



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)
 Permanent Rule
 Emergency Rule

Agency: **BIG BEND COMMUNITY COLLEGE**

(1) Date of adoption: **December 20, 1989**
(2) Purpose: **To declare Big Bend Community College's organization, operation and information regarding educational offerings, and to adopt model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250**

(3) Citation of existing rules affected by this order:
Repealed:
Amended:
Suspended:

(4) Authority for adoption:
Statute: **28B50.140**
Other Authority:

(5.1) **PERMANENT RULE ONLY**
Pursuant to notice filed as WSR 89-22-052 on October 30, 1989 (date).
Describe any changes other than editing from proposed to adopted version:
None.

(5.2) **EMERGENCY RULE ONLY**
Pursuant to RCW 34.05.350 the agency for good cause finds:
 (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
 Yes No If yes, explain:

(6) Effective date of rule:
Permanent Rules **Emergency Rules**
 31 days after filing Immediately
 Other (specify) _____ * Later (specify) _____
*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY
CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED
DEC 26 1989
TIME 4:30 PM
WSR 90-02-016

NAME (TYPE OR PRINT)
Robert Sorenson
SIGNATURE
Robert Sorenson
TITLE
Vice President, Administrative Services
DATE
12/22/89

Chapter 132R-01 WAC

ORGANIZATION

WAC
132R-01-010 Organization--Operation--Information.

NEW SECTION

WAC 132R-01-010 ORGANIZATION--OPERATION--INFORMATION. (1) Organization. Big Bend Community College is established in Title 28B RCW as a public institution of higher education. The institution is governed by a five-member board of trustees, appointed by the governor. The board employs a president, who acts as the chief executive officer of the institution. The president establishes the structure of the administration.

(2) Rules coordinator. The designated rules coordinator for Big Bend Community College is the vice-president, administrative services, located at the following address:

Vice-President, Administrative Services
Big Bend Community College
Building 1400
28th & Chanute
Moses Lake, WA 98837

(3) Operation. The administrative office is located at the following address:

Big Bend Community College
Building 1400
28th & Chanute
Moses Lake, WA 98837

The office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays.

(4) Information. Additional and detailed information concerning the educational offerings may be obtained from the catalog, copies of which are available at the following address:

Big Bend Community College - Admissions
Building 1400
28th & Chanute
Moses Lake, WA 98837

Chapter 132R-02 WAC

PRACTICE AND PROCEDURE

WAC

132R-02-010	Adoption of model rules of procedure.
132R-02-020	Appointment of presiding officers.
132R-02-030	Method of recording.
132R-02-040	Application for adjudicative proceeding.
132R-02-050	Brief adjudicative procedures.
132R-02-060	Discovery.
132R-02-070	Procedure for closing parts of the hearings.
132R-02-080	Recording devices.
132R-02-090	Petitions for stay of effectiveness.

NEW SECTION

WAC 132R-02-010 ADOPTION OF MODEL RULES OF PROCEDURE. The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended, are hereby adopted for use at this institution. Those rules may be found in chapter 10-08 WAC. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and procedural rules adopted in this title, the procedural rules adopted by this institution shall govern. Rules adopted at this institution prior to July 1, 1989, remain in full force and effect unless specifically repealed or amended.

NEW SECTION

WAC 132R-02-020 APPOINTMENT OF PRESIDING OFFICERS. The president or president's designee shall designate a presiding officer for an adjudicative proceeding. The presiding officer shall be an administrative law judge, a member in good standing of the Washington State Bar Association, a panel of individuals, the president, or his or her designee, or any combination of the above. Where more than one individual is designated to be the presiding officer, one person shall be designated by the president or president's designee to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.

NEW SECTION

WAC 132R-02-030 METHOD OF RECORDING. Proceedings shall be recorded by a method determined by the presiding officer, among those available pursuant to the model rules of procedure in WAC 10-08-170.

NEW SECTION

WAC 132R-02-040 APPLICATION FOR ADJUDICATIVE PROCEEDING. An application for adjudicative proceeding shall be in writing. Application forms are available at the following address:

President's Office
Big Bend Community College
Building 1400
28th & Chanute
Moses Lake, WA 98837

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

NEW SECTION

WAC 132R-02-050 BRIEF ADJUDICATIVE PROCEDURES. This rule is adopted in accordance with RCW 34.05.482 through 34.05.494, the provisions of which are hereby adopted. Brief adjudicative procedures shall be used in all matters related to:

- (1) Residency determinations made pursuant to RCW 28B.15.013, conducted by the admissions office;
- (2) Challenges to contents of education records;
- (3) Student conduct proceedings. The procedural rules in chapter 132R-04 WAC apply to these proceedings;
- (4) Parking violations. The procedural rules in chapters 132R-116 and 132R-118 WAC apply to these proceedings;
- (5) Outstanding debts owed by students or employees;
- (6) Loss of eligibility for participation in institution-sponsored athletic events, pursuant to chapter 132R-05 WAC.

NEW SECTION

WAC 132R-02-060 DISCOVERY. Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall make reference to the civil rules of procedure. The presiding officer shall have the power to control the frequency and nature of discovery permitted, and to order discovery conferences to discuss discovery issues.

NEW SECTION

WAC 132R-02-070 PROCEDURE FOR CLOSING PARTS OF THE HEARINGS. A party may apply for a protective order to close part of a hearing. The party making the request should state the reasons for making the application to the presiding officer. If the other party opposes the request, a written response to the request shall be made within ten days of the request to the presiding officer. The presiding officer shall determine which, if any, parts of the proceeding shall be closed, and state the reasons therefor in writing within twenty days of receiving the request.

NEW SECTION

WAC 132R-02-080 RECORDING DEVICES. No cameras or recording devices shall be allowed in those parts of proceedings which the presiding officer has determined shall be closed pursuant to WAC 132R-02-010, except for the method of official recording selected by the institution.

NEW SECTION

WAC 132R-02-090 PETITIONS FOR STAY OF EFFECTIVENESS. Disposition of a petition for stay of effectiveness of a final order shall be made by the official, officer, or body of officers, who entered the final order.