR MEETINGS (~~(TIME)~~). The regular meetings of the board of trustees of Central Washington University shall be held quarterly in Room 143 in Bouillon Hall on the Central Washington University campus in Ellensburg, Washington.

Chapter 106-72 WAC

((HUMAN-RIGHTS)) AFFIRMATIVE ACTION POLICY/GRIEVANCE PROCEDURENEW SECTION

WAC 106-72-005 AFFIRMATIVE ACTION POLICY STATEMENT. It is the policy of Central Washington University to:

(1) Recruit, hire, train, and promote persons in all job titles, without regard to race, color, religion, creed, age, national origin, disabled or Vietnam era veteran status, the presence of any physical, mental, or sensory handicap, marital status, sexual orientation, or sex except where a bona fide occupational qualification exists.

(2) Insure that all personnel actions such as compensation, benefits, transfers, terminations, layoffs, return from layoff, reductions in force (RIF), university sponsored training, education, tuition assistance, and social and recreation programs, will be administered without regard to race, color, religion, sex, age, national origin, creed, marital status, or the presence of any physical, mental or sensory handicap.

NEW SECTION

WAC 106-72-015 ANNUAL WORKFORCE ANALYSIS. (1) The affirmative action office will conduct an annual workforce analysis for each department and a separate utilization analysis for minorities and women in each major job group. If underutilization exists, the university will set forth specific goals and timetables for minorities and women. Underutilization is defined as "having fewer women or minorities in a particular job than would reasonably be expected by their availability." (Higher Education Guidelines, Executive Order 11246.)

(2) The university and each organizational unit will make every possible effort to recruit and employ qualified minorities and women to fill vacancies in order to achieve its goals, searching for personnel in areas and channels previously unexplored to the extent necessary to overcome underutilization. Before each vacancy can be officially filled, a designee of the affirmative action office or the personnel and benefits office must certify that the appropriate recruitment and hiring procedures have been followed.

NEW SECTION

WAC 106-72-025 NONDISCRIMINATION IN DELIVERY OF SERVICES. Central Washington University will provide equal access to all programs for all students on the basis of merit without regard to race, color, religion, sex, age, national origin, or the presence of any sensory, physical, or mental handicap.

No person will be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity sponsored by the university.

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-72-250 PROCEDURES, RULES, AND REGULATIONS--GOVERNMENT CONTRACTS. The university will establish and maintain nondiscriminatory practices in the fulfillment of all its contracts with any governmental agency. It will fully comply with any federal, state, or local governmental regulations which request a policy or procedural statement on nondiscrimination.

In the case of federal contracts for research grants and awards, the office of graduate studies and research (~~and development~~) will be charged with development and inclusion in any contract a statement of nondiscrimination in the fulfillment of such contract.

NEW SECTION

WAC 106-72-400 AFFIRMATIVE ACTION GRIEVANCE PROCEDURE. (1) A person who believes he or she has been discriminated against by Central Washington University because of race, color, ethnic background, religion, national origin, sex, physical or mental handicap, or Vietnam era or disabled veteran status is encouraged to utilize the grievance procedures provided by Central Washington University. There are informal and formal means of addressing complaints through the affirmative action office. These should be used as soon as possible after the alleged act of discrimination.

(2) All persons who seek the advice and assistance of the affirmative action office shall have explained to them the informal and the formal grievance procedures available to them through the university as well as the existence of external complaint procedures available through state and federal agencies. They shall also receive a copy of the affirmative action grievance procedure.

NEW SECTION

WAC 106-72-410 INFORMAL GRIEVANCE PROCEDURE. Informal review and consultative processes are highly desirable means of resolving problems. Use of those methods by individuals (e.g., students, employees, applicants) at the lowest possible level within the university is strongly encouraged.

(1) Individuals who believe that they have been the target of discrimination by Central Washington University are encouraged to discuss the matter initially with their department chair, dean, administrative supervisor or department head. Students are encouraged to discuss the matter with the appropriate department chair, dean, or the dean of students. The matter may be concluded by mutual consent at this point. However, complainants should feel free to bring the alleged act of discrimination to the attention of the director of affirmative action at any time.

(2) Any person may contact the affirmative action office for informal discussion, advice, and assistance. These contacts are kept confidential. The affirmative action director or a designee will assist the complainant(s) in determining whether there exists any relationship of the complaint to civil rights legislation and the university's affirmative action program.

(3) With the consent of the complainant, there may be facilitation or informal intervention by the affirmative action director or a designee. Discussion of the grievance by the affirmative action director or a designee with the immediate supervisor of the respondent may follow the visit to the affirmative action office by the complainant. The discussion between the director of affirmative action and

the immediate supervisor shall be confidential. The complainant may choose to participate in this discussion at his/her option. At this time it shall be the option of the director of affirmative action to notify the respondent's next higher supervisory authority of the complaint.

(4) All discussions held under this informal procedure shall have the goal of resolving the matter without the necessity of entering into a formal complaint procedure.

NEW SECTION

WAC 106-72-420 FORMAL GRIEVANCE PROCEDURE. The procedures hereunder pertain to the filing of a formal complaint. Any aggrieved person may file a formal complaint against any employee of the university if he or she believes illegal discrimination has taken place by filing a written description of the alleged discrimination with the affirmative action office on a form provided by that office. Statements should be as detailed and accurate as possible, including a statement of the specific allegation of discrimination. The complaint should be filed within thirty days of the alleged act of discrimination except at the discretion of the affirmative action director.

NEW SECTION

WAC 106-72-430 FORMAL GRIEVANCE PROCEDURE--ACKNOWLEDGEMENT OF WRITTEN COMPLAINT. A complainant shall receive acknowledgement of the filing of a formal, written complaint. Upon written notice, the complainant may withdraw the complaint at any point during the formal procedure.

NEW SECTION

WAC 106-72-440 FORMAL GRIEVANCE PROCEDURE--GRIEVANCE COMMITTEE. An affirmative action grievance committee shall be appointed annually by the president and shall consist of five individuals representing the various university constituencies, including minority group members and both men and women. The committee shall be made up of one administrator, two faculty members and two civil service employees and shall select its own chair. If a complainant is a student and so requests, two students may be substituted by the president for a like number of existing members of the committee. Members of the affirmative action grievance committee shall remove themselves from the case if they deem themselves biased or personally interested in its outcome.

NEW SECTION

WAC 106-72-450 FORMAL GRIEVANCE PROCEDURE--DISTRIBUTION OF COPIES OF COMPLAINT. The vice-president or other equivalent unit head, other appropriate administrators, and the respondent shall receive a

copy of the complaint from the director of affirmative action within five working days of the filing by the complainant.

NEW SECTION

WAC 106-72-460 FORMAL GRIEVANCE PROCEDURE--APPOINTMENT OF INVESTIGATING OFFICER. The director of affirmative action or a designee appointed in consultation with the affirmative action grievance committee shall serve as investigating officer in a given complaint.

NEW SECTION

WAC 106-72-470 FORMAL GRIEVANCE PROCEDURE--RESPONSIBILITIES OF INVESTIGATING OFFICER. The investigating officer shall have twenty working days to:

- (1) Meet with the complainant and respondent.
 - (a) The complainant and respondent may each be accompanied by one advocate or an observer.
 - (b) The complainant and the respondent must submit the names of all witnesses they wish the investigator to interview and all statements and documents they wish the investigator to examine.
- (2) Examine documentation and interview witnesses.
- (3) Consult with the appropriate vice-president, or equivalent unit head and/or other appropriate administrator, and the assigned assistant attorney general.
- (4) Prepare a written investigative report.

NEW SECTION

WAC 106-72-480 FORMAL GRIEVANCE PROCEDURE--SEPARATE MEETINGS WITH COMPLAINANT AND RESPONDENT/FILING INVESTIGATIVE REPORT. The investigating officer may meet individually with the complainant and respondent to discuss the report in the hope that a resolution can be reached which will lead to a withdrawal of the formal complaint by the complainant. If such a withdrawal is not received in writing by the office of affirmative action within ten working days of the completion of the investigative report, copies of the investigative report shall be provided to:

- (1) The university president;
- (2) The affirmative action grievance committee;
- (3) The complainant(s);
- (4) The respondent(s);
- (5) The appropriate administrator(s);
- (6) The director of affirmative action (if the investigation is conducted by a designee).

NEW SECTION

WAC 106-72-490 FORMAL GRIEVANCE PROCEDURE--COMMITTEE RECOMMENDATION. The affirmative action grievance committee shall review the complaint and the findings of the investigating officer and determine

whether or not the facts warrant a hearing. The committee's decision shall be limited to one of the following statements:

- (1) Based on the evidence presented to us, we find probable cause for believing that a discriminatory act has been committed; or
- (2) Based on the evidence presented, we find no probable cause for believing that a discriminatory act has been committed.

NEW SECTION

WAC 106-72-500 FORMAL GRIEVANCE PROCEDURE--WRITTEN COMMITTEE REPORT. The committee shall make its report in writing to the university president, the affirmative action director, and the parties involved within fifteen working days of receipt of the report by the investigating officer. The deliberations of the committee shall not be disclosed to anyone except the affirmative action director who shall hold them confidential.

NEW SECTION

WAC 106-72-510 FORMAL GRIEVANCE PROCEDURE--HEARING NOTICE. If probable cause is found, a hearing will be held.

(1) The chair of the committee shall establish a date for the hearing. A notice establishing the date, time and place of the hearing shall be provided the parties not more than ten working days from the issuance of the probable cause or no cause decision. The composition of the hearing committee shall be provided also.

(2) The hearing shall be held not less than fifteen working days from the mailing of the notice of hearing unless all of the parties, with the consent of the chair, agree to shorten the time to less than fifteen days.

NEW SECTION

WAC 106-72-520 FORMAL HEARING--CHALLENGES. Each party shall have the privilege of one challenge without stated cause and unlimited challenges for stated bias or interest. In the case of a challenge for stated bias or interest, a majority of the affirmative action grievance committee members must be satisfied that a challenged member cannot hear the case impartially before the member can be disqualified. In the case of removal of a member through the challenge process, the president shall restore the committee to full membership.

NEW SECTION

WAC 106-72-530 FORMAL HEARING--EXPEDITIOUS CONDUCT. The hearing shall be conducted as expeditiously as possible and on successive days if possible.

NEW SECTION

WAC 106-72-540 FORMAL HEARING--AVAILABILITY OF NECESSARY PARTIES. The parties and any others the affirmative action grievance committee deems necessary to the proceedings shall make themselves available to appear at the hearing unless they can verify to the committee that their absence is unavoidable.

NEW SECTION

WAC 106-72-550 FORMAL HEARING--COUNSEL. The complainant and the respondent shall be permitted to have with him/her a party of his/her own choosing to act as advisor and counsel.

NEW SECTION

WAC 106-72-560 FORMAL HEARING--CONFIDENTIALITY. Hearings shall be closed to all except those persons directly involved in the case as determined by the grievance committee. Statements, testimony, and all other evidence given at the hearing shall be confidential and shall not be released to anyone and may be used by the committee only for the purpose of making its findings and recommendations to the president. (However, it will be made available to federal and/or state compliance agencies upon request.)

NEW SECTION

WAC 106-72-570 FORMAL HEARING--RESPONSIBILITIES OF PARTIES. The chair of the grievance committee shall convene and regulate the hearing. All parties and members of the panel must be present during the hearing unless excused by the chair for good cause. Repeated failure, without reasonable explanation, of either party to appear shall be grounds for defaulting that party's case. The complainant shall have the burden of presenting the case and the respondent shall have the burden of challenging sufficiency of the evidence presented.

NEW SECTION

WAC 106-72-580 FORMAL HEARING--RIGHTS OF PARTIES. (1) Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved and to examine and cross examine witnesses.

(2) No individual shall be compelled to divulge information in any form which she/he could not be compelled to divulge in, or in connection with, superior court proceedings.

(3) Any legal opinion or interpretation given to the grievance committee by the parties may be shared with all parties to the case.

NEW SECTION

WAC 106-72-590 FORMAL HEARING--POWERS OF HEARING PANEL. The hearing panel shall be empowered to: Examine witnesses and receive evidence; suspend the hearing on account of or exclude from attendance any person(s) felt to be unreasonably disruptive of the proceedings; hold conferences for the settlement and/or simplification of the issues involved; make decisions or proposals for decisions; and take any other action authorized by rule consistent with this procedure.

NEW SECTION

WAC 106-72-600 FINDINGS OF GRIEVANCE COMMITTEE. The affirmative action grievance committee shall file its findings and recommendations with the president, the affirmative action director, the complainant and the respondent within fifteen working days after the conclusion of the hearing. If the findings and recommendations of the affirmative action grievance committee are acceptable to the complainant and the respondent, the president may direct implementation of the recommendations.

NEW SECTION

WAC 106-72-610 APPEAL PROCEDURE. (1) If the complainant or respondent objects to the findings and recommendations and wishes to appeal, a written appeal may be submitted to the president within ten working days from the date the report is delivered to the complainant and the respondent. The appeal must specify in detail the findings, recommendations or other aspects of the report or decision to which exception is taken, as well as the reasons for the exceptions and the desired corrective action after consideration of the appeal by the president.

(2) After considering an appeal, the president shall issue a written decision to the parties involved within ten working days of receipt of the appeal. The decision of the president will not be further appealable within the university.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 106-72-010 GENERAL POLICY.
- WAC 106-72-100 PROCEDURES, RULES, AND REGULATIONS--EMPLOYMENT, JOB PLACEMENT, AND PROMOTION.
- WAC 106-72-110 PROCEDURES, RULES, AND REGULATIONS--ACADEMIC PERSONNEL.
- WAC 106-72-120 PROCEDURES, RULES, AND REGULATIONS--NONACADEMIC PERSONNEL.
- WAC 106-72-140 PROCEDURES, RULES, AND REGULATIONS--SUPPLIERS.
- WAC 106-72-230 PROCEDURES, RULES, AND REGULATIONS--COMMUNITY RELATIONS.
- WAC 106-72-260 PROCEDURES, RULES, AND REGULATIONS--IMPLEMENTATION AND ADMINISTRATION--HUMAN RIGHTS COMMISSION.

WAC 106-72-270 PROCEDURES, RULES, AND REGULATIONS--GRIEVANCE
PROCEDURE.

REPEALED

The following chapter of the Washington Administrative Code is repealed:

WAC 106-112-001 PERSONNEL RULES.
 WAC 106-112-010 STUDENT EMPLOYMENT PROCEDURES--REGULAR STUDENT
 EMPLOYMENT.
 WAC 106-112-011 STUDENT EMPLOYMENT PROCEDURES--WORK-STUDY
 EMPLOYMENT.
 WAC 106-112-100 POLICY ON NEPOTISM.
 WAC 106-112-101 POLICY ON NEPOTISM--EXCEPTIONS.
 WAC 106-112-105 DECISIONS ON RELATIVES.
 WAC 106-112-200 EQUAL EMPLOYMENT OPPORTUNITY POLICY.
 WAC 106-112-210 ESTABLISH GOALS AND TIMETABLES.
 WAC 106-112-220 COMPLAINTS OF DISCRIMINATION.
 WAC 106-112-230 COMMITMENT TO AFFIRMATIVE ACTION.
 WAC 106-112-240 NONDISCRIMINATION IN DELIVERY OF SERVICES.
 WAC 106-112-300 PREGNANCY AND MATERNITY LEAVE POLICY--
 INTRODUCTION.
 WAC 106-112-301 PURPOSES.
 WAC 106-112-310 HIRING PREGNANT WOMEN.
 WAC 106-112-320 CONDITION OF EMPLOYMENT FOR PREGNANT WOMEN.
 WAC 106-112-330 LEAVE FOR PREGNANCY.
 WAC 106-112-340 LEAVE BENEFITS FOR PREGNANT WOMEN.
 WAC 106-112-350 INSURANCE BENEFITS FOR PREGNANT WOMEN.
 WAC 106-112-360 MARITAL STATUS AS RELATED TO PREGNANCY.

AMENDATORY SECTION (Amending Order 55, filed 4/2/84)

WAC 106-116-201 PERMITTED PARKING AREAS. (1) University owned parking areas are marked with signs reading, "Parking by university permit only." Vehicles parked without valid parking permits will be ticketed from 7:30 a.m. to 4:00 p.m. Monday through Friday, except:

(2) No parking permitted daily in C-1 lot from 4:00 a.m. to 5:00 a.m.

(3) No parking permitted daily in B lot from 4:00 a.m. to 5:00 a.m.

(4) In the library parking lot, enforcement shall be in effect from 7:30 a.m. to 10:00 p.m. Monday through Friday.

(5) Enforcement shall be in effect twenty-four hours a day in the following parking areas:

- (a) (~~(Residence-hall-staff-parking-areas;~~
~~(b))~~) Buttons Apartments;
- (~~(c))~~) (b) Limited time zones;
- (~~(d))~~) (c) J lot;
- (~~(e))~~) (d) Handicapped areas.

AMENDATORY SECTION (Amending Order 53, filed 6/9/83, effective 7/24/83)

WAC 106-116-203 SPECIFIC PARKING PROHIBITIONS. (1) Parking in areas and places normally used for moving traffic is a specific violation of these regulations.

(2) Parking in such a position with relation to other parked cars or marked parking spaces as to impede, restrict, or prevent free ingress or egress by other automobiles violates these regulations.

(3) Parking in areas marked for a special permit or clearly designated by signing for special use not available to the general public or regular permit holders is prohibited. Examples: Parking in a space marked "handicapped permits only," in spaces reserved for residence hall personnel health center permit only and library parking lot.

(4) Parking and/or driving on sidewalks (~~(adjacent--to--streets)~~) is prohibited.

(5) Parking or driving on lawns or flower beds is prohibited.

AMENDATORY SECTION (Amending Order 47, filed 11/3/91)

WAC 106-116-205 APARTMENT RESIDENTS. (1) Residents of Brooklane Village, Roy P. Wahle University Complex, Student Village Apartments, Getz Short Apartments and Buttons Apartments do not need parking permits to park in (~~(front-of-or-immediately))~~ the parking area adjacent to their respective apartments but must register their vehicles with the (~~(university))~~ housing office.

(2) Apartment residents may purchase a commuter parking permit.

(3) Residents of Student Village may park in lots G-1 and G-2 without a permit.

(4) Only residents of Anderson Apartments who purchase a parking permit and obtain a special permit from the apartment manager may park in J lot.

AMENDATORY SECTION (Amending Order 15, filed 8/17/73)

WAC 106-116-206 LOCATING LEGAL PARKING SPACE. (1) The responsibility for locating legal parking space rests with the operator of the motor vehicle. Lack of space will not be considered a valid excuse for violating any parking regulation.

(2) The fact that a person may park or observe others parked in violation of the regulations without receiving ~~((a-citation))~~ an infraction notice does not mean that the regulation is no longer in effect.

AMENDATORY SECTION (Amending Order 45, filed 8/14/80)

WAC 106-116-208 FIRE LANES AND SERVICE DRIVES. Parking is not allowed at any time in the service drives or fire lanes of all campus buildings. Service drives may be used by service and emergency vehicles, and for loading and unloading personal items. ~~((A--permit--for vehicle--to--load--and--unload--must--be--obtained--from-campus-safety department--))~~

AMENDATORY SECTION (Amending Order 15, filed 8/17/73)

WAC 106-116-210 PARKING WITHIN DESIGNATED SPACES. All vehicles shall be parked perpendicular to the bumper blocks and/or within the painted lines. In B and C-1 lots the front of the vehicle shall be facing toward and against the bumper blocks.

AMENDATORY SECTION (Amending Order 37, filed 1/13/78)

WAC 106-116-212 LIABILITY. Neither the university nor its employees shall ~~((not))~~ be liable for damages to or theft from a vehicle while parked in university parking lots.

AMENDATORY SECTION (Amending Order 47, filed 11/3/81)

WAC 106-116-303 DISPLAY OF PERMITS. (1) Parking permits shall be displayed conspicuously ~~((on-the-right-side-(passenger-side)-rear bumper-of-the-vehicle))~~ by hanging over the inside rear view mirror.

(2) Special permits must be displayed in the manner described at time of issuance.

(3) Motorcycle parking permits are to be placed in a conspicuous location on the front fork, handlebar, or fender of the motorcycle.

AMENDATORY SECTION (Amending Order 47, filed 11/3/81)

WAC 106-116-305 SPECIAL PARKING PERMITS. Special parking permits are available from the campus safety department or automatic

ticket dispensers. These permits must be displayed in clear view on the dash of the vehicle, numbered side up, readable from outside the vehicle.

(1) A special permit is available when permitted vehicle is inoperative and replacement vehicle is being used.

(2) Permits are available for loading or unloading. The time limit is thirty minutes.

(3) Vendor permits are available for vendors conducting business on campus.

~~((4) Persons possessing a valid parking permit may purchase a second permit for the sum of \$2.50 per quarter. Both vehicles may not be parked on campus simultaneously.))~~

NEW SECTION

WAC 106-115-410 CONTINUOUS PARKING. Vehicles which have received an infraction notice for violating parking and traffic regulations and which have not been moved for twenty-four hours since the original infraction notice was issued shall be in violation of this section.

AMENDATORY SECTION (Amending Order 46, filed 3/23/81)

WAC 106-115-513 PROCEDURE—INFRACTIONS AND SERVICE THEREOF. Upon probable cause to believe that a violation of these regulations has occurred, an appropriate notice of infraction may be issued setting forth the date, the approximate time, the locality, and the nature of the violation. Such notice may be served by delivering or ~~((mailing))~~ attaching a copy thereof to the alleged violator, or by placing a copy thereof in some prominent place within ~~((7))~~ 25 upon ~~((or attached to such))~~ the vehicle. Service by mail shall be accomplished by placing a copy of the notice in the mail addressed to the alleged violator at the address shown on the records of the office of the registrar or the ~~((staff))~~ personnel and benefits office for that person or any other last known address of that person.

AMENDATORY SECTION (Amending Order 53, filed 6/9/83, effective 7/24/83)

WAC 106-116-514 ELECTION TO FORFEIT OR CONTEST. The notice of infraction issued pursuant to WAC 106-116-513 of these regulations shall inform the alleged violator that he/she may elect either to forfeit the monetary penalty to the infraction(s) charged or to contest the matter(s).

(1) If the alleged violator chooses to forfeit the penalty, he/she may do so by paying the appropriate amount to the cashier's office. Payment will be in cash, ~~((by))~~ check, certified check, or by money order. Such payment may also be made by mail. Such forfeiture shall constitute a waiver of a right to a hearing.

(2) If the alleged violator chooses to contest, he/she may do so by contacting the cashier's office, Mitchell Hall, CWU, where parking infraction appeal forms are available upon request. The completed form stating the reasons for challenging the validity of the assessed obligation must be filed in the cashier's office within ~~((seven))~~ fifteen days of the date of the infraction notice. The appeal must be

reviewed by the university parking appeal board, consisting of three student members, one faculty member, one staff member, the chief of campus safety (ex officio) and the director of student activities (ex officio). The parking appeal board will render a decision in good faith.

(3) A person charged with a parking infraction who feels himself or herself aggrieved by the final decision of the university parking appeal board may, within ten days after written notice of the final decision, appeal by filing a written notice thereof with the campus safety office. Documents relating to the appeal shall immediately be forwarded to the Lower Kittitas County district court which shall have jurisdiction over such offense and such appeal shall be heard de novo.

AMENDATORY SECTION (Amending Order 55, filed 4/2/84)

WAC 106-116-603 MONETARY PENALTY SCHEDULE.

Offense	Penalty
(1) Improper display of permit.....	\$2.00
(2) Parking faculty-staff area.....	2.00
(3) Parking yellow stripe or curb.....	3.00
(4) Parking outside designated parking area.....	2.00
(5) Obstructing traffic.....	5.00
(6) Double parking.....	5.00
(7) Parking at improper angle or using more than one stall, or backing into parking stall.....	2.00
(8) Violation of the bicycle parking rules in WAC 106-116-901.....	2.00
(9) Reserved parking area.....	3.00
(10) No parking area.....	5.00
(11) Overtime parking.....	2.00
(12) Using counterfeit, falsely made or altered permit.....	50.00
(13) Illegal use of permit.....	20.00
(14) No current permit.....	3.00
(15) Parking service drive..... (([3.00]-[5.00]))	<u>5.00</u>
(16) Parking/driving sidewalks, malls.....	10.00
(17) Parking/driving lawns.....	15.00
(18) Parking fire lane.....	15.00
(19) Parking fire hydrant.....	15.00
(20) Driving, walking, leading, etc., certain animals on campus without permit (WAC 106-116-10401).....	10.00
(21) Other violations of the objectives of the CWU parking and traffic regulations.....	2.00 to 10.00
(22) Parking in a space marked "handi- capped permits only"..... (([45.00]))	<u>25.00</u>
<u>(23) Continuous parking.....</u>	<u>15.00</u>

Failure to respond within ((seven)) fifteen days will result in the issuance of an overdue notice and an administrative charge of \$2.00 will be added. If payment has not been received within ten days after issuance of the overdue notice, the original monetary penalty will be doubled except that, in accordance with RCW 46.63.110(3), the penalty for failure to respond shall not exceed twenty-five dollars for any single infraction. Further failure to respond may result in one or more of the following sanctions:

- (1) Withholding of transcripts;
- (2) Deduction from payroll checks; and/or
- (3) Withholding of parking permits.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- 106-116-050 MODIFICATION OF THESE REGULATIONS.
- 106-116-200 METERED PARKING.
- 106-116-211 SMALL CAR PARKING.
- 106-116-3051 POOL PERMITS.

AMENDATORY SECTION (Amending Order 58, filed 3/15/85)

WAC 106-120-027 PROSCRIBED CONDUCT. A student shall be subject to disciplinary action or sanction upon violation of any of the following conduct proscriptions:

(1) Disruptive and disorderly conduct which interferes with the rights and opportunities of other students to pursue their academic studies.

(2) Academic dishonesty in all its forms including, but without being limited to:

(a) Cheating on tests.

(b) Copying from another student's test paper.

(c) Using materials during a test not authorized by the person giving the test.

(d) Collaboration with any other person during a test without authority.

(e) Knowingly obtaining, using, buying, selling, transporting, or soliciting in whole or in part the contents of an unadministered test or information about an unadministered test.

(f) Bribing any other person to obtain an unadministered test or information about an unadministered test.

(g) Substitution for another student or permitting any other person to substitute for oneself to take a test.

(h) "Plagiarism" which shall mean the appropriation of any other person's work and the unacknowledged incorporation of that work in one's own work offered for credit.

(i) "Collusion" which shall mean the unauthorized collaboration with any other person in preparing work offered for credit.

(3) Filing a formal complaint with the dean of students with the intention of falsely accusing another with having violated a provision of this code.

(4) Furnishing false information to the campus judicial council with the intent to deceive, the intimidation of witnesses, the destruction of evidence with the intent to deny its presentation to the campus judicial council or the willful failure to appear before the campus judicial council or the dean of students when properly notified to appear.

(5) Intentionally setting off a fire alarm or reporting a fire or other emergency or tampering with fire or emergency equipment except when done with the reasonable belief in the existence of a need therefore.

(6) Forgery, alteration, or misuse of university documents, records, or identification cards.

(7) Physically abusing or intentionally inflicting severe emotional distress upon another person, whether a member or nonmember of the university community, whether occurring on or off campus.

(8) Theft or malicious destruction, damage or misuse of university property, private property of another member of the university community, whether occurring on or off campus; or theft or malicious destruction, damage or misuse on campus of property of a nonmember of the university community.

(9) Unauthorized seizure or occupation or unauthorized presence in any university building or facility.

(10) Intentional disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other university activities or programs whether occurring on or off campus or of activities or programs authorized or permitted by the university to be conducted on campus.

(11) Intentional participation in a demonstration which is in violation of rules and regulations governing demonstrations promulgated by the university.

(12) Unauthorized entry upon the property of the university or into a university facility or any portion thereof which has been reserved, restricted in use, or placed off limits; unauthorized presence in any university facility after closing hours; or unauthorized possession or use of a key to any university facility.

(13) Possession or use on campus of any firearm, dangerous weapon or incendiary device or explosive unless such possession or use has been authorized by the university.

(14) Possession, use, or distribution on campus of any controlled substance as defined by the laws of the United States or the state of Washington except as expressly permitted by law.

(15) Violation of the university policy on alcoholic beverages which states:

(a) Persons twenty-one years of age or older may possess and/or consume alcoholic beverages within the privacy of their residence hall rooms or apartments. Washington state law provides severe penalties for the possession or consumption of alcoholic beverages by persons under twenty-one years of age and for persons who furnish alcoholic beverages to minors. All university students should be aware of these laws and the possible consequences of violations.

(b) The university does not condone the consumption of alcoholic beverages by minors at functions sponsored by Central Washington University organizations. Organizations are held responsible for the conduct of their members at functions sponsored by the organization and for failure to comply with Washington state law.

(c) The campus judicial council may place on probation any organization or prohibit a specific campus social function when the consumption of alcoholic beverages has become a problem of concern to the university.

(16) Violation of clearly stated proscriptions in any published rule or regulation promulgated by any official campus committee or commission or council acting within the scope of its authority.

(17) Violation on campus of any state or federal law or violation of any state or federal law off campus while participating in any university sponsored activity.

NEW SECTION

WAC 106-124-150 ALUMNI RECORDS. Alumni records are not considered to be student records and do not fall within the provisions of the Family Educational Rights and Privacy Act of 1974. The alumni affairs office shall be the office through which the university maintains communication with its alumni, and it shall be responsible for the maintenance of current files covering alumni information. Alumni records and mailing lists maintained by the alumni affairs office shall be confidential property of the university and the alumni association and shall not generally be available to any other agency or casual inquirers.

AMENDATORY SECTION (Amending Order 57, filed 10/29/84)

WAC 106-124-801 ANIMALS PROHIBITED. (1) No animals, including dogs and cats, except seeing eye dogs, will be allowed, under any circumstances, in any university operated building.

(2) All dogs on campus shall be under direct physical control, leashed by their owner or custodian.

(3) Dogs not under direct physical control of their owner or custodian, i.e., unleashed or tied and owner or custodian not present, shall be subject to impoundment and their owners subject to fines as determined under city ordinances.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 106-124-100 SPEAKERS AND PROGRAMS.
- WAC 106-124-101 SPEAKERS AND PROGRAMS--SCOPE OF REGULATIONS--EXCEPTIONS.
- WAC 106-124-102 SPEAKERS AND PROGRAMS--CONVENTION RESTRICTIONS.
- WAC 106-124-105 DEFINITIONS.
- WAC 106-124-110 COLLEGE DIVISIONS--RIGHT TO INVITE SPEAKERS AND/OR PROGRAMS.
- WAC 106-124-120 ORGANIZATIONS--RIGHT TO INVITE SPEAKERS OR PROGRAMS.
- WAC 106-124-121 ORGANIZATIONS--NO ASSUMPTION OF OBLIGATION.
- WAC 106-124-122 ORGANIZATIONS--PROCEDURES.
- WAC 106-124-123 ORGANIZATIONS--SCHEDULING LIMITATIONS ON USE OF FACILITIES FOR SPEAKERS AND PROGRAMS.
- WAC 106-124-130 ORGANIZATIONS--REGISTRY.
- WAC 106-124-131 ORGANIZATIONS--ORGANIZATIONAL CONDUCT--GENERAL POLICY.
- WAC 106-124-802 ANIMALS PROHIBITED--EXCEPTION.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 106-136-100 STUDENT PUBLICATIONS.
WAC 106-136-101 STUDENT PUBLICATIONS--LETTERS TO THE EDITOR.
WAC 106-136-110 GALLERY ART DISPLAY POLICY.
WAC 106-136-200 PLACEMENT SERVICE--EMPLOYERS RECRUITING ON
CAMPUS.
WAC 106-136-201 PLACEMENT SERVICE--ELIGIBILITY TO REGISTER FOR
PLACEMENT SERVICE.
WAC 106-136-202 PLACEMENT SERVICE--PLACEMENT FILE.
WAC 106-136-203 PLACEMENT SERVICE--INTERVIEWS--PRIORITIES.
WAC 106-136-204 PLACEMENT SERVICE--RENEWAL SERVICE FOR ALUMNI.
WAC 106-136-205 PLACEMENT SERVICE--JOB NOTIFICATION.
WAC 106-136-206 PLACEMENT SERVICE--RECIPROCAL SERVICE.
WAC 106-136-207 PLACEMENT SERVICE--CONFIDENTIALITY.
WAC 106-136-208 PLACEMENT SERVICE--RELEASING OF INFORMATION.
WAC 106-136-209 FEE POLICY.
WAC 106-136-300 KCAT-AM RADIO STATION--ADVERTISING RATES.
WAC 106-135-400 SCHEDULING OFFICE--DUTIES OF THE SCHEDULING
COORDINATOR.
WAC 106-135-410 USE OF FACILITIES FOR CAMPAIGN PURPOSES.
WAC 106-136-411 USE OF FACILITIES FOR CAMPAIGN PURPOSES--
REQUIREMENTS.
WAC 106-136-501 FACILITIES SCHEDULING AND USE POLICY.
WAC 106-136-510 DEFINITIONS.
WAC 106-136-520 AVAILABLE SPACE.
WAC 106-135-521 AVAILABLE SPACE--LISTING OF SPACE OR PREMISES
AVAILABLE FOR LEASING OR RENTING.
WAC 106-136-522 AVAILABLE SPACE--PRIORITY FOR USE.
WAC 106-136-523 AVAILABLE SPACE--CLASSROOMS.
WAC 106-136-524 AVAILABLE SPACE--LEASE REQUIREMENT.
WAC 106-136-525 AVAILABLE SPACE--LEASING FEE OR RENTAL RATE.
WAC 106-136-526 AVAILABLE SPACE--SCHEDULING DEADLINES.
WAC 106-136-527 AVAILABLE SPACE--PROHIBITION.
WAC 106-136-528 AVAILABLE SPACE--LIMITATIONS.
WAC 106-136-529 AVAILABLE SPACE--AUTHORITY OF SCHEDULING
COORDINATOR.
WAC 106-136-590 RESOLUTION OF CONFLICTS WITH OTHER UNIVERSITY
POLICIES.
WAC 106-136-591 RESOLUTION OF CONFLICTS WITH OTHER UNIVERSITY
POLICIES--COMMERCIAL ENTERPRISE.
WAC 106-136-600 ENTERTAINMENT POLICY.
WAC 106-135-601 ENTERTAINMENT DEFINED.
WAC 106-136-602 FESTIVALS.
WAC 106-135-605 APPROVAL OF ENTERTAINMENT REQUIRED.
WAC 106-136-620 RESPONSIBILITIES OF THE ASSOCIATED STUDENTS OF
CENTRAL.
WAC 106-136-625 PROHIBITED ACTIVITIES AT ENTERTAINMENT
PRESENTATION.
WAC 106-136-630 OBLIGATIONS OF OFFICIALLY RECOGNIZED STUDENT
ORGANIZATIONS AND PRIVATE ENTITIES.
WAC 106-136-631 OBLIGATIONS OF OFFICIALLY RECOGNIZED STUDENT
ORGANIZATIONS AND PRIVATE ENTITIES--DEPOSIT OF RENTAL FEE.
WAC 106-136-632 OBLIGATIONS OF OFFICIALLY RECOGNIZED STUDENT
ORGANIZATIONS AND PRIVATE ENTITIES--DAMAGES BOND.
WAC 106-136-640 SCHEDULING RESPONSIBILITIES, REQUIREMENTS,
PRIORITIES AND PROCEDURE.
WAC 106-136-641 SCHEDULING RESPONSIBILITIES, REQUIREMENTS,
PRIORITIES AND PROCEDURE--PROCEDURE FOR REQUEST.
WAC 106-136-642 SCHEDULING RESPONSIBILITIES, REQUIREMENTS,
PRIORITIES AND PROCEDURE--PROHIBITION OF ASSIGNMENTS.
WAC 106-136-643 SCHEDULING RESPONSIBILITIES, REQUIREMENTS,
PRIORITIES AND PROCEDURE--REQUIREMENTS FOR SCHEDULING.

WAC 106-135-644 SCHEDULING RESPONSIBILITIES, REQUIREMENTS, PRIORITIES AND PROCEDURE--LIMITATIONS ON USE OF FACILITIES.

WAC 106-135-645 SCHEDULING RESPONSIBILITIES, REQUIREMENTS, PRIORITIES AND PROCEDURE--REQUIREMENTS FOR EXECUTION OF CONTRACT AND CONTENTS.

WAC 106-136-646 SCHEDULING RESPONSIBILITIES, REQUIREMENTS, PRIORITIES AND PROCEDURE--CONTRACT PROVISIONS.

WAC 106-136-650 ENTERTAINMENT RESPONSIBILITIES.

WAC 106-136-660 AUTHORITY OF ATHLETIC DIRECTOR TO ADMINISTER ATHLETIC EVENTS.

WAC 106-136-670 AUTHORITY OF DEAN OF STUDENT DEVELOPMENT TO ADMINISTER RECREATION PROGRAM.

WAC 106-136-680 AUTHORITY OF ACADEMIC DEPARTMENTS TO ADMINISTER THEIR SPONSORED PUBLIC EVENTS.

WAC 106-136-900 USE OF COMPUTER FACILITIES POLICY.

WAC 106-136-910 USE OF COMPUTER FACILITIES BY STUDENTS, FACULTY AND STAFF.

WAC 106-136-911 USE OF COMPUTER FACILITIES BY STUDENTS, FACULTY AND STAFF--INSTRUCTIONAL REQUIREMENTS.

WAC 106-136-912 USE OF COMPUTER FACILITIES BY STUDENTS, FACULTY AND STAFF--TIMES OF AVAILABILITY.

WAC 106-136-915 ACCESSIBILITY OF COMPUTER FACILITIES FOR USE.

WAC 106-136-920 TYPE OF USE PERMITTED.

Chapter 106-140 WAC

USE OF ((COLLEGE)) FACILITIES ((--BUSINESS-OFFICE))

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-140-020 ADVERTISING--ADVERTISING IN RECOGNIZED STUDENT AND FACULTY PUBLICATIONS. Advertising in ((the--following--listed)) publications of the university and its recognized student or faculty organizations or on university operated radio or television broadcasts is permitted within the requirements of journalistic policies, prices, rules, and regulations established by each ((listed-publication:

- {1}-Campus-Crier
- {2}-Hyakem
- {3}-Student-and-faculty-directory
- {4}-Village-Review
- {5}-NEWS
- {6}-Athletic) program ((s)).

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-140-021 ADVERTISING--ADVERTISING ON BULLETIN BOARDS. Advertising in order of priority, by students, university employees and recognized organizations thereof on bulletin boards is approved but shall be subject to regulation by the dean of students ((development)) or his designated representative with respect to priority when there is a lack of space, and to the size and duration of the posting. This section applies to bulletin boards located at the following places:

	Location	Users
(1)	Samuelson Union Building Nature of advertisements: Activities of the sponsoring organizations only.	Student government activities Campus sponsored groups Campus sponsored events
(2)	Mitchell Hall Nature of advertisements: Activities of the sponsoring organization only.	Student government activities Campus sponsored groups Campus sponsored events
(3)	Bookstore Nature of advertisements: Activities of the sponsoring organization only.	All recognized campus organizations and students.
(4)	Any additional ASC bulletin board space which may be provided by the university or by a recognized organization.	All recognized campus organizations.

Location

Users

Nature of advertisements:
Activities of the
sponsoring organization
only.

- (5) Residence halls
Nature of advertisements: All recognized campus
Activities of the organizations.
sponsoring organization
only.

Advertising by other than Central Washington University affiliated or recognized groups is not permitted at any time on university property and will be removed upon discovery.

NEW SECTION

WAC 106-140-023 ADVERTISING RATES--STUDENT PUBLICATIONS. The following rules shall be followed regarding advertising rates in student publications:

- (1) Display advertising rates shall be appropriately and publicly announced prior to each year's publication period.
- (2) Rates shall bear reasonable relationship to prevailing commercial standards and shall be based upon current economic conditions, publication financial requirements, and competitive situations.
- (3) Differentials in display advertising rates shall be permitted based upon frequency and amount of advertising by advertisers and upon classification of advertisements, such as "local" or "national."
- (4) Classified advertising rates, appropriately set and properly announced, shall be on the basis of cost per line.
- (5) Closing dates for receipt of advertising material shall be set according to current mechanical publication requirements.
- (6) Acceptability of advertisements shall be determined prior to each year's publication period and based upon current state law, other university rules and regulations and commonly accepted practices and mores.

NEW SECTION

WAC 106-140-025 ADVERTISING RATES--KCAT RADIO STATION. Whenever possible, the advertising rates of KCAT shall be in accordance with the standards set by the Intercollegiate Broadcasting System.

NEW SECTION

WAC 106-140-027 GALLERY ART DISPLAY. Displays of art in the Sarah Spurgeon Gallery shall be subject to the following conditions:

- (1) All work displayed in the gallery shall be invited, authorized, and scheduled by the gallery director and/or department chair and shall comply with United States supreme court rulings on the display of works of art.

(2) All campus displays of art authorized by the gallery director and/or department chair shall comply with these rules and be subject to the supervision of the gallery director and/or department chair.

AMENDATORY SECTION (Amending Order 38, filed 1/19/78)

WAC 106-140-040 SELLING ON CAMPUS. Selling within the boundaries of Central Washington University property may be permitted in the manner and at the locations as set forth below:

(1) University housing:

(a) The selling of food in vending machines is controlled by and administered through the office of the director of auxiliary services.

(b) Residents in university housing are allowed to sell or to offer services on commission with a special permit from the director of auxiliary services or his designee. Students may request such a permit for their assigned room or housing unit only since door to door selling is not allowed on campus.

(2) Other campus areas, as follows:

(a) Selling by individual students or by recognized organizations in classroom buildings, administrative buildings or service buildings is not allowed without special permission that must be obtained from the vice president for business affairs or his designee not less than five business days prior to the date the requested activity is to take place.

(b) The (~~(college)-[university]~~) university athletic committee regulates the selling policy at (~~(college)-[university]~~) university athletic events. Applications for permission to sell at such events shall be made to the (~~(college)-[university]~~) university athletic director or his designee.

(c) The (~~(college)-[university]-[union-board]~~) SUB facilities council regulates (~~(the)~~) selling (~~(policy)~~) by individuals and groups in the Samuelson Union Building. Applications for permission to sell in the Samuelson Union Building shall be made to the dean of students (~~(development)~~) or his designee through the scheduling center. Off-campus vendors may rent table space in the union building for a maximum of two days (five if ware fairs are included) per academic quarter. Requests for exceptions to this regulation will be made to the dean of students (~~(development)~~) or his designee.

(3) Violations of the foregoing on any university property should be reported promptly to the dean of students (~~(development)~~).

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-140-120 MOTOR POOL-UNIVERSITY VEHICLES--UNIVERSITY PERSONNEL. University vehicles shall be utilized and operated only by university employees, or students of Central Washington University authorized by university officials, provided they have a valid operator's license on their person.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72, effective 7/20/72)

WAC 106-140-121 MOTOR (~~(POOL-COLLEGE)~~) POOL--UNIVERSITY VEHICLES--STUDENT PERSONNEL. Student employee use of vehicles is limited

to that use authorized by departmental (~~chairmen~~) chairs and administrative heads.

NEW SECTION

WAC 106-140-131 BUILDING KEY--AUTHORITY TO ISSUE. (1) Only department chairs and administrative heads may authorize issuance of submaster, building entrance, or individual room keys for their departments to faculty, staff, administrators, students, contractors, vendors, or service agents.

(2) Only deans, vice-presidents, the director of auxiliary services and the director of physical plant are authorized to issue building masters for their respective operational areas.

NEW SECTION

WAC 106-140-133 RESPONSIBILITY FOR EXPENSES RESULTING FROM FAILURE TO RETURN KEYS. (1) The administrative head authorizing issuance of keys to contractors, vendors, or service agents will be responsible for the return of the keys to the lock shop as scheduled, and if the keys are not returned as scheduled, will be required to pay the cost of recombining work necessary to retain building security and function as determined by the director of physical plant.

(2) The department responsible for the issuance of keys may be billed the cost of recombining work necessary to restore security when faculty, staff, administrators, or students fail to return keys to the key shop. The work required to restore security will be determined by the director of physical plant for state-funded facilities and by the director of auxiliary services for auxiliary service facilities. The responsible department chair or administrative head will be informed of the cost estimate prior to the rekeying process.

NEW SECTION

WAC 106-140-135 KEYS--TRANSFERRING/LOANING PROHIBITED. Transferring university keys between individuals is prohibited. Loaning keys to university facilities is prohibited. Individuals who loan their keys will be held responsible should they be improperly used.

NEW SECTION

WAC 106-140-137 FAILURE TO RETURN KEYS TO LOCK SHOP--PENALTIES. Failure to return keys to the lock shop may result in withholding of salary/wages, transcripts, registration, and/or graduation.

NEW SECTION

WAC 106-140-401 FACILITIES SCHEDULING AND USE. The coordinator of the university scheduling center shall have authority for approving and scheduling the use of the following facilities:

(1) Classrooms (lecture and seminar) and certain specified conference rooms within academic facilities: PROVIDED, That scheduling of these facilities by academic departments for academic purposes shall have priority over other uses;

(2) Samuelson Union Building facilities;

(3) Limited housing and dining hall facilities, except that such facilities are made available only through the director of auxiliary services or his designee. Policies and procedures which individuals and organizations must follow in scheduling the use of facilities are provided in the Central Washington University Facilities Use Policy which is maintained in the scheduling center in the Samuelson Union Building. In addition, use of university facilities must comply with the provisions of WAC 106-140-410 through 106-140-529.

NEW SECTION

WAC 106-140-410 USE OF FACILITIES FOR CAMPAIGN PURPOSES. No political candidate or group supporting specific candidates for political office, or persons or groups campaigning for specific political issues, or political candidates can use university space or facilities free of charge, such as the campus newspaper, campus radio or TV station, or receive university support for those political activities. Furthermore, no university equipment, including duplicating machines, computers, telephones, mailing services, or supplies may be used free of charge for political or other nonuniversity purposes.

NEW SECTION

WAC 106-140-411 USE OF FACILITIES FOR CAMPAIGN PURPOSES--REQUIREMENTS. The purpose of Central Washington University is to provide a liberal education in a number of academic fields; it has been established for public benefit rather than for the benefit of any private endeavors. In no case may university facilities or services be used to establish or maintain an office or headquarters for a political candidate or partisan political cause. Rules, regulations, policies, procedures, and practices regarding the use of university facilities shall not discriminate or promote discrimination among political parties or groups solely on the basis of their particular political viewpoint.

NEW SECTION

WAC 106-140-527 AVAILABLE SPACE--PROHIBITION. University organizations or members of the staff, faculty, students, or administration of Central Washington University shall not be permitted to assume cosponsorship for another group or individual in order to favorably affect scheduling priority or to reduce the costs otherwise chargeable to such other group or individual.

NEW SECTION

WAC 106-140-529 AVAILABLE SPACE--LIMITATIONS. University facilities available to nonuniversity organizations through the scheduling office may be used for religious worship, training, instruction, or prayer meetings when available and at full rental charge rates: PROVIDED, That such facilities may not be scheduled, leased, rented, or used on a regular series basis, daily, weekly, monthly, etc., or in any manner that establishes a consistent pattern of the aforementioned religious usage of university facilities.

NEW SECTION

WAC 106-140-600 ENTERTAINMENT POLICY. The entertainment policy for Central Washington University shall be maintained by the director of student activities. All entertainment as defined in WAC 106-140-601 shall be presented in accordance with this policy and in accordance with the provisions of WAC 106-140-602 through 106-140-632.

NEW SECTION

WAC 106-140-601 ENTERTAINMENT DEFINED. "Entertainment" wherever used in chapter 106-140 WAC shall be defined as follows: "Any performance, dance, concert, attraction, fund-raising event, or other event presented on campus which shall require the use of Central Washington University facilities and is sponsored by either the Associated Students of Central, an officially recognized organization, or private entity."

NEW SECTION

WAC 106-140-605 ENTERTAINMENT--APPROVAL REQUIRED. All entertainment, except athletic events administered by academic departments and events sponsored through the university office of recreation and intramurals must have the signed approval of the dean of students or his designee.

NEW SECTION

WAC 106-140-632 ENTERTAINMENT--DAMAGES BOND--RESPONSIBILITIES OF SPONSOR. Officially recognized organizations and private entities may be required to furnish Central Washington University with a certificate of insurance or other satisfactory proof that such organization or private entity has purchased reasonable broad form insurance coverage (e.g., \$1,000,000 liability coverage and \$250,000 property damage coverage for use of Nicholson Pavilion) for the entertainment event presented by such organization or private entity, of which Central Washington University is the sole beneficiary. The following shall be required of all officially recognized organizations and private entities presenting entertainment:

(1) Each organization or private entity shall provide the scheduling office with a complete list of all the officers, agents and representatives of the organization, including full names, local addresses and permanent addresses of each.

(2) Each organization or private entity shall be responsible for the admissions, attendance and crowd control in the university facilities during the time reserved for their organization.

(3) Each organization or private entity assumes responsibility for all violations of campus regulations and policies, state law, and federal law which occur in connection with the use of the facilities and shall hold the university harmless from any claims or liability for any act or failure to act on the part of the organization.

NEW SECTION

WAC 106-140-640 FESTIVALS PROHIBITED. The presentation of festivals will not be permitted. For purposes of this section, a festival is an assembly of more than two thousand persons gathered primarily for outdoor, live, or recorded musical entertainment where the duration of the program is five hours or longer.

NEW SECTION

WAC 106-140-660 AUTHORITY OF ATHLETIC DIRECTOR TO ADMINISTER ATHLETIC EVENTS. The athletic director of Central Washington University shall establish reasonable admission fees, rules, and regulations regarding attendance and crowd control at athletic events at Central Washington University. Advance notice of such admissions fees, rules and regulations regarding attendance and crowd control at athletic events at Central Washington University will be provided to interested parties, whenever possible, by the athletic director.

NEW SECTION

WAC 106-140-670 AUTHORITY OF DEAN OF STUDENTS TO ADMINISTER RECREATION PROGRAM. The dean of students or his designee may establish reasonable admission charges, schedules, rules and regulations regarding uses, attendance and crowd control at Nicholson Pavilion and Pool, and admission charges will be assessed for university employees and their immediate families during such periods. Advance notice of such charges, schedules, rules and regulations shall be provided to interested parties, whenever possible, by the dean of students or his designee.

NEW SECTION

WAC 106-140-680 AUTHORITY OF ACADEMIC DEPARTMENTS TO ADMINISTER THEIR SPONSORED PUBLIC EVENTS. Following approval by the appropriate dean, academic departments may establish reasonable admissions fees, rules, and regulations regarding attendance and crowd control for public events which they sponsor. Such admission charges may be assessed

for university staff, faculty, student body, and the general public. However, when Central Washington University student fees are allocated for the direct support of an academically related public event, Central Washington University students shall normally be provided a reduced student admission charge for such event. Advance notice of such admission fees, rules, and regulations shall be provided to interested parties as soon as possible after their adoption, by the respective academic departments.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 106-140-001 BUSINESS ENTERPRISES POLICY.
 WAC 106-140-030 PUBLICITY AND LITERATURE.
 WAC 106-140-053 SOLICITING AND SELLING OF PUBLISHED MATERIALS--
 TIME, PLACE AND MANNER OF SOLICITING AND SELLING OF PUBLISHED
 MATERIALS.
 WAC 106-140-101 USE OF UNIVERSITY FACILITIES--BUSINESS OFFICE.
 WAC 106-140-140 BUSINESS OFFICE HOURS--CASHIER.
 WAC 106-140-145 CHECK CASHING-CASHIER'S OFFICE.
 WAC 106-140-146 CHECK CASHING-CASHIER'S OFFICE--PARTIAL RETURN
 IN CASH.
 WAC 106-140-150 UNIVERSITY BOOKSTORE--REFUNDS.
 WAC 106-140-152 UNIVERSITY BOOKSTORE--BOOKSTORE CHECK CASHING
 POLICY.
 WAC 106-140-153 UNIVERSITY BOOKSTORE--METHODS OF PURCHASE.
 WAC 106-140-154 UNIVERSITY BOOKSTORE--BOOK ORDERS.
 WAC 106-140-155 COLLEGE BOOKSTORE--PRICING.
 WAC 106-140-157 UNIVERSITY BOOKSTORE--ANIMALS PROHIBITED.
 WAC 106-140-159 UNIVERSITY BOOKSTORE--HOURS.

Chapter 106-156 WAC

((COLLEGE)) HOUSING AND DINING HALL SERVICES ((POLICY))

AMENDATORY SECTION (Amending Order 45, filed 8/14/80)

WAC 106-156-011 STUDENTS REQUIRED TO LIVE IN UNIVERSITY RESIDENCE HALLS--EXCEPTIONS. Exceptions to WAC 106-156-010 may be granted to the following students:

- (1) Those who are living with parents or relatives.
- (2) Those with medical reasons.
- (3) Those employed off campus and housing and/or board is a part of their overall compensation received.
- (4) Those who will reach the age of ((24)) twenty-one within thirty days after the start of the quarter.
- (5) Those who have completed six quarters as a full time student.
- (6) Those who have unique situations not otherwise covered in this paragraph of exceptions and obtain the approval of the director of auxiliary services, or the director's designee.

The director of auxiliary services has established a committee of whom the student may request a hearing and ruling on the student's request for an exception. The decision of the committee may be appealed to the undergraduate council.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 106-156-016 ELIGIBILITY FOR UNIVERSITY FAMILY HOUSING--LOSS OF ELIGIBILITY GROUNDS FOR TERMINATION OF LEASE.

WAC 106-156-017 ELIGIBILITY FOR COLLEGE FAMILY HOUSING--WAITING LISTS.

WAC 106-156-020 RESIDENCE HALL AND SINGLE STUDENT APPLICANTS RESPONSIBILITIES.

WAC 106-156-021 RESIDENCE HALL AND SINGLE STUDENT APPLICANTS RESPONSIBILITIES--ADDITIONAL CHARGES.

WAC 106-156-022 RESIDENCE HALL AND SINGLE STUDENT APPLICANTS RESPONSIBILITIES--ACCOMMODATION ASSIGNMENTS--RESIDENCE HALLS AND SINGLE STUDENT APARTMENTS.

WAC 106-156-023 RESIDENCE HALL AND SINGLE STUDENT APPLICANTS RESPONSIBILITIES--HOUSING AND FOOD SERVICE RATES.

WAC 106-156-024 RESIDENCE HALL AND SINGLE STUDENT APPLICANTS RESPONSIBILITIES--PAYMENT REQUIREMENTS--CANCELLATION OF REGISTRATION.

WAC 106-156-025 RESIDENCE HALL AND SINGLE STUDENT APPLICANTS RESPONSIBILITIES--EXTRA SERVICES.

WAC 106-156-026 RESIDENCE HALL AND SINGLE STUDENT APPLICANTS RESPONSIBILITIES--NONDISCRIMINATORY ASSIGNMENT.

WAC 106-156-027 RESIDENCE HALL AND SINGLE STUDENT APPLICANTS RESPONSIBILITIES--DEPOSIT REQUIRED.

WAC 106-156-028 RESIDENCE HALL AND SINGLE STUDENT APPLICANTS RESPONSIBILITIES--FINAL ACCEPTANCE.

WAC 106-156-030 CONFERENCES AND WORKSHOPS--PARTICIPANTS.

WAC 106-156-040 PAYMENT--THIRD PARTY REQUIREMENTS.

WAC 106-156-041 PAYMENT--PAYMENT CHARGES.

WAC 106-156-051 USE OF HOUSING FACILITIES--BICYCLES AND MOTORCYCLES.

WAC 106-156-052 USE OF HOUSING FACILITIES--LAUNDRY FACILITIES.

WAC 106-156-053 USE OF HOUSING FACILITIES--ROOM INSPECTION.

WAC 106-156-054 USE OF HOUSING FACILITIES--OVERNIGHT GUESTS.
 WAC 106-156-055 USE OF HOUSING FACILITIES--FIREARMS.
 WAC 106-156-056 USE OF HOUSING FACILITIES--ASSOCIATE MEMBERS.
 WAC 106-156-060 FAMILY HOUSING APPLICANTS.
 WAC 106-156-061 FAMILY HOUSING APPLICANTS--ACCOMMODATION ASSIGN-
 MENTS--FAMILY HOUSING.
 WAC 106-156-062 FAMILY HOUSING APPLICANTS--MARRIAGE REQUIRE-
 MENTS--EXCEPTIONS.
 WAC 106-156-063 FAMILY HOUSING APPLICANTS--MARRIAGE CERTIFICATE.
 WAC 106-156-064 FAMILY HOUSING APPLICANTS--FAMILY HOUSING
 DEPOSIT REQUIREMENTS.
 WAC 106-156-065 FAMILY HOUSING APPLICANTS--LEASE REQUIRED.
 WAC 106-156-066 FAMILY HOUSING APPLICANTS--FAMILY HOUSING RATES.
 WAC 106-156-067 FAMILY HOUSING APPLICANTS--PAYMENT REQUIREMENTS.
 WAC 106-156-070 FOOD SERVICES.
 WAC 106-156-071 FOOD SERVICES--ADMITTANCE TO DINING HALLS.
 WAC 106-156-072 FOOD SERVICES--GUESTS.
 WAC 106-156-073 FOOD SERVICES--REMOVAL OF FOOD.
 WAC 106-156-074 FOOD SERVICES--REMOVAL OF DINING HALL PROPERTY.
 WAC 106-156-075 FOOD SERVICES--PERSONS ELIGIBLE TO PURCHASE AN
 OFF-CAMPUS MEAL TICKET.
 WAC 106-156-076 FOOD SERVICES--CHOICE OF SERVINGS AND SECONDS.
 WAC 106-156-077 FOOD SERVICES--DRESS STANDARDS.
 WAC 106-156-078 FOOD SERVICES--SMOKING PROHIBITED--EXCEPTIONS.
 WAC 106-156-079 FOOD SERVICES--SERVING HOURS.
 WAC 106-156-080 FOOD SERVICES--PETS PROHIBITED.
 WAC 106-156-081 FOOD SERVICES--OUTSIDE SERVICES RESTRICTED.
 WAC 106-156-082 FOOD SERVICES--ADDITIONAL FOOD SERVICES.

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-160-005 FINANCES. Each applicant for admission to Central Washington University must pay the tuition and fees as established by the board of trustees or the president (~~(prior-to)~~) on or before the dates for payment as designated by the board of trustees or the president.

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-160-010 GRADUATING STUDENTS. Students shall submit their applications for the appropriate degrees on or before the date designated for that purpose by the board of trustees or the president, which shall be published in the appropriate university catalog. No application shall be accepted after the designated dates (~~(---PROVIDED, that)~~). However, the president or his designee may waive this requirement.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 106-160-007 FINANCES--SANCTIONS.
- WAC 106-160-036 ADMISSION REQUIREMENTS--MEDICAL HISTORY.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 106-164-901 BOND BID POLICIES AND PROCEDURES.
- WAC 106-164-910 BOND BID PROCEDURES AND REQUIREMENTS.
- WAC 106-164-911 BOND BID PROCEDURES AND REQUIREMENTS--
AVAILABILITY AND SUBMISSION REQUIREMENTS.
- WAC 106-164-912 BOND BID PROCEDURES AND REQUIREMENTS--TIME OF
FILING AND LATE BIDS.
- WAC 106-164-913 BOND BID PROCEDURES AND REQUIREMENTS--BID
OPENING.
- WAC 106-164-914 BOND BID PROCEDURES AND REQUIREMENTS--BOARD
ACTION ON BIDS.

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-172-711 DEFINITIONS. The following definitions shall apply for the interpretation of these regulations:

(1) The "university" means Central Washington University (~~or any office, department, or any unit thereof which maintains "educational records."~~) as a whole, including any and all of its component departments, offices, or units.

(2) "Directory information" means the student's name, hometown address, university address and telephone number, date of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, class, previous institutions attended, major field of study, awards, honors (including honor roll), degrees conferred (including dates), and other similar information. The university may release directory information concerning a student to the public unless the student submits a signed request in writing, within two weeks after the first day of classes for the fall quarter. Requests for nondisclosure (~~will be sent to the university information office, who will record the request and forward it to the registrar's office, where the information to prevent disclosure will be entered in the computer~~) must be forwarded to the office of the dean of students where an appropriate notation will be entered in the student's computer file. These requests will then be forwarded to the university relations and information office which maintains a complete file of nondisclosure requests. Authorization to withhold (~~directory~~) the information must be filed annually since the request for nondisclosure will be honored by the university for only one (~~academic~~) year. (~~The university may disclose directory information of a student no longer in attendance (i.e., alumni) without meeting any of the requirements noted above.~~)

(3) "Eligible student" means any person who is (~~or has been~~) officially registered at this university (~~and who has reached the age of eighteen~~).

(4) (a) "Education records" mean those records which:

(i) Are directly related to a student, and

(ii) Are maintained by the university or by a party acting for the university.

(b) The term education record does not include the following:

(i) Records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker of the record and which are not accessible or revealed to any other person except a temporary substitute;

(ii) Records of the campus police which are maintained separately and solely for law enforcement officials of the same jurisdiction--provided that education records maintained by the university are not disclosed to the law enforcement unit;

(iii) Records of someone employed by the university, which are made in the normal course of business, related exclusively to the person as an employee, and are not used for any other purpose;

(iv) Records made by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional directly related to the treatment of a student, and not disclosed to anyone other than individuals providing treatment provided records can be reviewed by a physician or other appropriate professional of the student's choice (~~Records of a person after he or she is no longer in attendance (i.e., information maintained by the university concerning the accomplishments of its alumni).~~).

(v) ~~Records of a person after he or she is no longer in attendance (i.e., information maintained by the university concerning the accomplishments of its alumni).~~

(5) "Personally identifiable" means that the data or information includes:

(a) The name of a student, the student's parent, or other family member,

(b) The address of the student,

(c) A personal identifier, such as the student's social security number or student number,

(d) A list of personal characteristics which would make the student's identity easily traceable, or

(e) Other information which would make the student's identity easily traceable.

(6) "Record" means information or data recorded in any medium including but not limited to: Handwriting, print, tapes, film, microfilm, and microfiche.

(7) "Financial aid" means a payment of funds provided to an individual which is conditioned on the individual's attendance at an educational agency or institution.

(8) "Dean of students ((development))" means the dean of student development or his/her designee.

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-172-721 NOTIFICATION BY EDUCATIONAL INSTITUTION. (1) The university shall inform eligible students, annually, of the following:

(a) The types of education records and information contained therein which are maintained by the institution;

(b) The titles and addresses of official responsible for the maintenance of each type of record, the persons who have access to those records, and the purposes for which they have access;

(c) The policies and procedures of the university for reviewing and expunging those records, and for challenging the accuracy of them;

(d) the procedures for gaining access to the educational records;

(e) The cost, as approved by the board of trustees, which will be charged to the eligible student for reproducing single copies of records, provided that the cost shall not exceed the actual cost of reproducing the record;

(f) The categories of information which the university has designated as directory information.

(2) Notice of the existence of this policy and the availability of the information described in subsection (1)(a) through ((f)) (f) ((above)) of this section may be published in any official university print medium publication having general circulation among students. This may be a special publication for this purpose only, or included in another publication. Students may consult the office of the dean of students ((development)) for the information described.

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-172-731 ACCESS TO ((EWS)) EDUCATION RECORDS. The university shall provide each student access to his/her education records except as otherwise limited according to WAC 106-172-733.

The right of access shall include:

(1) The right to inspect and review the content of education records in the presence of appropriate university personnel.

(2) The right to obtain single copies of each record, at the expense of the eligible student but not to exceed the actual cost to the university of reproducing such copies.

(3) The right to a response from the university to reasonable requests for explanations and interpretations of those records.

(4) The right of an opportunity for a hearing to challenge the content and accuracy of those records according to WAC 106-172-761.

(5) (a) Students wishing access under provisions of this policy to education records maintained by the university should address a request in writing to the person in charge of maintenance of that record. If copies are requested, copies may be supplied at no more than the cost of making the copy, including supplies and staff time.

(b) The individual responsible for maintenance of any record shall respond to written requests only, and provide copies as requested, within twenty working days. The university registrar is not prohibited from providing a student with a copy of the student's academic transcript from CWU, but is prohibited from providing a student with a copy of the student's official academic transcripts from other institutions.

(5) The office of the dean of students ((development)) will maintain a file showing what education records are maintained by any department or entity of the university and the title and address of the official responsible for maintenance of each record.

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-172-733 LIMITATIONS ON ACCESS TO ((CENTRAL--WASHINGTON UNIVERSITY)) EDUCATION RECORDS. ((+)) Central Washington University shall not make available to a student the following types of materials:

((+)) (1) Financial records and statements provided by parents "or any information contained therein."

((+)) (2) Confidential letters and statements of recommendation or evaluation which were provided to the university, with written assurance of a "documented understanding of confidentiality," prior to January 1, 1975, provided such letters or statements are not used for purposes other than those for which they were specifically intended.

((+)) (3) Post-1974 confidential recommendations involving possible admission, employment, or honor, but only if the student has signed a waiver of the right to inspect them. Such a waiver shall apply to recommendations only if:

((+)) (a) The student is upon request, notified of the names of all persons making confidential recommendations; and

((+)) (b) Such recommendations are used solely for the purpose for which they were specifically intended.

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-172-763 INFORMAL PROCEEDINGS. (1) Whenever possible the university shall attempt to settle disputes regarding requests to amend education records through informal proceedings.

(2) A student who wishes to exercise the rights set forth in WAC 106-172-761(2) shall:

(a) First, attempt a resolution with the university official who has custody of the education records; and

(b) Second, discuss with the dean of students ((development)) or his/her designee the nature of the corrective action recommended by the student.

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-172-765 CONDUCT OF THE HEARING. (1) If informal proceedings fail to resolve the complaint of a student, the student may file with the dean of students ((development)) a written request for the hearing before a hearing officer of the university to be designated by the dean of students ((development)), and who does not have a direct interest in the outcome of the hearing.

(2) The hearing shall be held within a reasonable time (not to exceed twenty working days) after the university has received the request and the student shall be given notice of the date, place and time reasonably in advance of the hearing.

(3) The student shall be given an opportunity to present evidence relevant to the issues raised in WAC 106-172-761(2) and may be represented by any person (including an attorney) of the student's choosing at his or her expense.

(4) A decision in writing shall be prepared within a reasonable period of time (not to exceed ten working days), which decision shall be based solely upon the evidence presented, and which includes a summary of the evidence and the reasons for the decision.

(5) If, as a result of the hearing, the decision is:

(a) To amend the record, the university must do so accordingly and give notice to the student.

(b) Not to amend, the student must be allowed to place a written comment or explanation in the student's file, and it must be kept in the file as long as the file itself is kept. If the contested portion of the file is disclosed to anybody, the student's statement must also be disclosed.

(6) The designated hearing officer shall be advised by the assistant attorney general representing the university.

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-172-772 RELEASE OF INFORMATION FOR HEALTH OR SAFETY EMERGENCIES. (1) The university (president or his designee, dean of students ((development))) may release information from education records to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other persons.

(2) The factors which should be taken into account in determining whether records may be released shall include:

(a) The seriousness of the threat to the health or safety of the student or other persons;

(b) The need for such records to meet the emergency;

(c) Whether the persons to whom such records are released are in a position to deal with the emergency; and

(d) The extent to which time is of the essence in dealing with the emergency.

Chapter 106-276 WAC

PUBLIC RECORDS (~~(AND LEGISLATIVE SESSIONS)~~)AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-276-010 DEFINITION OF PUBLIC RECORD. (1) A 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 Central Washington University, regardless of the physical form or characteristics: PROVIDED, HOWEVER, That in accordance with RCW 42.17.310, the following personal and other records are exempt from the definition of public record:

(a) Personal information in any files maintained for students in public schools and the information, data and records subject to the student records policy, WAC 106-172-700 through 106-172-799.

(b) Personal information in any files maintained for patients or clients of public institutions or public health agencies, welfare recipients, prisoners, probationers or parolees.

(c) Personal information in files maintained for employees, appointees or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

(d) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would violate the taxpayer's right to privacy or would result in unfair competitive disadvantage to such taxpayer.

(e) Specific intelligence information and specific investigative (~~files~~) records compiled by investigative, law enforcement and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(f) Information revealing the identity of persons who file complaints with investigative, law enforcement or penology agencies, (~~except as the complainant may authorize~~) other than the public disclosure commission, if disclosure would endanger any person's life, physical safety, or property: PROVIDED, That if at the time the complaint is filed the complainant indicates a desire for disclosure or nondisclosure, such desire shall govern: PROVIDED FURTHER, That all complaints filed with the public disclosure commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath.

(g) Test questions, scoring keys, and other examination data used to administer a license, employment or academic examination.

(h) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.

(i) Valuable formulae, designs, drawings and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.

(j) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(k) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(1) Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or depredation of such sites.

(m) Any library record, the primary purpose of which is to maintain control of library materials, or to gain access to information, which discloses or could be used to disclose the identity of a library user.

(2) The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interest, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

(3) Inspection or copying of any specific records exempt under the provisions of this section may be permitted if the superior court in the county in which the record is maintained finds, after a hearing with notice thereof to every person in interest and the agency, that the exemption of such records is clearly unnecessary to protect any individual's right of privacy or any vital governmental function.

(4) Any response refusing, in whole or in part, inspection of any public record shall include a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld.

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-276-030 DESCRIPTION OF CENTRAL AND FIELD ORGANIZATION AT CENTRAL WASHINGTON UNIVERSITY. (1) Central Washington University is located on a campus in and near the city of Ellensburg, Washington. This campus comprises the central headquarters for all operations of the university; any "field" activities of the university are ~~((directed--and))~~ administered by personnel located on the campus at Ellensburg. The university is governed by a board of trustees appointed by the governor; such board ~~((normally))~~ meets at ~~((least once-every-calendar-month))~~ regular intervals, as provided in WAC 106-08-001. The board employs a president, his assistants, members of the faculty and other employees. It establishes such ~~((divisions, schools or departments))~~ organizational units as are necessary to carry out the purposes of the university, provides the necessary property, facilities and equipment and promulgates such rules, regulations and policies as are necessary to the administration of the university.

(2) The board of trustees, either directly or by delegation, has caused to be created various administrative, academic and support divisions to enable the university to discharge its obligations. Academic matters and student affairs are the concern of the vice president for academic affairs; business and physical planning functions are the concern of the vice president for business and financial affairs; university services are the concern of the executive assistant to the president. These offices report to the president of the university.

AMENDATORY SECTION (Amending Order 45, filed 8/14/80)

WAC 106-276-060 DESIGNATION OF PUBLIC RECORDS OFFICERS. (1) In accordance with the requirements of ~~((Initiative-276-[chapter-42-47 RCW]))~~ chapter 42.17 RCW, insofar as such initiative requires state agencies to adopt and enforce reasonable rules and regulations to provide full public access to official ~~((records))~~ divisions while yet protecting the same from damage and to prevent excessive interference

with essentials of the agency, all public records at the university shall be in ~~((the))~~ the charge of persons holding positions as records officers.

(2) Overall responsibility for coordinating responses to requests for examination of public records shall be the responsibility of the person known as the "public records officer." The person holding such position will be headquartered in Mitchell Hall at the university ~~((the))~~. The exact location and name of the public records officer may be determined by inquiry at the office of the president of the university. The public records officer shall also be responsible for compiling and maintaining the index required by ~~((Initiative-276 chapter-42-17-RCW))~~ chapter 42.17 RCW.

(3) For purposes of this chapter, the custody of the university's records shall be deemed divided into the following divisions:

- (a) Office of the president;
- (b) Office of the vice president for academic affairs;
- (c) Office of the vice president for business and financial affairs;

(d) Office of the ~~((special-assistant-to-the-president))~~ dean of students. The above-designated division head shall be deemed custodian of the records in the possession or control of agencies, departments, officers and employees of his division and responsible for the care and custody of records within his division even though such person is not in actual possession or control of such records. Such division heads shall be known as the university "records custodians."

(4) In any cases where a question arises as to whether a given public record is a responsibility of one records custodian or another, the determination of such ministerial responsibility shall for the purposes of this chapter be made by the public records officer, or the president of the university.

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-276-080 REQUESTS FOR PUBLIC RECORDS. In accordance with chapter 42.17 RCW the ~~((Initiative-276 chapter-42-17-RCW))~~ requirements 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 only obtainable by members of the public when those members of the public comply with the following procedures:

(1) A request shall be made in writing upon a form which shall be available at the office of the public records officer and shall be presented to the public records officer or any other of the persons designated by this chapter as a custodian of certain university records, per WAC 106-276-060. Such request shall include the following:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made; and
- (c) If the matter requested is referenced within the current index maintained by the university records officer, a reference to the requested record as it is described in such current index;
- (d) If the requested matter is not identifiable by reference to the university records current index, a statement that succinctly describes the record requested;
- (e) A verification that the records requested shall not be used to compile a commercial sales list.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the university "public records officer" or records custodian, or that individual's designee, to assist the member of the public in succinctly identifying the public record requested.

AMENDATORY SECTION (Amending Order 39, filed 7/11/78)

WAC 106-276-110 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS.

(1) Any person who objects to the denial of a request for a public record or his duly authorized representative shall petition for prompt review of such decision by tendering to the president's office a written request for a review of such denial. Such written request by a person or his duly authorized representative demanding prompt review shall specifically reference the written statement by the university denying that person's request for a public record.

(2) Within two business days after receiving the written request by a person or his duly authorized representative petitioning for prompt review of a decision denying a public record, the president of the university or any of his designees, which for the purposes of this section may include the public records officer or the records custodians, shall consider such petition.

(3) During the course of the two business days in which the president or his designee reviews the decision of the public records officer denying the request for a public record, the president or his designee may conduct an informal hearing. During the course of such informal hearing, the president or his designee may require that the person requesting the public record or his duly authorized representative appear at a reasonable time and place located on the campus and further explain and identify the exact nature of the public record he is seeking. Failure by the person requesting the review hearing or his duly authorized representative to appear at such informal hearing shall be deemed a waiver of that person's right to insist upon completion of the review of his request within two business days. If the petitioner requesting review or his duly authorized representative does appear at such informal hearing, then the period for review by the university shall be extended to a period not exceeding twenty-four hours after such person requesting review or his duly authorized representative has appeared before the president or his designee.

(4) During the course of the informal hearing conducted by the president or his designee under this section, the hearing officer shall consider the obligations of the university fully to comply with the intent of chapter 42.17 RCW insofar as it requires providing public access to official records, but shall also consider the exemptions provided in RCW 42.17.310 and the requirement of (~~section 29-[RCW 42.17.290]-of-that-same-initiative-[initiative--276-]~~) RCW 42.17.290 insofar as it requires the university to protect public records from damage or disorganization, prevent excessive interference with essential functions of the agency, and to prevent any unreasonable invasion of personal privacy by deleting identifying details.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 106-276-200 LEGISLATIVE LIAISON POLICY.
 WAC 106-276-210 DESIGNATION.
 WAC 106-276-220 RESPONSIBILITY.

Chapter 106-325 WAC

STATE ENVIRONMENTAL POLICY ACT--RULE

WAC
106-325-010 Implementation of state environmental policy act.

NEW SECTION

WAC 106-325-010 IMPLEMENTATION OF STATE ENVIRONMENTAL POLICY ACT. (1) All actions taken by Central Washington University shall comply with the provisions of chapter 43.21C RCW (The State Environmental Policy Act) and chapter 197-11 WAC, as presently enacted or hereafter amended.

(2) The president of Central Washington University shall be responsible for administering and implementing this rule. The president shall designate the personnel who will be responsible for carrying out the duties and functions of the university as set forth or incorporated herein.