



RULE-MAKING ORDER

CR-103 (June 2004)
(Implements RCW 34.05.360)

Agency: Cascadia Community College

- Permanent Rule
- Emergency Rule

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose:

Cascadia Community College will govern operations of its dedicated campus facilities use under Chapter 132Z 140-010-110 Use of College Facilities.

Citation of existing rules affected by this order:

Repealed:

Amended:

Suspended:

Statutory authority for adoption: **RCW 28B.50.140**

Other authority :

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 06-10-006 on 4/20/06 (date).

Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
 Address: _____ fax () _____
 e-mail _____

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- 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.
- 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:

Date adopted: **June 21, 2006**

NAME (TYPE OR PRINT)

Dede Gonzales

SIGNATURE

TITLE

Executive Assistant to the President/Rules Coordinator

CODE REVISER USE ONLY

JUN 23 2006

8:54

06-13-012

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	11	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	11	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	11	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

Chapter 132Z-140 WAC

USE OF COLLEGE FACILITIES

NEW SECTION

WAC 132Z-140-010 Definitions. The following terms shall have the following meaning within chapter 132Z-140 WAC, unless otherwise specified:

"College" shall mean Cascadia Community College;

"College facilities" shall mean those parts of the joint Cascadia Community College/University of Washington, Bothell campus that are dedicated primarily to Cascadia Community College use, and shall include those campus buildings dedicated primarily to Cascadia Community College classrooms, laboratories, and administration, as well as the areas immediately surrounding those buildings;

"Campus" shall mean the entire joint Cascadia Community College/University of Washington, Bothell campus.

NEW SECTION

WAC 132Z-140-020 Use of college facilities. Cascadia Community College provides continued educational opportunity for area citizens. In keeping with this general purpose, the college believes that facilities should be available for a variety of uses that are of benefit to the general public if such general uses do not interfere with the educational mission of the college. However, a state agency is under no obligation to make its public facilities available to the community for private purposes. Reasonable time, place, and manner restrictions may be placed on the use of college facilities made available for public or private purposes.

NEW SECTION

WAC 132Z-140-030 Priority of use. (1) When allocating use of college facilities, the highest priority is always given to activities specifically related to the college's mission. No arrangements will be made that may interfere with or operate to the detriment of the college's own teaching, research, or public service programs. In particular, college buildings, properties, and facilities, including those assigned to student programs, are used primarily for:

(a) The regularly established teaching, research, or public service activities of the college and its departments;

(b) Cultural, educational, or recreational activities of the students, faculty, or staff;

(c) Short courses, conferences, seminars, or similar events, conducted either in the public service or for the advancement of specific departmental professional interests, when arranged under the sponsorship of the college or its departments.

(d) Public events of a cultural or professional nature brought to the campus at the request of college departments or committees and presented with their active sponsorship and active participation;

(e) Activities or programs sponsored by educational institutions, by state or federal agencies, or by charitable agencies or civic or community organizations whose activities are of widespread public service and of a character appropriate to the college. However, the college will not make its facilities available for instructional or related purposes that compete with courses or programs offered by the college.

(2) College facilities may be assigned to student organizations for regular business meetings, social functions, and programs open to the public. Any recognized campus student organization may invite speakers from outside the college community, after following the facility use application procedures in WAC 132Z-140-100. The appearance of an invited speaker on campus does not represent an endorsement by the college, its faculty or administration, or the board of trustees of the speaker's views.

(3) Reasonable conditions may be imposed to regulate the timeliness of requests, to determine the appropriateness of space assigned and the time of use, and to ensure the proper maintenance of the facilities. Subject to the same limitations, college facilities shall be made available for assignment to individuals or groups within the college community. Arrangements by both organizations and individuals must be made through the designated administrative officer, consistent with the facility use application procedures in WAC 132Z-140-100. Allocation of space shall be made in accordance with college rules and on the basis of time, space, priority of request, and the demonstrated needs of the applicant.

(4) The college may restrict an individual's or a group's use of college facilities if that person or group has, in the past,

physically abused facilities the individual or group has used. Charges may be imposed for damage or for any unusual costs for the use of facilities. The individual, group or organization requesting space will be required to state in advance the general purpose of any meeting.

NEW SECTION

WAC 132Z-140-040 Policies limiting use. (1) College facilities may be used for purposes of political campaigning by or for candidates who have filed for public office, directed to members of the public, only when the full rental cost of the facility is paid. Use of state funds to pay for facility rental costs for political campaigns is prohibited. No person may solicit contributions on college property for political uses, except where this limitation conflicts with federal law regarding interference with the mails.

(2) Posters and samples may be posted or distributed only in designated areas of the campus, unless prior permission to post/distribute is obtained from the director of communications. Information on the location of designated poster/distribution areas may be obtained in the office of the director of communications.

(3) WAC 132Z-140-010 through 132Z-140-122 shall apply to recognized student groups using college facilities.

(4) Handbills, leaflets, and similar materials except those which are commercial, obscene, or unlawful may be distributed in designated areas on the campus where, and at times when, such distribution will not interfere with the orderly administration of the college affairs or the free flow of traffic. Prior authorization must be obtained from the director of communications. Any distribution of materials as authorized by the director of communications shall not be construed as support or approval of the content by the college community or the board of trustees.

(5) Use of audio amplifying equipment is permitted only in locations and at times that will not interfere with the normal conduct of college affairs as determined by the vice-president for finance and operations.

(6) The right of peaceful dissent within the college community will be preserved. While peaceful dissent is acceptable, violence or disruptive behavior is not a legitimate means of dissent. If any person, group, or organization attempts to resolve differences by means of violence, the college retains the right to take steps to protect the safety of individuals, the continuity of the educational process, and the property of the state.

(7) Orderly picketing and other forms of peaceful dissent are protected activities on and about the college premises when such premises are open to public use. However, interference with free passage through areas where members of the college community have

a right to be, interference with ingress and egress to college facilities, interruption of classes, injury to persons, or damage to property exceeds permissible limits.

(8) Where college space is used for an authorized function (such as a class or a public or private meeting under approved sponsorship, administrative functions or service related activities), groups must obey or comply with directions of the designated administrative officer or individual in charge of the meeting.

NEW SECTION

WAC 132Z-140-050 Administrative control. The college may adopt administrative procedures consistent with these rules for the use of college facilities, and adopt rental schedules as appropriate.

NEW SECTION

WAC 132Z-140-060 Trespass. (1) Individuals who are not students or members of the faculty or staff and who violate these rules will be advised of the specific nature of the violation, and if they persist in the violation, they will be requested by the president, or his or her designee, to leave the college property. Such a request prohibits the entry of and withdraws the license or privilege to enter onto or remain upon any portion of the college facilities by the person or group of persons requested to leave. Such persons shall be subject to arrest under the provisions of chapter 9A.52 RCW. Individuals requested to leave college property may appeal that decision by submitting to the college president by certified mail, return receipt requested, a letter stating the reasons the person should not be barred from college facilities. The college president or designee shall respond in writing within fifteen calendar days with a final decision of the college. Persons shall continue to be barred from college property while an appeal is pending.

(2) Students, faculty, and staff of the college who do not comply with these regulations will be reported to the appropriate college office or agency for action in accordance with this chapter or with other applicable rules, regulations, or policies. Individuals who are students of the University of Washington, Bothell and are attending University of Washington, Bothell classes or sponsored events may be referred to the University of Washington, Bothell office of the dean of students as an

alternative to the process set forth in this section.

NEW SECTION

WAC 132Z-140-070 Prohibited conduct. (1) The use or possession of unlawful drugs or narcotics, not medically prescribed, or of intoxicants on college property or at college functions, is prohibited. Students obviously under the influence of intoxicants, unlawful drugs or narcotics while in college facilities are subject to disciplinary action.

(2) The use of tobacco in any indoor facility is prohibited in accordance with health regulations.

(a) Smoking is prohibited inside all college or university vehicles, inside buildings and parking structures owned or occupied by the college or university and/or used by college or university faculty, staff or students and at any outside areas or locations that may directly or indirectly affect the air supply of buildings or carry smoke into buildings.

(b) The institutions may designate specific outdoor locations as smoking areas. Signage will be placed to indicate the designated locations.

(c) Any student, staff, or faculty member who violates the smoking policy may be subject to disciplinary action. In addition, violations of the smoking policy may be subject to appropriate enforcement.

(3) Destruction of property is also prohibited by state law in reference to public institutions.

(4) Authorized events may have alcoholic beverages as approved by the president and with proper permits.

NEW SECTION

WAC 132Z-140-080 Pets. Pets are not permitted in college buildings except guide or service animals for individuals with disabilities. Pet owners on college grounds must adhere to posted regulations.

NEW SECTION

WAC 132Z-140-090 Basis of fee assessment. (1) The basis for establishing and charging use fees reflects the college's assessment of the present market and the cost of operations, and an evaluation of the intended purpose and its relationship to the purposes of this college. The board of trustees has determined that groups or organizations affiliated with the college should be permitted access to facilities at the lowest charge on the fee schedule, which may include complimentary use. A current fee schedule is available from the office of the vice-president for finance and operations.

(2) The college does not wish to compete with private enterprise. Therefore, the college reserves the right to deny applications for facility use when the administration and/or the board of trustees feels a commercial facility is equivalent to the college facility, is available for use, and should be patronized. At no time will facility use be granted for a commercial activity at a rental rate, or upon terms, less than the full and fair rental value of premises used.

NEW SECTION

WAC 132Z-140-100 Application procedures. (1) At least seven working days prior to date of intended use of any college facility, an authorized representative of the requesting organization must submit a written application which may be obtained through the college's office of the vice-president for finance and operations. A single application may be sufficient for a series of meetings by an organization unless those meetings vary significantly in some substantive way; if so, separate applications will be required. The college may consider applications received on less than seven days' notice; however, the college cannot guarantee that such applications will be considered prior to seven days after submission.

(2) Upon approval of the application, an authorized representative of the using organization shall sign the rental agreement. By affixing a signature as representing the using organization, the signatory specifies he or she has authority to enter into agreement on behalf of the organization and if the organization fails to pay the amount due, the signatory becomes responsible for all charges which may include interest payment for overdue accounts as specified on the rental form but not less than one percent per month.

(3) The college may require an advance deposit of up to fifty percent, payable before approval of the application, for large events, events requiring expenditures on the part of the college, or events that require the college to block out significant areas

for the renter.

(4) The college reserves the right to make pricing changes without prior notice.

(5) Use of a facility is limited to the facilities specified on the agreement.

(6) The priorities for facility use place primary emphasis on regular college events and activities. The college reserves the right to cancel any permit and refund any payments for use of college facilities and equipment when they deem such action advisable and in the college's best interests.

(7) If an applicant cancels a facility use permit, the applicant is liable for all college costs and expenses in preparing the facility for its use.

(8) Organizations using Cascadia Community College's facilities shall conduct all activities in accordance with applicable local, state, and federal laws including but not limited to the Americans with Disabilities Act, 42 U.S.C. §§ 12101-12213, the Rehabilitation Act of 1973, 29 U.S.C. § 794, Washington's law against discrimination, chapter 49.60 RCW, and all rules adopted by the board of trustees.

NEW SECTION

WAC 132Z-140-110 Supervision during facility use. (1) Organizations using college facilities are responsible for group conduct and are expected to remain with their group during activities. When the use of special facilities makes it necessary that supervision be provided, the trustees reserve the right to require a staff member be present to represent the college at any activity on college facilities. Such service shall be paid at the current rate, by the organization requesting use of the facility, and does not relieve the organization from safeguarding the college's property.

(2) The security staff or some other authority of the college will open and lock all rented facilities. Keys to buildings or facilities will not be issued or loaned on any occasion to any using organization with the exception of keys to designated off-campus locations.