

TRANSMITTAL OF RULES ADOPTED

FROM: BOARD OF TRUSTEES, COMMUNITY COLLEGE DISTRICT NO. 18  
(Name of Agency)

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

The enclosed Permanent rules  , being order No. 70-8  
Emergency rules

relating to (Name of rules or description of subject matter)

regulations implementing the provisions of the Community College Tenure Act, RCW 28.85.850 through RCW 28.85.869, at Big Bend Community College.

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

pursuant to Notice No. 2647 <sup>①</sup> filed with the code reviser on 4/11/70 <sup>②</sup> were regularly adopted as permanent rules of this agency at Moses Lake, Washington on 6/2/70 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be 6/4/70 <sup>③</sup>

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

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

Dated this 2nd day of June 1970.

BOARD OF TRUSTEES,  
COMMUNITY COLLEGE DISTRICT NO. 18  
(AGENCY)

*Walter J. Click*

By Walter Click

Chairman, Board of Trustees of Community  
Title College District No. 18

STATE OF WASHINGTON  
**FILED**  
JUN 8 1970  
CODE REVISER'S OFFICE  
KET # 290 FILE # 1

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

BOARD OF TRUSTEES

COMMUNITY COLLEGE DISTRICT NO. 18

STATE OF WASHINGTON

RESOLUTION NO. 70-8

BE IT RESOLVED by the Board of Trustees of Community College District No. 18, State of Washington:

1. The annexed Regulations, to-wit: the adoption of regulations implementing the provisions of the Community College Tenure Act, RCW 28.85.850 through RCW 28.85.869, at Big Bend Community College, are approved and adopted as permanent rules of Community College District No. 18, State of Washington.
2. This Resolution and annexed Regulations, to-wit: Chapter 132R-16 WAC, after first being recorded at Big Bend Community College, Moses Lake, Washington, shall be forwarded to the Code Reviser of the State of Washington for filing pursuant to the provisions of Chapter 34.04 RCW. The annexed Regulations were adopted at a meeting of the Board of Trustees of Community College District No. 18, State of Washington, held at Moses Lake, Washington, on June 2, 1970, with a quorum of such trustees duly present after notice of such meeting at which meeting the annexed Regulations were to be adopted was duly and regularly given as required by law.

BOARD OF TRUSTEES  
COMMUNITY COLLEGE DISTRICT NO. 18

By: Walter J. Schick  
Chairman, Board of Trustees

ATTEST:

Robert J. Wallenstien  
Secretary, Board of Trustees

Chapter 132R-16  
TENURE REGULATIONS

WASHINGTON STATE COMMUNITY COLLEGE DISTRICT NO. 18

BIG BEND COMMUNITY COLLEGE

NEW

WAC 132R-16-010 PURPOSE. The Board of Trustees of Community College District No. 18 hereby establishes a rule on faculty tenure. The purpose of this tenure policy shall be to protect faculty employment rights and faculty involvement in the protection of those rights at Big Bend Community College and subsequent community colleges hereafter established within Community College District No. 18. The board hereby adopts the following procedures for administering faculty tenure.

NEW

WAC 132R-16-020 DEFINITIONS. As used in this chapter of WAC 132R-16, the following terms and definitions shall mean:

(1) "Appointing Authority" shall mean the board of trustees of Community College District No. 18.

(2) "Review Committee" shall mean a committee composed of the probationer's faculty peers and the administrative staff of the college, providing that the majority of the committee shall consist of the probationer's faculty peers appointed pursuant to WAC 132R-16-030.

(3) "President" shall mean the chief administrative officer of the college, or of any subsequent community college hereafter established within Community College District No. 18 or, in his absence, the acting chief administrative officer.

(4) "College" shall mean Big Bend Community College and any subsequent community college hereafter established within Community College District No. 18.

(5) "Regular College Year" shall mean a faculty appointment inclusive of consecutive fall, winter and spring quarters.

(6) "Full-time employment" shall mean any faculty appointee who meets the base requirements for initial placement at full salary on the current salary schedule for a regular college year.

(7) The definitions of "tenure", "faculty appointment", "probationary faculty appointment", "probationer" and "administrative appointment" shall be the same as are contained within section 33, chapter 283, Laws of 1969, Extraordinary Session as now law or hereafter amended.

NEW

WAC 132R-16-030 COMPOSITION OF REVIEW COMMITTEES.

(1) A review committee shall be established for each division within the technical and the academic areas of the college.

(2) Each review committee shall be composed of at least five persons; two of them having administrative appointments, the remainder being tenured faculty appointees. Faculty appointees shall be nominated by the division and chosen by the faculty and the faculty heads acting as a body prior to October 15th of each regular college year. Administrative appointees shall be chosen by the president prior to October 15th of each regular college year.

Each review committee shall choose its own chairman who shall have voting rights, and each such review committee shall meet at the call of the chairman when the need for such meeting arises.

(3) The duration of each appointment to the review committee shall be for a period of one calendar year beginning on the 15th day of October of the year of appointment.

If a vacancy should occur prior to the expiration of any such appointment, an administrative or faculty member as appropriate to the nature of the vacancy shall be appointed pursuant to subsection 2 of this rule to fill the unexpired term of such vacancy.

NEW

WAC 132R-16-040 DUTIES OF REVIEW COMMITTEES

(1) The president will, on the 15th of October, or within two days of this date, of each regular college year, assign each full-time probationary faculty appointee to the appropriate review committee which is most representative of such appointee's discipline for such committee's evaluation and required recommendations.

(2) Each review committee shall establish and make public its method of evaluating performance of each full-time probationary faculty appointee, placing primary importance upon the probationer's effectiveness in his appointment; each such appointee shall be informed by the review committee of the method by which he is being evaluated.

NEW

WAC 132R-16-050 REQUIRED REVIEW COMMITTEE ACTION.

(1) Each review committee shall be required to conduct an evaluation of each probationary faculty appointee assigned to such review committee by the president and to provide the following reports to the president, the probationary faculty appointee, and the appointing authority at the following times during the regular college year:

(a) A written evaluation of each probationary faculty appointee's performance will be submitted to the president and the said probationer on or before December 20th and on or before March 1st of the regular college year during which the appointee is employed. The review committee which renders such written evaluation of the appointee's performance shall obtain such appointee's written acknowledgement of receipt of the written performance evaluation each time such evaluation is rendered.

(b) A written recommendation concerning the employment or nonemployment of each full-time probationary faculty appointee for the ensuing regular college year directed to the president prior to March 1st of the regular college year.

(c) A written recommendation directed to the president, the appointing authority, and each full-time probationary faculty appointee, recommending the appointing authority award or not award tenure. Such written recommendations to be submitted at times deemed appropriate by each review committee; PROVIDED that during such full-time probationary faculty appointee's third year of appointment, each review committee shall, prior to March 1st of the regular college year, make such a recommendation as to the award of tenure.

NEW

WAC 132R-16-060 DISMISSAL FOR SUFFICIENT CAUSE. Dismissal for sufficient cause shall include all items contained in RCW 28.85.862 and additionally, shall include all other acts constituting sufficient cause for dismissal at common law.

NEW

WAC 132R-16-065 NONRENEWAL OF TENURED FACULTY.

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

change of instructional program, or lack of students participating in a particular instructional program.

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

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

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

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

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

NEW WAC 132R-16-070 PROCEDURE TO DETERMINE SUFFICIENT CAUSE.

(1) The dean of instruction shall investigate all matters regarding dismissal for sufficient cause of a tenured faculty member or of a probationary faculty member prior to the expiration of such probationary faculty appointee's employment term. If the dean of instruction has cause to believe that any such faculty member should be dismissed for sufficient cause, he shall so advise the president; if the president deems sufficient cause to exist, he shall discuss the matter with the individual faculty member involved, and may ask him to resign. If the president deems that circumstances and facts warrant dismissal, the president may begin dismissal proceedings.

(2) Dismissal proceedings shall begin by specification of the conduct which is deemed to constitute sufficient cause for dismissal; this specification shall be referred to the individual faculty member in question, and the appropriate review committee as designated in WAC 132R-16-030;

(3) The appropriate review committee shall after receiving the written document of the president establish a date for a review hearing and inform in writing, the faculty member so charged of the time, date and place of such hearing;

(4) The appropriate review committee hearing shall:

(a) Include testimony from all interested parties, including but not limited to other faculty members, administrators, and students;

(b) Afford the right of cross examination and the opportunity to defend himself to the faculty member whose case is being reviewed;

(c) Include an informal record of the proceedings prepared by the review committee to be submitted to all interested parties.

(5) Following the expiration of such dismissal hearing, the appropriate review committee shall:

(a) Make a finding as to whether the faculty member did in fact perform the conduct which constitutes dismissal for sufficient cause;

(b) Prepare recommendation as to the appropriate action to be taken by the appointing authority.

NEW WAC 132R-16-080 TENURE CONSIDERATIONS.

(1) A probationary faculty appointee shall not be considered for an award of tenure unless his service with the college has been for at least one regular college year of full-time employment.

(2) The following positions are deemed by the appointing authority to constitute administrative appointments which positions are deemed nontenurable:

(a) Dean of instruction;

(b) Associate dean for occupational education;

(c) Dean of student personnel services;

(d) Administrative assistant;

(e) Director of student activities;

(f) Director of community services;

(g) Director of student housing and food service;

(h) Director of federal programs;

(i) Director of upward bound.

(3) An individual who shall serve in any position enumerated in subsection (2) of this rule and who shall additionally serve as a teacher, counsellor, librarian or comparable position shall be eligible for an award of tenure as a teacher, counsellor or librarian insofar as such person has had or presently does have status as a teacher, counsellor or librarian.

NEW WAC 132R-16-090 EFFECTIVE DATE. These regulations shall be effective upon the date the same are filed with the office of the code reviser.