

TRANSMITTAL OF RULES ADOPTED BY INSTITUTION OF HIGHER EDUCATION
(Instruction for Completion on Back of Page)

FROM: Community College District No. 19
(Name of Institution)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98504

The enclosed Permanent rules
 Emergency rules, being order No. 73-3

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

Public Records, Disclosure-Campaign-Finances-Lobbying-Records

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

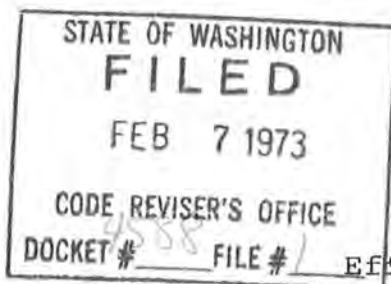
pursuant to Notice No. _____ ① filed with the code reviser
on _____ ② were regularly adopted as permanent rules of this
(date)
institution at _____ on _____ and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter
28B.19 RCW (1971 1st ex.s. c 57). The effective date of such rules
shall be _____ ③

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

pursuant to its finding that the immediate adoption of
these rules is necessary for the preservation of the public
health, safety, or general welfare and that observance of the
requirements of notice and opportunity to present views on the
proposed action would be contrary to the public interest, were
regularly adopted as emergency rules of this institution at
Col. Basin College on 2/5/73 and are herewith filed in the office
(place) (date)
of the code reviser pursuant to chapter 28B.19 RCW (1971 1st ex.s.
c 57).

The undersigned hereby certifies that the requirements of chapter
28B.19 RCW (1971 1st ex.s. ch 57) and of the Open Public Meetings
Act of 1971, chapter 42.30 RCW (1971 1st ex.s. ch 250) have been
fulfilled.

Dated this fifth day _____ day of February 1973.



Columbia Basin College
(INSTITUTION)

By Hewell

President, Secretary to the Board of Trustees
Title

Effective 9/7/71

[Form CR-5]

- 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 28B.19.050(2) (1971 1st ex.s. c 57 §5 (2)). Leave this space blank except in such special cases.

COMMUNITY COLLEGE DISTRICT NO. 19
STATE OF WASHINGTON
BOARD OF TRUSTEES

RESOLUTION NO. 73-3

WHEREAS, pursuant to the powers vested in us by RCW 28b.40.140, we, the Board of Trustees of Washington State Community College District No. 19, do hereby expressly find that the preservation of the general welfare of Columbia Basin College requires the immediate adoption of rules governing Public Records, Disclosure-Campaign-Finances-Lobbying-Records within Community College District No. 19.

NOW, THEREFORE, BE IT RESOLVED that the attached rules governing Public Records, Disclosure-Campaign-Finances-Lobbying-Records, WAC 132S-17-010 through WAC 132S-17-070 are now hereby adopted on an emergency basis as the rules governing Public Records, Disclosure-Campaign-Finances-Lobbying-Records on or about the campus of Community College District No. 19.

BE IT FURTHER RESOLVED that this resolution and the herein-attached rules, being necessary for the immediate preservation of the public peace, health, safety, and the support of Community College district No. 19, shall be forwarded immediately to the Office of the Code Reviser and be effective upon receipt by the Code Reviser.

ADOPTED at a regular meeting of the Board of Trustees of Community College District No. 19, State of Washington, on February 5, 1973, with a quorum of such Board members duly present after notice of such meeting had been duly given as required by law.

BOARD OF TRUSTEES
COMMUNITY COLLEGE DISTRICT
NO. 19



ATTEST:


Secretary

RULES AND REGULATIONS
COMMUNITY COLLEGE DISTRICT 19

WAC 132S-17-010 PURPOSE. The purpose of this chapter shall be to ensure compliance by Community College District 19 with the provisions of chapter 1, Laws of 1973 (Initiative 276), Disclosure-Campaign-Finances-Lobbying-Records; and in particular with sections 25-32 of that act, dealing with public records.

WAC 132S-17-015 DEFINITIONS.

(1) PUBLIC RECORDS: "Public record" includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) WRITING: "Writing means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds; or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents."

(3) Community College District 19: Columbia Basin Community College is the Community College created by the legislature pursuant to the Community College Act of 1967. Community College District 19 shall hereinafter be referred to as the "College." Where appropriate, the term College also refers to the staff and employees of the Columbia Basin Community College.

WAC 132S-17-020 DESCRIPTION OF CENTRAL AND FIELD ORGANIZATION OF COMMUNITY COLLEGE DISTRICT 19.

(1) Columbia Basin Community College. Columbia Basin Community College is a two year comprehensive college. The Administrative Office of the College and its staff is located at the Administrative Building, 2600 North Chase Street, Pasco, Washington.

WAC 132S-17-025 OPERATIONS AND PROCEDURES. The formal procedures for decisionmaking at the College are determined by the by-laws of the board of trustees at Columbia Basin Community College and rules promulgated in accordance with the requirements of RCW 28B.19, the Higher Education Administrative Procedures Act (HEAPA). Accordingly, all rules, orders or directives, or regulations of the College which affect the relationship of the general public with the institution, or the relationship of particular segments of the College, such as students, faculty, or other employees, with the College or with each other,

(a) the violation of which subjects the person to a penalty of administrative sanction; or

(b) which establishes, alters, or revokes any procedures, practice, or requirement relating to institutional hearings; or

(c) which establishes, alters, or revokes any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law; are implemented only through the procedures of the HEAPA. In accordance with RCW 28B.19.020 (2), the College reserves the right to promulgate as internal rules not created or implemented in accordance with the HEAPA, the following: rules, regulations, orders, statements, or policies relating primarily to the following: standards for admissions; academic advancement, academic credits, graduation and the granting of degrees; tuition and fees, scholarships, financial aids, and similar academic matters; employment relationships; fiscal processes; or matters concerning only the internal management of an institution and not affecting private rights or procedures available to the general public; and such matters need not be established by rule adopted under this chapter unless otherwise required by law.

Other formal procedures may appear within the policies of Columbia Basin Community College and may relate to such things as matters that must be first considered by the faculty senate or subcommittees thereof or by the associated students of Columbia Basin Community College or subcommittees thereof prior to their consideration by the board of trustees. Requirements regarding such prior considerations by any faculty or student or any other college group also appear in the by-laws of Columbia Basin Community College.

Informal procedures regarding the methods and general course of operations at the college are, for the purposes of these rules, either:

(1) decisions made by persons authorized by board resolution, the president, vice president, or any designee to make a decision within the scope of responsibility assigned to such person; or

(2) methods of human persuasion utilized by any member of the college's constituencies or of the public to attempt to influence one in power to make decisions within that person's scope of responsibility.

WAC 132S-17-030 PUBLIC RECORDS AVAILABLE. All public records of the College, as defined in WAC 132S-17-015, section (3) are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by section 31, chapter 1, Laws of 1973 and WAC 132S-17-060.

WAC 132S-17-035 PUBLIC RECORDS OFFICER. The College's public records shall be in charge of the Public Records Officer designated by the President. The person so designated shall be located in the Administrative Office of the College. The Public Records Officer shall be responsible for the following: The implementation of the College's rules and regulations regarding release of public records, coordinating the staff of the College in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 1, Laws of 1973.

WAC 132S-17-040 OFFICE HOURS. Public records shall be available for inspection and copying during the office hours of 9:00 a. m. to noon, Monday through Friday, excluding legal holidays.

WAC 132S-17-045 REQUESTS FOR PUBLIC RECORDS. In accordance with requirements of chapter 1, Laws of 1973 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 may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the college which shall be available at its administrative office. The form shall be presented to the public records officer; or to any member of the college's administrative staff, if the public records officer is not available at the administrative office in the college during the hours listed above. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made;
- (c) The person making the request for public inspection of records shall specify the time of day and date when the person wishes to inspect said records;
- (d) The nature of the request;
- (e) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;
- (f) If the requested matter is not identifiable by reference to the college's current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made, to assist the member of the public in appropriately identifying the public record requested.

WAC 132S-17-050 COPYING. No fee shall be charged for the inspection of public records. The college shall charge a minimum fee of \$.25 per page of copy for providing copies of public records and for use of the College's copy equipment. This charge is the amount necessary to reimburse the College for its actual costs incident to such copying.

WAC 132S-17-055 EXEMPTIONS. (1) The College reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132S-17-045 is exempt under the provisions of section 31, chapter 1, Laws of 1973.

(2) In addition, pursuant to section 26, chapter 1, Laws of 1973, the College reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 1, Laws of 1973. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

WAC 132S-17-060 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the president of the College. The president shall immediately consider the matter and either affirm or reverse such denial or call a special meeting of the board of trustees as soon as legally possible to review the denial. In any case, the request shall be returned with a final decision, within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the board of trustees has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

WAC 132S-17-065 RECORDS INDEX.

(1) INDEX. The college has available to all persons a current index which provides identifying information as to the following records issued, adopted or promulgated since its inception:

"(a) final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

"(b) those statements of policy and interpretations of policy, statute and the Constitution which have been adopted by the agency;

"(c) administrative staff manuals and instructions to staff that affect a member of the public;

"(d) planning policies and goals, and interim and final planning decisions;

"(e) factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and

"(f) correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement

responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(2) AVAILABILITY. The current index promulgated by the College shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

WAC 132S-17-070. All communications with the College including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 1, Laws of 1973 and these rules; requests for copies of the College's decisions and other matters, shall be addressed as follows: Columbia Basin Community College, c/o Public Records Officer, 2600 North Chase Street, Pasco, Washington.