

## WSR 23-10-005

## PROPOSED RULES

## BELLEVUE COLLEGE

[Filed April 20, 2023, 6:50 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-03-120.

Title of Rule and Other Identifying Information: Chapter 132H-136 WAC, Library media center.

Hearing Location(s): On Tuesday, June 6, 2023, at 2 - 3 p.m. PDT, Zoom meeting <https://bellevuecollege.zoom.us/j/88308850361?pwd=TGirdG1IOUg3a21MZFd5d25yRkc0Zz09>, Meeting ID 883 0885 0361, Pass-code 394085.

Date of Intended Adoption: October 20, 2023.

Submit Written Comments to: Nicole Longpre, Acting Associate Dean of Library, 3000 Landerholm Circle S.E., Bellevue, WA 98007, email [nlongpre@bellevuecollege.edu](mailto:nlongpre@bellevuecollege.edu), by June 6, 2023.

Assistance for Persons with Disabilities: Contact Nicole Longpre, acting associate dean of library, phone 425-564-3071, email [nlongpre@bellevuecollege.edu](mailto:nlongpre@bellevuecollege.edu), by May 20, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Bellevue College plans to update library media center (LMC) policy 3550 and chapter 132H-136 WAC to remove holds on transcripts due to debt.

Reasons Supporting Proposal: Bellevue College proposes updates to the current LMC policy 3550 regarding fines. Changes are proposed to comply with SSHB [2SHB] 2513 (this bill prohibits colleges from withholding a student's official transcript for debt collection), to remove and/or update outdated information, and to clarify rules.

Statutory Authority for Adoption: Chapter 34.05 RCW; and RCW 28B.50.140.

Statute Being Implemented: RCW 28B.50.140(13).

Rule is not necessitated by federal law, federal or state court decision.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Not applicable.

Name of Proponent: Bellevue College, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Nicole Longpre, Acting Associate Dean of Library, 3000 Landerholm Circle S.E., Library Media Center, Bellevue, WA 98007, 425-564-3071.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. Bellevue College is not one of the enumerated agencies required to conduct cost-benefit analyses under RCW 34.05.328(5).

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules relate only to internal governmental operations that are not subject to violation by a nongovernment party.

Scope of exemption for rule proposal:

Is fully exempt.

April 21, 2023

Loreen M. Keller

Associate Director, Policies and Special Projects

OTS-4451.2

**Chapter 132H-136 WAC  
LIBRARY MEDIA CENTER ((CODE))**

AMENDATORY SECTION (Amending WSR 05-17-013, filed 8/4/05, effective 9/4/05)

**WAC 132H-136-010 Title.** WAC 132H-136-010 through ((132H-136-040)) 132H-136-030 will be known as the library media center policy of Community College District VIII.

[Statutory Authority: RCW 28B.50.140. WSR 05-17-013, § 132H-136-010, filed 8/4/05, effective 9/4/05; Order 13, § 132H-136-010, filed 3/9/73.]

AMENDATORY SECTION (Amending WSR 05-17-013, filed 8/4/05, effective 9/4/05)

**WAC 132H-136-015 Purpose.** The library media center (LMC) provides ((the)) information resources ((needed by students, faculty, staff and the community to encourage learning, innovation, intellectual integrity and civic responsibility. The LMC resources and services support the college's mission to provide accessible services and meet the changing educational needs of our diverse community)) to accomplish Bellevue College's mission and goals by being student-centered and committed to teaching excellence. In order to advance the lifelong educational development of students, the LMC continually strengthens its collections and services in breadth and depth, supporting increased curricular offerings and varied instructional modes of delivery. This policy applies to all ((BCC)) BC employees, students, and library users who use any of the ((library media center)) LMC resources and facilities.

[Statutory Authority: RCW 28B.50.140. WSR 05-17-013, § 132H-136-015, filed 8/4/05, effective 9/4/05.]

AMENDATORY SECTION (Amending WSR 05-17-013, filed 8/4/05, effective 9/4/05)

**WAC 132H-136-025 Services.** The ((library media center)) LMC maintains a website ((and publishes a brochure)) summarizing information about the LMC, including:

- Hours of service((τ));
- Circulation of collections ((including print and nonprint materials), and));
- Services and resources available ((including media, equipment, and facilities)).

[Statutory Authority: RCW 28B.50.140. WSR 05-17-013, § 132H-136-025, filed 8/4/05, effective 9/4/05.]

AMENDATORY SECTION (Amending WSR 05-17-013, filed 8/4/05, effective 9/4/05)

**WAC 132H-136-030 Fines.** (~~Charges are levied for overdue, lost, damaged materials and equipment.~~

~~(1) Replacement charges will include cost of replacement plus a processing fee. Replacement costs for items that are no longer in print or not available for purchase will be based upon the cost of a similar item plus a processing fee.~~

~~(2) Charges for overdue materials will be according to a fee schedule that is posted in the circulation desk area and the LMC website and brochure. Students may appeal charges by following the library fines appeal procedure as detailed in the LMC manual of policies and procedures, a copy of which is available in the reserve collection.~~

~~(3) When materials are not returned, or charges not paid, holds are placed on the transcript records of those involved only as a sanction to cause the ultimate return of library media material in order to protect the integrity of the library collection.~~

~~(4) In extreme cases, when expensive or valuable items are involved, the provisions of RCW 27.12.340 may be invoked.)~~ Fines are not charged for overdue materials, except for reserve materials and equipment. A fine schedule is posted at the circulation desk area and the LMC website. Charges are levied for lost or damaged materials and equipment. Replacement charges for different types of items vary. Students may appeal charges by following the library's appeal procedure as detailed in the LMC manual of guidelines and procedures, a copy of which is available in the reserve collection.

Students, employees, and other library users may appeal the imposition of a library charge, fine, or penalty by filing a written notice of appeal with the director of LMC or their designee within 21 days of receiving notice of the charge, fine, or penalty. An individual who fails to file a timely notice of appeal will be deemed to have waived their right to appeal.

The appeal will be heard as a brief adjudicative proceeding, pursuant to chapter 132H-108 WAC. Before issuing a decision, the director of LMC or their designee will conduct an informal hearing and provide both the person challenging the charge, fine, or penalty and a representative from the LMC (collectively, "the parties") an opportunity to present their views on the matter. The director of LMC or their designee will serve the parties with their initial decision within 10 business days of the informal hearing. The initial decision will briefly set forth the reasons for the decision and information about how to seek administrative review of the initial decision. If no request for review is filed within 21 days of service of the initial decision, the initial decision will be deemed the final decision.

An initial decision is subject to review by the dean or their designee, provided the impacted student, employee, or other library user files a written request for review with the dean's office within 21 days of receiving the initial decision. During the review, the dean

shall give each party an opportunity to file written responses explaining their view of the matter and shall make any inquiries necessary to determine whether the findings or sanctions should be modified. The decision on review will briefly set forth the reasons for the decision and will typically be served to the parties within 21 days of receiving all responsive documentation from the parties. The decision on review will contain a notice that judicial review may be available.

[Statutory Authority: RCW 28B.50.140. WSR 05-17-013, § 132H-136-030, filed 8/4/05, effective 9/4/05. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. WSR 92-19-052, § 132H-136-030, filed 9/10/92, effective 10/11/92; Order 35, § 132H-136-030, filed 10/10/75; Order 13, § 132H-136-030, filed 3/9/73.]

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 132H-136-020      Loans.