



**RULE-MAKING ORDER**  
(RCW 34.05.360)

**CR-103** (10/1/89)

Agency: Columbia Basin College

Permanent Rule  
 Emergency Rule

(1) Date of adoption: March 5, 1990

(2) Purpose: To comply with new Administrative Procedures Act

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Repealed:  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

(4) Authority for adoption:  
Statute: RCW 28B.50.140  
Other Authority:

(5.1) **PERMANENT RULE ONLY**  
Pursuant to notice filed as WSR 90-03-083 <sup>[90-03-082]</sup> on January 22, 1990 (date).  
Describe any changes other than editing from proposed to adopted version:

(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  
  
MAR 15 1990  
TIME: 1:27  
WSR 90-07-006

NAME (TYPE OR PRINT)  
Marvin W. Weiss

SIGNATURE  
*Marvin W. Weiss*

TITLE                      DATE  
College President/ Secy., Board of Trustees                      3/5/90

## PRACTICE AND PROCEDURE

### NEW SECTION

WAC 132S-01-010 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 at Chapter 10-08 Washington Administrative Code. 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 132S-01-020 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 132S-01-030 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 132S-01-040 Application for adjudicative proceeding. An application for adjudicative proceeding shall be in writing. Application forms are available at the following address:

Columbia Basin College  
2600 North 20th Avenue  
Pasco, WA 99301

Written application for an adjudicative proceeding should be submitted to the above address within 20 days of the agency action giving rise to the application, unless provided for otherwise by statute or rule.

#### NEW SECTION

WAC 132S-01-050 Brief adjudicative procedures. This rule is adopted in accordance with RCW 34.05.482-494, 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 132S-40 WAC apply to these proceedings.
- (4) Parking violations. The procedural rules in Chapter 132S-50 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 132S-40-130 through 145 WAC.

#### NEW SECTION

WAC 132S-01-060 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 132S-01-070 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 10 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 20 days of receiving the request.

## NEW SECTION

WAC 132S-01-080 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 132S-108-010, except for the method of official recording selected by the institution.

## NEW SECTION

WAC 132S-01-090 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.

RULES COORDINATOR--LOCATION

NEW SECTION

WAC 132S-05-010 Rules Coordinator. The Rules Coordinator for Columbia Basin College as designated by President Marvin Weiss is:

Jean Dunn  
Office of the President  
Columbia Basin College  
2600 North 20th Avenue  
Pasco, WA 99301

## ORGANIZATION

### NEW SECTION

WAC 132S-05-015 Organization--Operation-- Information.

(a) Organization. Columbia Basin College is established in Title 28B RCW as a public institution of higher education. The institution is governed by a 5-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.

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

Columbia Basin College  
2600 North 20th Avenue  
Pasco, WA 99301

and is open from 7:30 a.m. to 4:30 p.m., Monday through Friday, except on legal holidays. Educational operations are also located at the following addresses:

Columbia Basin College, Richland Campus  
1011 Northgate Drive  
Richland, WA 99352

Columbia Basin College, Chase Center  
1600 North 20th Avenue  
Pasco, WA 99301

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

Columbia Basin College  
2600 North 20th Avenue  
Pasco, WA 99301

## BOARD OF TRUSTEES REGULAR MEETING DATE

### NEW SECTION

WAC 132S-05-020 Regular meeting date, board of trustees. The board of trustees of Columbia Basin College shall hold at least one regular meeting each month, unless dispensed with by the board of trustees. The regular meeting shall be the first Monday of each month, unless dispensed with or changed by the board of trustees.

All regular board meetings shall be publicly announced at least 24 hours prior to the meeting.

## GRIEVANCE PROCEDURE--HANDICAPPED

### NEW SECTION

WAC 132S-30-037 Grievance procedure - Handicapped. Any applicant for admission, enrolled student, applicant for employment or employee of Columbia Basin College who believes he/she has been discriminated against due to a handicap may lodge a formal institutional grievance by utilizing the steps listed in WAC 132S-30-036. The hearing officer will be the personnel director.



## SCHOLARSHIPS

### NEW SECTION

WAC 132S-40-130 Scholarships. All scholarships available at Columbia Basin College are coordinated through the Financial Aid Office.

All scholarships awarded by Columbia Basin College are evaluated by an appointed scholarship committee on the merits of pre-established criteria. The established conditions of a scholarship offered to Columbia Basin College students must meet CBC standards and be approved by the Financial Aid office. Scholarships are awarded on the basis of scholarship and/or need without regard to race, sex, age, religion or ethnic origin. Scholarships targeted to minority students are exceptions and are also based on scholarship and/or need.

## FINANCIAL AID

### NEW SECTION

WAC 132S-40-135 Financial Aid. All students attending Columbia Basin College and receiving federal assistance in meeting direct and/or indirect educational costs through grants, work-study, and/or loans must maintain good academic standing.

Failure to maintain good academic standing will result in the termination of financial aid payments until satisfactory progress can be documented by the student.

For purposes of financial aid, the student is considered to be in good standing unless the student fails to complete a minimum of 12 credit hours with a grade point average of 2.00 for two consecutive quarters. However, a part-time student who fails to complete six credit hours in any quarter will be subject to immediate termination of financial aid.

## Loss of Eligibility--Student Athletic Participation

### NEW SECTION

WAC 132S-40-140 Grounds for Ineligibility. Any student found by Columbia Basin College to have violated chapter 69.41 RCW by virtue of a criminal conviction or otherwise insofar as it prohibits the possession, use or sale of legend drugs, including anabolic steroids, will be disqualified from participation in any Columbia Basin College sponsored athletic event or activity.

### NEW SECTION

WAC 132S-40-145 Suspension Procedure--Right to informal hearing. Any student notified of a claimed violation of WAC 132S-40-130 shall have the right to a brief and adjudicative hearing if a written request for such a hearing is received by the dean of students within three days of receipt of a declaration of further athletic ineligibility. If no written request is received within three days after receipt of the declaration of athletic ineligibility, the student will be deemed to have waived any right to a brief adjudicative hearing and will be declared ineligible from further participation in Columbia Basin College sponsored athletic events or activities.

### NEW SECTION

WAC 132S-40-150 Hearing. If a timely written request for a hearing is made, the dean of students shall designate a hearing officer who shall be a college officer who is not involved with the athletic program, normally the director of personnel, to conduct the brief adjudicative hearing. The hearing officer shall promptly conduct the hearing and permit affected parties to explain both the college's view of the matter and the student's view of the matter. The brief adjudicative proceeding shall be conducted in accordance with the Administrative Procedures Act, RCW 34.05.482.494.

## NEW SECTION

WAC 132S-40-155 Decision. The college official who acts as hearing officer shall issue a written decision which shall include a brief statement of the reasons for the decision and a notice that judicial review may be available. All documents presented, considered or prepared by the hearing officer shall be maintained as the official record of the brief administrative proceeding. A decision must be promptly rendered after the conclusion of the brief adjudicative hearing and in no event later than 20 days after the request for hearing is received by the dean of students.