

# Title 132A WAC

## PENINSULA COMMUNITY COLLEGE

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### Chapter 132A-104 WAC BOARD OF TRUSTEES

#### WAC

132A-104-005	Board meetings.
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**WAC 132A-104-005 Board meetings.** (1) The board shall hold at least one regular meeting each month. Until changed by board action in official session, the regular meeting day shall be established as the third Wednesday of each month at 7:30 p.m. All regular meetings of the board shall be announced publicly no later than 24 hours prior to the meeting and shall be open to the general public.

(2) The board may hold such special meetings as may be required by the board chairman or by a majority of board members. All special meetings shall be coordinated through the district president and shall be announced publicly no later than 24 hours prior to the meeting. Notice of time, place, the purpose, and the items to be considered shall be furnished each member in time sufficient to enable him to attend.

(3) The board of trustees may convene in executive session whenever it is deemed necessary by the chairman or a majority of board members. [Order 3, § 132A-104-005, filed 12/8/76.]

**WAC 132A-104-010 Conduct of business.** (1) No official business shall be conducted by the board of trustees except when convened in regular or special session. No official business of the board shall be conducted in executive session.

(2) Three members of the board of trustees shall constitute a quorum. No action may be taken by less than a quorum convened at a regular or special meeting.

(3) Business and operations of the board in regular or special session shall be conducted according to *Robert's Rules of Order* unless specified otherwise by law or regulated by the state community college board. Voting shall be by voice vote unless a roll call vote is requested by any member of the board; the result of roll call votes shall be entered by name in official board minutes. [Order 3, § 132A-104-010, filed 12/8/76.]

**WAC 132A-104-015 Place of meetings.** The board of trustees shall maintain an office at Peninsula College, Port Angeles, Washington 98362. All regular and special meetings shall be held at this address unless otherwise announced, and this office shall be open during normal business hours for all reasonable purposes to any resident of the State of Washington. In addition, all records, minutes, and the official seal shall be kept at this location. All correspondence directed to the board shall be sent to the board secretary at the above address. [Order 3, § 132A-104-015, filed 12/8/76.]

**WAC 132A-104-020 Official minutes.** The board secretary shall keep official minutes of each regular and special board meeting. All business transacted and all policies, procedures, or regulations adopted in official session shall be recorded in the minutes and filed for reference. Approved minutes shall be open to public inspection at the board office during regular business hours. [Order 3, § 132A-104-020, filed 12/8/76.]

### Chapter 132A-116 WAC MOTOR VEHICLE REGULATIONS

#### WAC

132A-116-005	Registration.
132A-116-010	Physically handicapped
132A-116-015	Visitor parking.
132A-116-020	General regulations.
132A-116-025	Enforcement.

**WAC 132A-116-005 Registration.** (1) All daytime students, faculty, and staff members, full- or part-time, who use a motor vehicle within campus boundaries at any time, must obtain and properly display on their vehicles a campus registration sticker. The fee for registering of vehicles shall be paid at the business office where a receipt will be issued. The receipt may be exchanged at the student activities office for a registration (parking) sticker. Stickers are not transferable between vehicles or individuals. If a registrant releases ownership

and/or control of the vehicle, it is his responsibility to remove the sticker. The required location for display of the campus registration sticker is on the left side of the rear window so that the sticker may be seen from the rear. If at any time the registration sticker is defaced or removed, it is the responsibility of the registrant to apply at the student activities office for a replacement.

(2) Costs of vehicle registration will be printed in the current edition of the Peninsula College catalog. [Order 3, § 132A-116-005, filed 12/8/76.]

**WAC 132A-116-010 Physically handicapped.** The physically handicapped individuals may apply at the student activities office for special campus registration stickers which will permit them special campus parking privileges. Medical verification of disability may be required. Reaffirmation periodically during the disability period may also be required. Unauthorized vehicles in reserved handicapped parking areas may be towed away and impounded at the expense of the operator. [Order 3, § 132A-116-010, filed 12/8/76.]

**WAC 132A-116-015 Visitor parking.** Parking spaces reserved for visitors are designated. Staff and student vehicles, regardless of registration, are not permitted to park in these areas. Unauthorized vehicles parked in violation may be towed away and impounded at the expense of the operator. [Order 3, § 132A-116-015, filed 12/8/76.]

**WAC 132A-116-020 General regulations.** (1) No parking is permitted in the following areas:

- (a) In spaces assigned to specific vehicles.
  - (b) Along entrance or service roads to the campus.
  - (c) On the campus proper.
  - (d) In the area of the gymnasium.
  - (e) In front of the dormitory, except non-student visitors and student visitors after 4 p.m. and before 2 a.m.
  - (f) In assigned dormitory parking.
  - (g) In the area of the vocational shops except cars awaiting maintenance.
  - (h) In the area of the arts and crafts laboratories.
  - (i) In loading areas, except while in the process of loading or unloading, and not to exceed 30 minutes.
- (2) Traffic in the main parking area is one-way as marked. Back-in parking is not permitted.
- (3) Parking is permitted only in marked spaces. Parked cars must be bordered on both sides with traffic lines. [Order 3, § 132A-116-020, filed 12/8/76.]

**WAC 132A-116-025 Enforcement.** (1) Campus motor vehicle regulations are enforced by the Peninsula College employees and merchant police operating under the supervision of the college parking officer. Citations will be issued for traffic violations which include: parking in "No Parking" zones, parking in "Visitors" area, parking in assigned staff areas, parking in service areas, parking in the dormitory area, improper display of parking permit, back-in parking, violation of parking lanes.

(2) Citations issued for violations are payable at the business office. Penalty is \$1.00 per violation if paid

within 48 hours and \$2.00 if paid after the first 48 hours.

(3) Failure by students to clear violation penalties may result in the withholding of transcripts, denial or cancellation of admission or registration, or withholding of degree awards.

(4) Vehicles repeatedly in violation of the campus parking regulations may be impounded at the expense of the operator until all charges are cleared.

(5) Appeals of citations may be made to the director of student activities. [Order 3, § 132A-116-025, filed 12/8/76.]

## Chapter 132A-120 WAC STUDENT CONDUCT CODE

### WAC

- 132A-120-005 Purpose.
- 132A-120-010 Alcoholic beverages.
- 132A-120-015 Drugs and narcotics.
- 132A-120-020 Assembly rights.
- 132A-120-025 Criminal violations.
- 132A-120-030 Damaging property.
- 132A-120-035 Cheating.
- 132A-120-040 Trespass.
- 132A-120-045 Responsibility for discipline.
- 132A-120-050 Disciplinary procedures.
- 132A-120-055 Discipline and due process.
- 132A-120-060 Disciplinary committee.

**WAC 132A-120-005 Purpose.** Prescribe standards of student conduct, the violation of which may constitute cause for expulsion or suspension from the college. It is the intent of the board to prescribe standards of student conduct pursuant to the requirements of the Administrative Procedures Act and to, by written order, delegate to the president of the college the authority to administer appropriate disciplinary action after a hearing consistent with the requirements of procedural due process. [Order 4, § 132A-120-005, filed 8/31/77.]

**WAC 132A-120-010 Alcoholic beverages.** Possession, consumption, or being demonstrably under the influence of any form of alcoholic beverage on college premises or at college-related activities, may be cause for disciplinary action. Since a minor is restricted by state law for such consumption or possession, the student may also be referred to civil authorities for such violations on college premises or at college-sponsored activities off campus. [Order 4, § 132A-120-010, filed 8/31/77.]

**WAC 132A-120-015 Drugs and narcotics.** Use, possession, sale, or provision to others by any student of narcotics and/or drugs which are prohibited by local, state, or federal laws, except when specifically prescribed as medication by an authorized medical agent, on campus or at college-related or sponsored activities elsewhere will be cause for disciplinary action. [Order 4, § 132A-120-015, filed 8/31/77.]

**WAC 132A-120-020 Assembly rights.** Campus demonstrations may be conducted only in areas which are

generally available to the public provided such demonstrations are conducted in an orderly manner; do not interfere with vehicular or pedestrian traffic; do not interfere with classes, scheduled meetings or ceremonies, or with other educational processes of the college; and are not held in or on facilities where college functions are in progress. Students found in violation of this policy will be subject to disciplinary action by the college. Nonstudents violating college policy will be referred to the proper authorities for prosecution. [Order 4, § 132A-120-020, filed 8/31/77.]

**WAC 132A-120-025 Criminal violations.** (1) Any student who shall commit larceny of the property of another upon college facilities shall be subject to disciplinary action.

(2) Any student who shall assault another in the manner prohibited by law upon college facilities shall be subject to disciplinary action.

(3) Any student who engages in acts of forgery upon college facilities shall be subject to disciplinary action.

(4) Any student who commits any other act on college facilities which is punishable as a gross misdemeanor or a felony under the laws of the state of Washington and which act is not a violation of any other provision of the rules of student conduct, shall be subject to disciplinary action. [Order 4, § 132A-120-025, filed 8/31/77.]

**WAC 132A-120-030 Damaging property.** Any student who shall wilfully attempt to damage or destroy or who in fact does damage or destroy any property owned, controlled or operated by the college shall be subject to disciplinary action. [Order 4, § 132A-120-030, filed 8/31/77.]

**WAC 132A-120-035 Cheating.** A classroom instructor may take any and all reasonable summary actions against any student who is deemed to have cheated or against any student who is deemed to have aided and abetted such act of cheating. [Order 4, § 132A-120-035, filed 8/31/77.]

**WAC 132A-120-040 Trespass.** (1) The president of the college or, in such president's absence, his designee, is authorized in the instance of any event that the president deems impedes the movement of persons or vehicles or which the president deems to disrupt or threatens to disrupt the ingress and/or egress of persons from facilities owned and/or operated by the college, then the president acting through the dean of students or such other person designated by the president, shall have the power and authority to:

(a) Prohibit the entry of or withdraw the license or privilege of any person or persons or any group of persons to enter onto or remain upon all or any portion of a college facility which is owned and/or operated by the college.

(b) Give notice against trespass by any manner specified to any person, persons, or group of persons against whom the license or privilege has been withdrawn or

who have been prohibited from entering onto or remaining upon all or any portion of a college facility, which college facility is owned and/or operated by the college.

(c) Order any person, persons, or group of persons to leave or vacate all or any portion of college facilities which is owned and/or operated by the college.

(2) Any student who shall disobey a lawful order given by the president or his designee pursuant to the requirements of this rule shall in addition to violation of criminal law also be subject to disciplinary action. [Order 4, § 132A-120-040, filed 8/31/77.]

**WAC 132A-120-045 Responsibility for discipline.**

(1) Determination of student misconduct, in light of the existing code of conduct and college policies and state laws, is primarily the responsibility of the dean of students to administer according to the procedure accepted by the college board of trustees.

(2) The instructor is responsible for conduct within his classroom or related environs. The instructor may take action necessary to assure the maintaining of order and proper conduct in the classroom. When a student is acting in a manner that these objectives cannot be met and he has been dismissed from class, the dean of students is to be notified immediately. A detailed written report must be submitted detailing the condition of this action and dismissal at the earliest convenient time. [Order 4, § 132A-120-045, filed 8/31/77.]

**WAC 132A-120-050 Disciplinary procedures.** (1) When college disciplinary action is deemed necessary, the proceedings will be initiated by the dean of students or his designee. The initial contact will be through an informal interview at which time the charges against the student will be presented. At this meeting the penalties that might be assessed against him will be presented. The right of the student to a fair and impartial hearing before the student disciplinary committee will also be explained.

(2) After reviewing the charges, interviewing the student, and considering all evidence, the dean of students may take any of the following actions:

(a) Terminate the proceeding and notify proper individuals of the decision to exonerate the student.

(b) Dismiss the case after setting up a sequence of meetings for additional counseling and/or advisement.

(c) Impose minor sanctions such as warning or reprimand. This usually is accompanied by a letter stating the situation and the fact that the student has been placed on "limited probation." This letter is signed by the student as well as the dean of students. Limited probation means that the student has been warned but that the nature of the problem was such that no major sanction was deemed necessary. A copy of this letter is given to the student and the other is placed in his file with a date when the student's case is to be reviewed. The letter will be removed with no permanent record being kept if there has been no repetition of undesirable behavior during the stipulated period. In addition to the letter, the case may be referred to a professional counselor or a faculty member for follow-up assistance.

(d) Impose major sanctions such as suspension or a disciplinary action such that it might become part of his permanent record. This action would require that the sequence described under DUE PROCESS would be initiated. If the student wishes to appeal his case to the disciplinary committee after a decision has been reached by the dean of students, he will have this prerogative.

(3) In certain cases, the dean may wish to refer the problem to the disciplinary committee for their recommendation. In this case the student will be entitled to the sequence of steps outlined under the DUE PROCESS policy. The recommendation of the disciplinary committee will be used in formulating the disciplinary action finally arrived at by the dean of students. [Order 4, § 132A-120-050, filed 8/31/77.]

**WAC 132A-120-055 Discipline and due process.** (1) A notice in writing of the charges should be given to the student which includes the specific regulation alleged to be violated and the name of the complaining witnesses.

(2) A notice in writing of the date, time, and place of the hearing relative to the charges and the general nature of the proceedings should be given to the student charged, including a statement that a new hearing date will be fixed if additional time to prepare a response to the charges is desired.

(3) Notice should be given in writing that an opportunity to present information to establish innocence of the charges or mitigation of the circumstances will be afforded, including a specific statement that supporting witnesses or statements will be welcomed and that the student may have assistance or utilize a spokesman in the presentation of his position at the hearing.

(4) The student should be advised prior to receipt of any evidence at the hearing that he will not be required to give evidence which may be self-incriminating.

(5) A summary of all of the evidence presented at the hearing should be made available for the student's inspection at some stage of the proceeding, preferably prior to final determination by the hearing body.

(6) An independent review of the final recommendation of the hearing body and the action of official imposing the sanction determined should be conducted by a higher authority. The entire record which ideally would include a verbatim account of the information and testimony presented at the hearing, should be considered by the reviewing official.

(7) The entire proceeding must be conducted in an atmosphere of fairness, and a manner which preserves the rudiments of an adversary proceeding.

(8) The student in question may attend classes until a decision of final action is reached. [Order 4, § 132A-120-055, filed 8/31/77.]

**WAC 132A-120-060 Disciplinary committee.** The Peninsula College Disciplinary Committee made up of three faculty members and three students, will hear all disciplinary cases referred to it by the dean of students or when they are so requested by a student. This committee is charged with providing for the student a fair and impartial hearing. It shall be the responsibility of this committee to evaluate each case and recommend

disciplinary action to the president in writing. It should be stressed that the authority of the disciplinary committee is advisory in nature; however, its recommendation will be carefully considered in formulating the final course of action.

(2) Procedure to be followed in conducting the hearing will be such that it will not be hindered by precise rules of procedure or evidence. During the hearing the student may be accompanied and assisted by an advisor of his choice. Normal protocol found in hearings shall pertain here, i.e., the student may testify, present evidence and witnesses relevant to the charge. He is entitled to hear and examine evidence against him.

(3) The identity of the person or its source shall also be open to the student and he shall be entitled to questioning the witnesses concerning factual matters.

(4) The disciplinary committee must consider only matters and evidence presented at the hearing when determining guilt or innocence to the charge under consideration. The committee may consider past records of conduct when formulating its final recommendation.

(5) The absence of the student from the hearing for any cause may not be construed as admission of guilt. The committee may consider only evidence presented at the time of the hearing and only this evidence may serve as the basis of disciplinary committee recommendation.

(6) Normally, these deliberations will be held in closed session unless the student requests otherwise. The chairman of the committee may exclude from the hearing any guest who is disruptive in any way. That portion of the deliberation wherein the committee is formulating its recommendation, should be closed to all but the actual committee members. [Order 4, § 132A-120-060, filed 8/31/77.]

## Chapter 132A-122 WAC

### WITHHOLDING SERVICES FOR OUTSTANDING DEBTS

#### WAC

- 132A-122-010 Policy.
- 132A-122-020 Notification.
- 132A-122-030 Informal hearing notification.
- 132A-122-040 Procedure for informal hearing.
- 132A-122-050 Withholding services.

**WAC 132A-122-010 Policy.** If any student or former student fails to meet financial obligations to the college, the college shall not provide further services of any kind to such individual, including but not limited to admission to or registration with the college, conferring of degrees, issuance of academic transcripts, transmitting files or records, or other services which have been requested by any such individual. [Order 4, § 132A-122-010, filed 8/31/77.]

**WAC 132A-122-020 Notification.** Upon receipt of a request for services from an individual who has failed to satisfy financial obligations to the college, the college shall notify the individual by first class mail that the services will not be provided because of the individual's failure to meet his or her financial obligations to the

college, and the letter will further state that such services as are requested will not be provided to the individual until the debt is paid in full or arrangements are made to pay the debt over a period of time under terms and conditions which are satisfactory to the college. [Order 4, § 132A-122-020, filed 8/31/77.]

**WAC 132A-122-030 Informal hearing notification.** The letter of notification required in WAC 132A-122-020 shall further notify the individual that he has a right to an informal hearing before a person designated by the president of the college for the purpose of challenging the validity of the indebtedness. The letter of notification shall further notify the individual that any request for such hearing must be made within fifteen days from the mailing of said notice and that the request for hearing must state the reasons relied on by the individual for challenging the validity or legitimacy of the financial obligation. [Order 4, § 132A-122-030, filed 8/31/77.]

**WAC 132A-122-040 Procedure for informal hearing.** Upon receipt of a timely request for a hearing, the president's designee shall hold an informal hearing as soon as practicable for the purpose of evaluating the validity of the asserted outstanding indebtedness to the college. The presidential designee shall insure that appropriate records and files of the institution are available for review at the time of the informal hearing. Within ten days after the informal hearing, the presidential designee shall determine whether the outstanding debt is in fact owed to the college by the individual and shall provide the individual with written notification of his decision. Said decision shall constitute disposition of the informal contested case pursuant to the Higher Education Administrative Procedure Act as defined in RCW 28B.19.110. [Order 4, § 132A-122-040, filed 8/31/77.]

**WAC 132A-122-050 Withholding services.** Upon failure of the individual to request or participate in an informal hearing as provided for in this chapter, or upon failure to request a formal hearing pursuant to chapter 28B.19 RCW within ten days after the decision of the president's designee, whichever is applicable, the college may take any action authorized under WAC 132A-122-010: *Provided*, That the student has not satisfied his or her financial obligation to the satisfaction of the college. [Order 4, § 132A-122-050, filed 8/31/77.]

## Chapter 132A-128 WAC

### REDUCTION IN FORCE AND TENURE CODE

#### WAC

132A-128-005	Purpose of policies.
132A-128-010	Notification of potential RIF.
132A-128-015	Employee consultation and response.
132A-128-020	Major criteria for layoff.
132A-128-025	Necessary duties.
132A-128-030	Order of layoff.
132A-128-035	Seniority.
132A-128-040	Determination of qualifications.
132A-128-045	Right to recall.
132A-128-050	Dismissal policy.
132A-128-060	Procedure for layoff or dismissal.
132A-128-070	Hearing.

132A-128-080	Recommendations.
132A-128-090	Waiver of rights.
132A-128-100	Evaluation policy.

**WAC 132A-128-005 Purpose of policies.** If a tenured academic employee with a full-time faculty appointment is to be laid off for program termination or reduction resulting from substantial decreases in enrollment, for changes in educational policy adopted by the board of trustees, or substantial shortage of funds, the Peninsula College reduction in force and dismissal policies will be utilized and the following criteria and procedures used. (The board of trustees perceives this RIF or reduction of staff policy as a document to be implemented if the foregoing conditions are present.) [Order 3, § 132A-128-005, filed 12/8/76.]

**WAC 132A-128-010 Notification of potential RIF.** The president, with consultation from his administrative staff, instructional council, and others, will review the nature of the problem facing the college. If the president concludes that reductions in staff are or will be necessary in the near future, he will give notice of the potential reductions to the recognized academic employee organization. The preliminary notice which the president gives to the organization shall include the reasons for the proposed reductions in staff, and the number of academic employees to be considered for layoff. [Order 3, § 132A-128-010, filed 12/8/76.]

**WAC 132A-128-015 Employee consultation and response.** The recognized academic employee organization will then have the right to meet and exchange information with the president who shall fully document the need for such reductions in staff. Such meetings shall conclude within ten (10) days of the date of the first meeting. In the event the recognized faculty association is not in agreement with the proposed RIF, it may develop alternative proposals which shall be made available to any groups or individuals requesting the same. [Order 3, § 132A-128-015, filed 12/8/76.]

**WAC 132A-128-020 Major criteria for layoff.** (1) The president shall present and explain the major criteria to be used to identify those to be laid off to the faculty. If any courses currently in the curriculum are expected to be eliminated, he shall identify those courses and explain why they have been judged not to be the most necessary course offerings to maintain the best possible quality educational opportunities at Peninsula College. In the event any employee group or college organization is not in agreement with the recommendations of the president, they may present their opinions and recommendations to the president for his consideration. Nothing in this section shall preclude the administration from implementing this RIF policy if the need for the RIF has not been established as provided for in this section.

(2) If the number of academic employees is to be reduced, the president, with advice from the dean of instruction, division chairmen, and instructional council, shall recommend what course offerings and/or other

services are most necessary to maintain quality education at Peninsula College. The president shall consider, but not be limited to, the following factors:

(a) The enrollment and the trends in enrollment for not less than two (2) years, if applicable, and their effect upon each division.

(b) The goals and objectives of Peninsula College and the State Board for Community College Education.

(c) Information concerning faculty vacancies occurring through retirement, resignation, sabbaticals, and leaves of absence.

(3) The academic employee members of the instructional council shall review these recommendations and make their conclusions available to the review committee, if requested. [Order 3, § 132A-128-020, filed 12/8/76.]

**WAC 132A-128-025 Necessary duties.** Those duties associated with the course offerings and/or other services determined to be necessary at Peninsula College will be considered needed duties of an academic employee. [Order 3, § 132A-128-025, filed 12/8/76.]

**WAC 132A-128-030 Order of layoff.** If a reduction is necessary, the following order of layoff will be utilized as far as possible provided there are qualified academic employees to replace and perform all the needed duties of the employees to be laid off: first, part-time academic employees; second, probationary appointees with the least seniority; third, full-time tenured academic employees with the least seniority. [Order 3, § 132A-128-030, filed 12/8/76.]

**WAC 132A-128-035 Seniority.** (1) Seniority shall be determined by establishing the date of the signing of the first full-time contract for the most recent period of continuous full-time professional service for Peninsula College which shall include leaves of absence, sabbatical leaves, and periods of layoffs. The longest terms of employment as thus established shall be considered the highest level of seniority.

(2) In instances where academic employees have the same beginning date of full-time professional services, seniority shall be determined in the following order:

(a) First date of the signature on a letter of intent to accept employment.

(b) First date of application for employment. [Order 3, § 132A-128-035, filed 12/8/76.]

**WAC 132A-128-040 Determination of qualifications.** An academic employee shall be qualified to instruct courses which the president, with advice from the dean of instruction and the appropriate division chairman, determines the academic employee is qualified to instruct. [Order 3, § 132A-128-040, filed 12/8/76.]

**WAC 132A-128-045 Right to recall.** A full-time tenured academic employee whose contract is not renewed as a result of this reduction procedure has a right to a recall to a position, either a newly created one or a vacancy, providing he is qualified as determined by the

college president. The recall shall be in reversed seniority, the most senior first. Full-time tenured academic employees who have been laid off will retain their accrued benefits, such as sick leave and seniority. The right of recall shall extend two (2) years from the date of layoff. Upon recall they shall be placed at least at the next higher increment on the salary schedule than at the time of layoff and will retain their tenured status. [Order 3, § 132A-128-045, filed 12/8/76.]

**WAC 132A-128-050 Dismissal policy.** (1) A tenured academic employee shall not be dismissed or laid off from his appointment except for sufficient cause. An academic employee who holds a probationary faculty appointment shall not be dismissed or laid off prior to the dates established in the written terms of his appointment except for sufficient cause. Sufficient cause for dismissal includes but is not limited to causes identified in the Washington State Statutes and RIF.

(2) A review committee shall be created for the express purpose of hearing cases and shall make recommendations to the Peninsula College board of trustees relating to the layoff and/or dismissal of academic employees of the college.

(a) The review committee shall be established no later than October 15 of each year and shall serve for the following twelve months. Those members of the review committee who receive a notice of dismissal or layoff shall be excused from serving on the review committee.

(b) The review committee shall be comprised of the following members: One (1) administrator; three (3) members of the teaching faculty; one (1) full-time student.

(c) Election of teaching faculty to the review committee shall be made by a majority of the teaching faculty and faculty department heads acting in a body, prior to October 15 each year. A minimum of six (6) teaching faculty shall be nominated. The three persons receiving the most votes shall be elected as members of the review committee. The persons receiving the next highest number of votes shall be elected as alternates. The alternate receiving the greatest number of votes shall be Alternate #1, next greatest number shall be Alternate #2, and third greatest number, Alternate #3.

(d) Both the college president and faculty members affected shall each have one preemptory challenge on membership of the review committee. In the event a review committee member is challenged, an alternate shall serve.

(i) The college president shall select the administrative member and any necessary alternates.

(ii) The student shall be chosen by the associated student board of control.

(iii) The review committee will select one of its members to serve as chairman. [Order 3, § 132A-128-050, filed 12/8/76.]

**WAC 132A-128-060 Procedure for layoff or dismissal.** (1) When the president receives or initiates a formal written recommendation about an academic employee which may warrant dismissal or layoff, he shall inform that academic employee. Within ten (10) days

after having been so informed, the academic employee will be afforded an opportunity to meet with the president or his designee and the chairman of the division. At this preliminary meeting, which shall be an information gathering session, an adjustment may be mutually agreed upon. If the matter is not settled or adjusted to the satisfaction of the college president, he shall recommend that the academic employee be dismissed or laid off.

(2) If the president recommends that the academic employee be dismissed or laid off, he shall deliver a short and plain statement in writing to the academic employee which shall contain:

(a) The grounds for dismissal or layoff in reasonable particularity;

(b) A statement of the legal authority and jurisdiction under which the hearing is to be held;

(c) Reference to any particular statutes or rules involved. [Order 3, § 132A-128-060, filed 12/8/76.]

**WAC 132A-128-070 Hearing.** (1) After notification of the president's recommendation for layoff or dismissal, the affected academic employee may within the following ten (10) days request a hearing. If the president does not receive this request within the ten (10) days, the academic employee's right to a hearing will be deemed waived.

If the president receives a request for a hearing, he shall immediately call into action the review committee and deliver the aforesaid statement to the members of the review committee. He shall also notify the board of trustees of the request for a hearing. The board of trustees shall then appoint a hearing examiner whose responsibilities shall be to establish a date for a hearing and to inform, in writing, the employee, the president, and the review committee of the time, date, and place of such hearing. The hearing examiner shall not be a community college board member, community college employee, member of the State Board for Community College Education staff, or a Washington State attorney general employee. Furthermore, this scheduled hearing shall not be held prior to the twenty-first (21) day following notification of the president that the employee requested a hearing.

(2) In the presence of the review committee, the hearing examiner shall:

(a) Preside over the dismissal hearing;

(b) Conduct the hearing with all due speed until the hearing is terminated;

(c) Hear testimony from all individuals called by the president, the employee, the dismissal review committee, or the hearing examiner, and receive any evidence offered by the same;

(d) Afford the employee whose case is being heard the right of cross-examination, the opportunity to defend himself, and to be accompanied by legal counsel;

(e) Allow the college administration to be represented by an assistant attorney general;

(f) Make all rulings regarding the evidentiary and procedural issues presented during the course of the dismissal review committee hearings;

(g) Meet and confer with the members of the review committee and advise them in regard to procedural and evidentiary issues considered during the course of the committee's deliberations;

(h) Appoint a reporter who shall operate at the direction of the hearing examiner and shall record all testimony; receive all documents and other evidence introduced during the course of hearings, and record any other matters related to the hearing as directed by the hearing examiner;

(i) Prepare proposed findings of fact and conclusions for review by the appointing authority and a record which shall include:

(i) All pleadings, motions, and rulings;

(ii) All evidence received or considered;

(iii) A statement of any matters officially noticed;

(iv) All questions and offers of proof, objections and rulings thereon;

(v) Proposed findings and exceptions;

(vi) A copy of the recommendations of the dismissal review committee.

(4) In the event of a reduction in force, the hearing examiner shall consolidate all matters into a single hearing.

(5) Peninsula College shall provide a transcript of the above materials upon request by the employee. The college shall pay costs, not to exceed \$50, of the expense of providing these transcripts. Additional costs, if any, must be met by the employee.

(6) The hearing shall be closed unless the hearing examiner determines otherwise.

(7) Following the presentation of testimony and evidence, the hearing examiner shall afford the employee or his counsel(s) and the assistant attorney general representing the college administration the opportunity to present oral arguments. The hearing examiner may request written briefs to be submitted within five (5) days.

(8) Within fifteen (15) days of the conclusion of all hearing testimony, evidence, oral arguments, and written briefs, the review committee and the hearing examiner shall make their written recommendations to the board of trustees. A copy of such recommendations shall also be given at the same time to the employee and to the president. [Order 3, § 132A-128-070, filed 12/8/76.]

**WAC 132A-128-080 Recommendations.** (1) The decision to dismiss shall rest, with respect to both facts and decision, with the board of trustees after giving reasonable consideration to the recommendations of the president, the dismissal review committee, and the hearing examiner. These recommendations shall be advisory only and in no respect binding in fact or law upon the board of trustees.

(2) The board of trustees shall meet within a reasonable time subsequent to its receipt of the recommendations to consider those recommendations. The board of trustees shall afford the parties the right to oral and written argument with respect to whether they will dismiss the faculty member involved. The board of trustees may hold such other proceedings as they deem advisable

before reaching their decision. A record of the proceedings at the board level shall be made and the final decision shall be based only upon the record made before the board and at the dismissal hearing, including the briefs and oral arguments. The board of trustees shall, within fifteen (15) days following the conclusion of their review, notify the charged academic employee in writing of its final decision.

(3) Suspension of the academic employee by the president during the administrative dismissal proceedings involving him (prior to the final decision of the board of trustees) is justified if immediate harm to himself or others is threatened by his continuance. Any such suspension shall be without pay if dismissal is upheld.

(4) If the president of Peninsula College initiates a formal written recommendation that an academic employee be dismissed and the board of trustees decides to retain the employee, or if the trustees' decision to dismiss an employee is reversed by a court, all evidence concerning the dismissal will be removed from the employee's permanent personnel file if the reason for the denial of the recommendation was the president's failure to establish the facts which were the basis for the dismissal recommendation. If the facts which were the basis for the dismissal recommendation were shown to the satisfaction of the trustees and the courts but the dismissal recommendation was not followed because the trustees or the courts decided that the facts were not sufficient to warrant dismissal, the facts which were shown would be retained in the employee's permanent personnel file along with a record of the outcome of the dismissal proceedings. If the facts are to be retained in the employee's permanent personnel file, the employee will be given an opportunity to review the facts and to write an explanation which will be retained along with the findings of fact. [Order 3, § 132A-128-080, filed 12/8/76.]

**WAC 132A-128-090 Waiver of rights.** Nothing in this reduction in force and dismissal policy shall be determined as an abrogation of or as a waiver of rights or procedures set forth under the Professional Negotiations Act or other applicable Washington State statutes or federal regulations. [Order 3, § 132A-128-090, filed 12/8/76.]

**WAC 132A-128-100 Evaluation policy.** (1) The purpose of evaluation shall be to improve instruction and administrative services and to provide a basis for judgment regarding tenure.

(2) Every faculty member and administrator shall be evaluated by an evaluation committee periodically as follows:

- (a) Winter quarter of his first year;
- (b) Fall quarter of his second and/or third year;
- (c) At five-year intervals thereafter, or earlier if requested by the person desiring evaluation.

(3) A review committee shall be elected each fall quarter and shall consist of the dean of instruction, two students selected by the board of control of Peninsula College, and two members from each of the academic

divisions. The review committee from each area shall be nominated by the faculty in their respective area. Additional nominations for any area will be accepted from the faculty-at-large in an open meeting. The review committee shall then be elected by the entire faculty. The election shall be conducted during the fall quarter and members shall serve through the academic year.

(4) The review committee shall consider the recommendations of the evaluation committees and make recommendations regarding tenure to the president and to the board of trustees.

(5) The evaluation committee shall consist of one member selected by the evaluatee from the review committee; one member selected by the review committee; and the dean of instruction or his representative who shall serve as secretary of the committee.

(6) The evaluatee shall furnish the evaluation committee a written statement of the objectives of each course and a general outline of the methods used to achieve them, including but not limited to texts, outside readings, number and type of assignments, etc., a compilation of student questionnaire results, any other information deemed pertinent such as the results of standardized tests, etc.

(7) The evaluation committee shall consider additional information as the results of alumni questionnaires regarding their preparation here (the current visitation program would have to be supplemented by written questionnaires mailed periodically); in the case of vocational-technical students, questionnaires obtained from their employers; and any other information the committee deems pertinent.

(8) In the event the evaluatee is not a member of the teaching faculty, the committee shall review that person's area of responsibility and apply as many of the criteria as are appropriate.

(9) If a majority of the committee and the instructor both agree to the desirability, the committee (or its representatives) shall visit the instructor's classes or observe his techniques through appropriate media.

(10) The evaluation committee's judgment and recommendations shall be made available only to the faculty member for purposes of self-improvement, the president, and the review committee for the purpose of making recommendations regarding tenure to the president and the board of trustees.

(11) Ordinarily, probation shall be three years in length. A recommendation regarding tenure shall be submitted by the end of the fall term of the third year. [Order 3, § 132A-128-100, filed 12/8/76.]

## Chapter 132A-136 WAC

### USE OF COLLEGE FACILITIES—ACADEMIC

#### WAC

- 132A-136-005 Placement service.
- 132A-136-010 College sponsored publications.
- 132A-136-015 Distribution of material on campus.
- 132A-136-020 Speakers policy.
- 132A-136-025 Use of facilities.
- 132A-136-030 Smoking regulations.



**WAC 132A-136-005 Placement service.** Students are assisted in finding part-time employment while in school and in finding career employment after leaving school. The job referral office provides up-to-date listings of local and state-wide job openings. A career planning class is offered for those who are unsure about what career they wish to follow. [Order 4, § 132A-136-005, filed 8/31/77.]

**WAC 132A-136-010 College sponsored publications.** (1) The publication advisory board shall be the central authority representing the publishers (Peninsula College) in the formulation and enactment of policy regarding the college publications including the BUC-CANEER and TIDE POOL.

(a) The respective editors will be responsible to this advisory board and are charged with the day-to-day operation of the individual publications.

(b) The publication advisory board will consider nominations for the position of editor each year or quarter, according to the qualifications stated subsequently, and will appoint such personnel. If necessary, the board can censure, suspend, or replace any of its appointees.

(c) The publication advisory board can recommend the creation or dissolution of authorized student publications to the office of the president or his designated representative, the dean of students, and the associated student council.

(d) The publication advisory board shall review any material the faculty publication advisor wishes to bring before the group. It will be its responsibility to advise the faculty publication advisor, in light of governing policies (*Canons of Journalism*, etc.) as to a course of action.

(2) The publication advisory board will have authority to conduct hearings, hold public meetings, conduct investigations, and make recommendations concerning all publications within its scope of authority, whether actually published or proposed for future publication, as long as the college shall be viewed as the publisher.

(f) The publication advisory board will have the authority to determine frequency and method of publication.

(3) The publication advisory board shall be made up of seven members.

(a) The president of the college shall appoint three faculty members and one administrator who act for the publisher and represent the college.

(b) The president of the associated student council shall appoint three members of the student body who must meet the requirements for committee membership.

(c) The dean of students, president of the associated student council, publication editor, and director of student activities may be seated as nonvoting members.

(d) The board shall select its own chairman.

(e) The board shall meet at the call of the chairman or any three of its members.

(4) Each student publication has a faculty or professional advisor who shall be appointed by the president. His primary duty will be to counsel the student editors regarding ethical responsibility, content and coverage, technical and managerial aspects of composition and

publication. The publications advisor shall have the authority, after consultation with the concerned editor, to withhold from publication any material he believes should be reviewed by the publication advisory board.

(a) The advisor shall recommend to the publication advisory board students for position of editorship.

(b) The publications advisor as well as the editors are expected to cooperate fully with the publication advisory board.

(5) The student editor shall be responsible for the content and presentation of material in each of the publications authorized by the publication advisory board.

(a) The student editor shall appoint members to his staff and will assume responsibility for having members of his staff conform to the policies as stated by the publication advisory board.

(b) The student editor shall consult with the publications advisor at all times in matters of policy and management.

(6) The primary function of the BUCCANEER will be to provide a laboratory experience for those students involved in the news writing sequence of courses offered by Peninsula College. The opportunity for writing and related newspaper experience will not be exclusively for those who are enrolled in these journalism courses. However, all students will be urged to participate in newspaper reporting and similar assignments which will be made available on a regular schedule arranged by the faculty advisor charged with the responsibility of the journalism laboratory.

(7) The purpose of TIDE POOL is to provide an opportunity for student writers to have their writing efforts published. This magazine is primarily a laboratory vehicle of the creative writing classes, but pictures, poems, and short stories from all students are considered in this publication.

(8) In keeping with the highest ideals of journalistic endeavor, Peninsula College and its related publications subscribe to the CANONS OF JOURNALISM as adopted by the American Society of Newspaper Editors, and hereinafter set forth. These canons have been excerpted and modified to apply more directly to a student newspaper and are listed as modified.

(a) The purpose of the student publications is to report the news and to provide an outlet for student opinion and student creative effort. The prime purpose of Peninsula College publications shall be to publicize and promote the activities and interests of the general college community of Peninsula College.

(b) It is the responsibility of student publications to maintain the highest standards of accuracy, truthfulness, fairness, and decency in fulfilling this goal.

(c) Student publications must maintain the utmost respect for the privacy and rights of the individual.

(d) Student publications must not impugn the character or motives of the individual or groups without substantial evidence; nor shall it ever knowingly violate a confidence.

(e) Student publications will adhere to the laws of libel of the state of Washington and the United States of America.

(f) Personal bias, vested interest, or editorial policy must not dictate or influence the writing, placement, or length of news stories. News value must be the only criterion.

(g) An article from another publication must not be reprinted in whole or part without due credit, and permission, if necessary.

(h) The editor must accept final responsibility for the contents of the publication.

(i) When an editor flagrantly or consistently violates the ethics of the student press as outlined in this code, he may be removed by the authority which appointed him, the publication advisory board, in accordance with well established criteria for due process in which the student editor is given full right of defense. [Order 4, § 132A-136-010, filed 8/31/77.]

**WAC 132A-136-015 Distribution of material on campus.** (1) The administration has the responsibility to control and regulate the distribution of materials which might tend to injure, obstruct, or threaten the achievement of the institution's educational goal.

(2) Off-campus and nonstudent groups are asked to register with the dean of students before distributing of handbills, leaflets, or similar materials. The purpose of this would be to assure the group of facilities for distribution.

(a) Such materials must bear identification as to publishing agency and distributing organization or individual.

(b) The dean of students shall designate the area in the PUB that will be used for distribution.

(c) In some cases the nature of the materials is such that they will be placed at a central distribution center and not simply handed out, the problem here being one of litter.

(d) Failure to follow rules may resolve in arrest for trespass. [Order 4, § 132A-136-015, filed 8/31/77.]

**WAC 132A-136-020 Speakers policy.** (1) Any faculty member or recognized student group may invite any speaker to the campus they wish to hear. The appearance of a speaker (invited) does not mean that the college, its staff or students endorse the speaker or his topic. Peninsula College is not required to take a stand either pro or con on the ideas forwarded by the speaker. A reasonable honorarium may be paid depending on the resources of the club or school. The college assumes no obligations to provide an audience. It is assumed that all invited speakers will observe the laws of the United States, the state of Washington, and the rules of Peninsula College. It is our hope that through the course of time controversial speakers will appear on our campus. Every effort will be made to provide both points of view.

(2) A faculty member, a faculty group, or a student group will inform the dean of students in writing, at least seven days prior to the proposed scheduled event, concerning the subject to be discussed and the names of all guest speakers who will be invited to the event. In order to assure that various aspects of an issue will be critically examined, invited speakers shall submit to questions from the audience immediately following their

presentations. [Order 4, § 132A-136-020, filed 8/31/77.]

**WAC 132A-136-025 Use of facilities.** (1) Because the college is an educational institution provided and maintained by the people of the state, its buildings, properties, and facilities shall be reserved at all times for those activities which either are related directly to its educational mission or are justifiable on the basis of their contributions to the cultural, social, or economic development of the state.

(2) The buildings, properties, and facilities of the college, including those of the associated students, may be used only for:

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

(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, by charitable agencies or civic or community organizations whose activities are of widespread public service and of a character appropriate to the college.

(3) Primary consideration shall be given at all times to activities specifically related to the mission of the college, and no arrangements shall be made that may interfere with or operate to the detriment of the teaching, research, or public service programs.

(4) Activities of a commercial or partisan political nature will not be approved if they involve the use of promotional signs or posters on buildings, trees, walls, or bulletin boards or the distribution of samples outside rooms or facilities to which access may be granted.

(5) The facilities of the college are available to recognized student groups subject to these general policies.

(a) The board hereby delegates to the chief administrative officer of the district the authority to set up administrative procedures for proper review of the use of district facilities; to establish, within the framework of these policies, regulations governing such use; and to establish rental schedules where appropriate.

(b) Individuals who are not students or members of the faculty or staff and who violate these regulations will be advised of the specific nature of the violation, and, if they persist in the violation, will be requested to leave college property. Failure to comply with such a request will subject such individuals to arrest under provisions of RCW 9.83.060, Trespass on Another's Land: "Every person who shall go upon the land of another or shall willfully go or remain upon his land after having been warned by the owner or occupant not to trespass thereon, shall be guilty of a misdemeanor." Members of the

college community (students, faculty, and staff) who do not comply with these regulations will be reported to the appropriate college office or agency for action in accord with established district policies.

(c) Inquiries concerning the use of college facilities may be directed to the college administrative office.

(d) The use of exterior audio-amplifying equipment is permitted only in locations and at times that will not interfere with the normal conduct of district and college affairs.

(6) Permission to an off-campus organization for use of district and college facilities will be granted only under the express understanding and condition that such off-campus organization assumes full responsibility for any loss or damage resulting from such use and agrees to hold harmless and indemnify the district for any loss or damage or claims arising out of such use. [Order 4, § 132A-136-025, filed 8/31/77.]

**Reviser's note:** RCW 9.83.060, quoted in the above section, was repealed by 1975 1st ex. sess., chapter 260, section 9A.92.010, effective July 1, 1976. For later enactment, see chapter 9A.52 RCW.

**WAC 132A-136-030 Smoking regulations.** (1) To comply with Washington Administrative Code 248-152-010, the declared purpose of this regulation is to prohibit the smoking of tobacco in certain places which are used and open to the general public.

(2) "Smoke" or "smoking" as used herein shall mean and include the smoking or carrying of any kind of lighted pipe, cigar, or cigarette. The term "public" shall mean any place used by and open to the general public which is owned, leased, or otherwise operated by Community College District No. 1.

(3) Smoking shall be prohibited in the following places within Community College District No. 1: *Provided*, That such places are open to and used by the general public.

(a) Elevators.

(b) All public means of mass transportation.

(c) All indoor facilities except areas specifically designated for smoking or designated as lobbies if physically separated from areas for general public use.

(d) *Provided, further*, That smoking by performers as a part of a theatrical production shall be allowed.

(4) Signs prohibiting smoking shall be conspicuously posted in every room, building, or other place where smoking is prohibited by this regulation.

(5) The enforcement of this regulation must depend on the willingness of the general public to abide by its provisions and to request others to do so. Complaints of violations of this regulation shall be made to any college administrator or other persons having control over any room, building, or other place where smoking is prohibited by these regulations. Complaints of violations of this regulation shall also be made by the complainant to the State Board of Health, P.O. Box 1788, Mail Stop 1-2, Olympia, Washington 98504. [Order 4, § 132A-136-030, filed 8/31/77.]

## Chapter 132A-140 WAC

### USE OF COLLEGE FACILITIES—BUSINESS

#### WAC

- 132A-140-005 General policy.
- 132A-140-010 Limitations.
- 132A-140-015 Liability.
- 132A-140-020 Commercial ventures on campus.
- 132A-140-025 Bookstore.

**WAC 132A-140-005 General policy.** Because the college of District No. I is an educational institution, provided and maintained by the people of the state, its buildings, properties, and facilities shall be reserved at all times for those activities which either are related directly to its educational mission or are justifiable on the basis of their contributions to the cultural, social, or economic development of the state. [Order 4, § 132A-140-005, filed 8/31/77.]

**WAC 132A-140-010 Limitations.** (1) Buildings, properties and facilities of the college, including those of the associated students, may be used only for:

(a) The regularly established teaching, research, or related agencies.

(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, by charitable agencies, or civic or community organizations whose activities are of widespread public service and of a character appropriate to the college.

(2) Primary consideration shall be given at all times to activities specifically related to the mission of the college, and no arrangements shall be made that may interfere with or operate to the detriment of the teaching, research, or public service programs.

(3) Activities of a commercial or partisan political nature will not be approved if they involve the use of promotional signs or posters on buildings, trees, walls, or bulletin boards, or the distribution of samples outside rooms or facilities to which access may be granted.

(4) The facilities of the college are available to recognized student groups, subject to these general policies. [Order 4, § 132A-140-010, filed 8/31/77.]

**WAC 132A-140-015 Liability.** Permission to an off-campus organization for use of district and college facilities will be granted only under the express understanding and condition that such off-campus organization assumes full responsibility for any loss or damage resulting from such use and agrees to hold harmless and indemnify the district for any loss or damage or claims

arising out of such use. [Order 4, § 132A-140-015, filed 8/31/77.]

**WAC 132A-140-020 Commercial ventures on campus.** College facilities may not be used for commercial solicitation, advertising, or promotional activities. The exception to this policy would be activities that clearly serve educational objectives such as display of books of interest to the academic community. Excepted also would be the display or demonstration of technical research equipment; in both cases displays must be conducted under the sponsorship or the request of a college department or by the office of the associated students (ASC). In no cases will such displays be allowed if they interfere with or operate to the detriment of the conduct of college affairs or the free flow of student or vehicular traffic. [Order 4, § 132A-140-020, filed 8/31/77.]

**WAC 132A-140-025 Bookstore.** (1) Peninsula College bookstore operates as a business enterprise for the primary purpose of supplying textbooks and other class-related material to students. No individual or other entity is permitted to display or sell products in the store unless net proceeds accrue to the store, and such display or sale has been approved by the manager; provided, however, that certain items may be displayed and sold through the bookstore for the associated student body or student clubs with proceeds accruing to the seller. A handling fee may be charged for service provided by the store.

(a) Noneducational merchandise will be stocked subject to bookstore space, student convenience, financial return, and their suitability in the academic community.

(b) The store reserves the right to restrict any or all sales to Peninsula College students.

(2) Net proceeds from the bookstore support activities and/or building programs as directed by the board of trustees.

(a) New textbook prices are generally determined by publishers' recommended price list, used textbooks are sold at a percentage of new text prices, and merchandise other than textbooks is sold at prevailing market prices.

(b) All sales are for cash except to students attending college on specially-funded programs and having prior clearance from the business office or student services office.

(c) In the interest of equity to all students, special pricing and discounts shall not be available to any class of student or other consumer.

(d) Handling fees will be charged for special handling of books and other materials when normal markup does not cover bookstore expenses or provide normal margin of profit. Such fees may be reflected as a part of the purchase price or invoiced separately.

(3) During the first ten academic days of each quarter, the full purchase price less handling and/or defacing charge will be refunded on textbooks if a cash register receipt and drop slip or proof of withdrawal is presented. From the eleventh day through the end of the quarter, used textbook prices will be paid for all repurchased books. Used texts will be repurchased at the close of

each quarter by the bookstore or a commercial used-textbook buyer commissioned by the bookstore. When used texts are repurchased by or for the bookstore, the following conditions must be met:

(a) The book is in saleable condition.

(b) The book is to be used during the succeeding quarter. (At the close of spring quarter, texts to be used during any quarter of the succeeding year will be repurchased.)

(c) An overstock of the text does not exist.

(4) Prices paid for repurchased textbooks will be a percentage of the previous selling price.

(5) Special ordering for nonclass related merchandise will be done only on a time-available basis and must have permission of the manager. Full cost and profit margin shall be charged and a deposit equal to one hundred percent of the estimated retail price shall be required.

(6) Desk copies ordered by the bookstore or unsolicited copies sent to the bookstore will be forwarded to the division chairperson. The chairperson shall distribute desk copies within the division or place them in the library for reference.

(7) The store will normally be open seven hours for each day of regularly scheduled classes. Hours may be adjusted to meet special conditions including but not limited to registration periods and low-activity periods in summer school. Deviation from normal hours of operation shall be at the discretion of the manager. [Order 4, § 132A-140-025, filed 8/31/77.]

## Chapter 132A-156 WAC COLLEGE HOUSING

### WAC

132A-156-005 General regulations.

132A-156-010 Specific regulations.

132A-156-015 Visitors.

132A-156-020 Attire.

132A-156-025 Damages.

132A-156-030 Room inspection.

**WAC 132A-156-005 General regulations.** Residents of the dormitory should respect the privacy of others and remember that individual rooms are used primarily for study and sleep during the evening hours. Thus a period of relative quiet should be maintained between the hours of 8:00 p.m. and 11:00 p.m., Sunday through Thursday; during this period radios, record players, and conversation should not disturb those wishing to study. Additionally, between the hours of 11:00 p.m. and 6:30 a.m., use of stereos, radios, record players, showers and washers and dryers should be minimal to permit residents a standard sleeping hour. [Order 4, § 132A-156-005, filed 8/31/77.]

**WAC 132A-156-010 Specific regulations.** (1) All residents are required to be in the dormitory at night by 2:00 a.m. Those not returning by the stated hours will be assumed to be on overnight visit off campus.

(2) Doors will be locked at 2:00 a.m. daily.

(3) No firearms may be kept in rooms, cars, or general-use areas. Residents wishing to have firearms accessible may check them for storage with the resident director.

(4) No alcoholic beverages, drugs, or narcotics are permitted on college property. This includes the dormitory.

(5) No pets (other than goldfish in small containers) are allowed in the dormitory. Goldfish are permitted only with the resident director's permission.

(6) By state law, no gambling is permitted.

(7) No open flames or cooking utensils with exposed elements are permitted in the dormitory.

(8) No furniture is to be taken from the lounge area. [Order 4, § 132A-156-010, filed 8/31/77.]

**WAC 132A-156-015 Visitors.** (1) Residents of the dormitory are responsible for the conduct of their guests. Each resident should, therefore, see that his guests observe all dormitory and college regulations.

(2) Guests may be entertained in dormitory rooms from 10:00 a.m. to 10:00 p.m. Sunday through Thursday, and 10:00 a.m. to 1:00 a.m. Friday and Saturday. Nonresident guests may be entertained in the dormitory lounge from 10:00 a.m. to midnight.

(3) A resident wishing to accommodate overnight guests may do so on Friday and Saturday nights provided he has permission from his roommate and the resident director. Where the above stipulations are met, and where a resident's visitor observes dormitory regulations, there will be no fee for overnight stays. In the event the host does not receive permission from the resident director, however, he will be assessed a fee of \$5.00. [Order 4, § 132A-156-015, filed 8/31/77.]

**WAC 132A-156-020 Attire.** (1) Resident attire in general-use areas and the lounge area of the dormitory should be appropriate during visiting hours.

(2) Attire for meals taken in the cafeteria may be casual, but all diners are required to wear shoes, as specified by state law, and may not wear short shorts or unhemmed cut-offs. [Order 4, § 132A-156-020, filed 8/31/77.]

**WAC 132A-156-025 Damages.** Residents of the dormitory are responsible for any damage in the dormitory. Each resident is responsible for the well-being of his own room and should any damages occur, will be financially responsible. The director of housing can require immediate cash payment for any damages. In the event that a student is unable or unwilling to pay, his parents will be contacted for payment. In the event that cash payment is not required, the amount will be deducted from the student's damage deposit. Residents are responsible for damage to their rooms regardless of who actually damaged the premises; if the guilty party is identified, however, he will be held responsible. Residents who are found guilty of malicious destruction will face disciplinary action in addition to being held responsible for payment of repairs. Violation of dormitory regulations may result in expulsion from the dormitory and

loss of room rental and deposit. [Order 4, § 132A-156-025, filed 8/31/77.]

**WAC 132A-156-030 Room inspection.** Periodic room checks will be made from time to time. Room check at any time through the evening after closing hours will be conducted as deemed necessary by the resident director. [Order 4, § 132A-156-030, filed 8/31/77.]

## Chapter 132A-160 WAC

### ADMISSION AND REGISTRATION PROCEDURES

#### WAC

132A-160-005 Application.

132A-160-010 Testing.

132A-160-015 Foreign students.

**WAC 132A-160-005 Application.** (1) Persons wishing to make application to Peninsula College should secure a state of Washington Community College admission form from any high school principal's office in the state of Washington or from Peninsula College. The applicant is to complete the application form and arrange for transcripts and test scores to be sent to Peninsula College from any high schools or colleges he/she may have attended. The student will be notified of acceptance into Peninsula College upon receipt of the application, transcripts, and test scores. A faculty advisor will be assigned and each applicant will be sent a registration number advising appointment and an orientation schedule a few weeks prior to the quarter for which application has been made. Information regarding dormitories, financial aid and/or applications to certain vocational programs will be sent upon request of the applicant.

(2) A few weeks prior to the time classes are to begin, a letter is sent from the registrar to notify each student of the date and time scheduled for placement tests, college orientation, advising, and registration. [Order 4, § 132A-160-005, filed 8/31/77.]

**WAC 132A-160-010 Testing.** The Washington Pre-College Test (WPCT) is recommended for students who plan to enroll in a college transfer program. Test results are used only for guidance and counseling and not as a basis for admission. In Washington state these tests may be taken during the high school junior year. All incoming students will be asked to complete a placement test in English and mathematics, the purpose of which is to assist students and advisors in choosing an appropriate course of study. These tests are given throughout the summer. [Order 4, § 132A-160-010, filed 8/31/77.]

**WAC 132A-160-015 Foreign students.** In addition to the above procedures, foreign students must comply with the following requirements:

(1) Subscribe to a comprehensive medical insurance program against sickness, injury, or necessary repatriation.

(2) Reside in college housing for at least one academic year.

(3) Prepay the year's housing expenses.

(4) Deposit with Peninsula College, prior to arrival, at least one-third of the funds necessary to meet expenses for the academic year.

(5) Present documented evidence of good physical condition. Thus, two physical examination forms should be acquired, one to be presented to immigration officials for the visa, one to be sent directly to Peninsula College.

(6) For applicants whose native language is not English, he/she must:

(a) Present evidence of successful completion of the TOEFL examination to the registrar along with a letter from the education officer in residence at the embassy in question, verifying test results. For information on the TOEFL, write to ETS, Box 899, Princeton, New Jersey 08540.

(b) Enroll in a special reading and English program until a satisfactory skill level based upon requirements for success in regular college courses has been achieved. Programs are available at Peninsula College. [Order 4, § 132A-160-015, filed 8/31/77.]

### Chapter 132A-168 WAC

#### USE OF LIBRARY

##### WAC

132A-168-005 Circulation.  
132A-168-010 Fines and charges.  
132A-168-015 Hours.

**WAC 132A-168-005 Circulation.** (1) Open stack books can be charged out for two weeks with renewal privileges.

(2) Reserve books and periodicals can be charged out:

(a) When the library is open in the evenings, check-out time for two-hour reserve books is 8 p.m. and books are due by 9 a.m. the following morning. On Friday, two-hour reserve books may be checked out at 2 p.m. They must be returned by 9 a.m. the following Monday.

(b) One-day reserve books may be checked out at any time but are due at 9 a.m. the following school day.

(c) Three-day reserve books may be checked out at any time and are to be returned on date due or before.

(d) Periodicals may be checked out for three days.

(e) Vertical file materials may be checked out for three days. [Order 4, § 132A-168-005, filed 8/31/77.]

**WAC 132A-168-010 Fines and charges.** (1) Circulating materials and reserves, no fines.

(2) Lost book, cost of replacing book plus \$2 for ordering and processing.

(3) Damaged book, charges set by the director of library services.

(4) Lost periodicals, minimum of \$1 or replacement.

(5) It is expected that all circulating material be returned at the time they are due. At the end of each quarter, transcripts may be withheld until the library record is cleared. [Order 4, § 132A-168-010, filed 8/31/77.]

**WAC 132A-168-015 Hours.** (1) During the regular school sessions, the library hours are: Monday through Thursday, 7:30 a.m. to 9:30 p.m.; Friday, 7:30 a.m. to 5:00 p.m.; Sunday, 6:00 p.m. to 9:00 p.m.

(2) During the summer session, the library hours are: Monday through Friday, 7:45 a.m. to 4:00 p.m.

(3) The library is closed on holidays. Any variations from this schedule will be posted on the circulation desk. [Order 4, § 132A-168-015, filed 8/31/77.]

### Chapter 132A-176 WAC

#### ENVIRONMENTAL POLICY

##### WAC

132A-176-005 Environmental policy.

**WAC 132A-176-005 Environmental policy.** It shall be the policy of Community College District No. 1 that capital projects proposed and developed by the district shall comply with the provisions of chapter 43.21C RCW, the State Environmental Policy Act (SEPA); chapter 197-10 WAC, guidelines for SEPA implementation; and WAC 131-24-030, SEPA implementation rules of the State Board for Community College Education; and in compliance with WAC 197-10-820, the district president, or an administrative officer designated by the district president, shall be the "responsible official" for carrying out this policy. [Order 1, § 132A-176-005, filed 6/1/76.]

### Chapter 132A-180 WAC

#### COPYRIGHT AND PATENT POLICIES

##### WAC

132A-180-005 General statement.  
132A-180-010 Scope of policy.  
132A-180-015 Materials subject to copyright.  
132A-180-020 Rights to copyrightable materials.  
132A-180-025 Procedures.  
132A-180-030 Use of materials.  
132A-180-035 Payments to the individual creator.  
132A-180-040 Protection and liability.

**WAC 132A-180-005 General statement.** (1) The college recognizes as part of the institutional educational mission the publication of certain kinds of materials which may be germane to educational processes or that may be classified as scholarly work. The college recognizes and encourages also the right of faculty, staff, and students to exercise individual initiative in creating materials which meet copyright specifications and which may generate royalty income for the creator when marketed.

(2) The generation of materials which may be copyrighted often extends beyond the initiative of individuals and may include the use of institutional equipment and facilities and financial support either from the institution or from outside sources. Accordingly, the college will maintain a policy which clarifies and protects the respective rights of faculty, staff, or student employees and the college by defining the types of materials which should be designated as "college-supported" or "college-

sponsored" by establishing procedures for administering policy concerning these materials and by stating policy governing their ownership and use and the rights to income produced therefrom.

(3) It should be emphasized that this policy does not affect the personal ownership rights of faculty, staff, or student employees to books or other materials not specifically commissioned by the college or the preparation of which were not assisted in any significant way by a third party sponsor or the college. The creator is free to contract for publication, copyright his products in his own name, and receive royalties resulting from sales, providing the initiative for the work came from him and the college—including grants or contracts administered by the college—did not provide a significant portion of the resources utilized in production of materials. [Order 2, § 132A-180-005, filed 12/8/76.]

**WAC 132A-180-010 Scope of policy.** This statement of policy shall apply to all faculty, staff, and student employees of the college and any group or groups of faculty or staff or student employees of the college or any combination thereof. Definitions: Wherever used herein, the term "individual" means any faculty, staff, or student employee or employees of the college or any group or groups of faculty, staff, or student employees of the college; "creator" means the author or producer of a creative work. Wherever used herein, the term "college copyright administrator" shall mean the college president. [Order 2, § 132A-180-010, filed 12/8/76.]

**WAC 132A-180-015 Materials subject to copyright.** (1) The following original creations, among others, ordinarily are classed as copyrightable:

(a) Books, journal articles, texts, glossaries, bibliographies, study guides, laboratory manuals, syllabi, tests, and proposals.

(b) Lectures, musical or dramatic compositions, and unpublished scripts.

(c) Films, film strips, charts, transparencies, and other visual aids.

(d) Video and audio tapes and cassettes.

(e) Live video or audio broadcasts.

(f) Programmed instruction materials.

(g) Computer programs.

(2) This policy does not apply to the following types of materials:

(a) Articles submitted to or published by scholarly and professional journals.

(b) Class notes produced in connection with a regularly-scheduled course of instruction. [Order 2, § 132A-180-015, filed 12/8/76.]

**WAC 132A-180-020 Rights to copyrightable materials.** (1) Individual effort: Any individual who produces copyright-eligible material as the result of individual initiative and without the significant assistance, support or sponsorship of the college shall retain full right of ownership, control, use, and disposition over the material. The individual shall be solely responsible under such circumstances for determining whether to copyright the material.

(2) College-supported individual effort: If the college provides significant support or assistance for an individual in producing materials eligible for copyright such as, but not limited to, the creator's use of college funds, equipment, facilities, materials, staff services, or other resources without personal charge to the individual, ownership of rights in the material shall be vested in the college subject to the conditions set forth in this policy. The college may copyright such materials when it appears that copyrighting will be in the best interest of the college and the individual.

Any individual who is preparing, or is planning to prepare copyright-eligible material under circumstances which may be considered college-supported, assisted, or sponsored, shall initiate an inquiry as to their status. A descriptive statement of the relevant facts shall be forwarded to the college copyright administrator. Thereafter, the college copyright administrator shall advise the individual as promptly as possible as to whether the materials should be regarded as college-supported or college-sponsored within the meaning of this policy. The college copyright administrator's decision in such cases will be considered as an advisory opinion subject to clarification and final decision when the work is completed. The final decision will be rendered in accordance with WAC 132A-180-025.

(3) College-sponsored effort: Ownership rights in college-sponsored materials shall be vested in the college subject to the conditions set forth in this statement of policy. Materials are college-sponsored if the individual has been commissioned in writing by the college or otherwise assigned to develop the materials and, in their production, has been authorized released time for which the individual will receive compensation from the college funds, including grant and contract funds administered by the college, the college copyright administrator may, in his sole discretion, elect to share with the individual, royalties resulting from sales of such materials, *Provided* That the individual shall have no right to the sharing of such royalties in the absence of an express written agreement with the college copyright administrator.

(4) Efforts supported by outside agencies: Copyright-eligible materials produced under the sponsorship of agencies outside the college must contain specific provisions regarding the disposition of any royalties or materials generated through grants or contracts furnished by such agencies. Any individual accepting support from outside agencies should understand clearly their rights and obligations under these conditions. The college will not enter any performance contract with an outside agency which required an individual's participation unless royalty rights and the disposition of copyright-eligible materials are specified clearly, unless such disposition is acceptable to the college copyright administrator, and unless the conditions are compatible with college policies covering such activities.

Where the college is a party to sponsored projects resulting in production of copyrightable materials, the following conditions will apply:

(a) Title to all materials will remain with the college.

(b) The sponsor of the project may retain rights to royalty-exempt use of materials.

(c) With college concurrence, parties to a sponsored grant or contract may agree to assignment of rights which may vary from (a) and (b).

(d) The sharing of any royalty income other than under the terms of condition (a), will be specified under the terms of the original contract with the sponsoring agency and will be determined solely at the discretion of the college copyright administrator.

(e) Individual participation in royalty income generated from copyrighted materials emanating from sponsored projects may be subject to sponsor regulations, but must be specified by contract between the college and the individual if different from condition (a) above.

(f) As copyright administrator, the president of the college will retain final responsibility and authority for all decisions on royalty sharing and other copyright matters involving the college. [Order 2, § 132A-180-020, filed 12/8/76.]

**WAC 132A-180-025 Procedures.** (1) In any instance where copyrightable materials are generated other than by individual initiative, i.e., partially or fully supported or sponsored by the college; or sponsored by an outside agency but involving college participation, the college copyright administrator will confer with the individual creator and other concerned parties to reach a copyright agreement which is acceptable to all parties and consistent with the college copyright policy.

(2) The college copyright administrator may appoint a copyright committee of up to three persons to advise him concerning matters related to ownership, disposition, and royalty distribution from copyrightable materials.

(3) All programs expected to generate copyrightable materials by other than individual effort must undergo prior review by the copyright administrator in accordance with WAC 132A-180-030(2) in order that a preliminary determination can be made regarding rights, disposition of materials, and distribution of income.

(4) Advance arrangements must be part of all project files; similarly, copies of all agreements will be maintained as a matter of record by the college copyright administrator.

(5) Any agreement made with individual creators may be reviewed and revised subsequently at the option of the college contract administrator.

(6) All contracts or agreements made with individuals or sponsoring agencies must contain reference to the college copyright policy as a basis for the agreement.

(7) In all instances, copyright agreements and decisions affecting those agreements will be formulated on the assumption that protection of the rights of individuals is of importance and that agreements should be designed to stimulate individual initiative.

(8) All agreements made under the college copyright policy and these procedures should be so designed to assure adequate controls and to fulfill college accountability for allocated public resources and the reimbursement of those resources where appropriate. [Order 2, § 132A-180-025, filed 12/8/76.]

**WAC 132A-180-030 Use of materials.** (1) Two categories of use are differentiated for purposes of this policy:

(a) Internal use: or, use by any unit of the college for instruction or other educational purposes.

(b) External use: or, use by educational institutions other than the college, government, and other nonprofit institutions, and use resulting from lease or other contractual arrangements for commercial distribution of the materials.

(2) Use of college-supported or college-sponsored materials under this policy shall be subject to the following conditions:

(a) Internal use: 1) Use within the college does not require the approval of either the individual creator or the college unless advance approval is required by a prior written agreement; 2) As long as the individual creator of college-supported or college-sponsored materials remains employed by the college: a) he may request reasonable revisions of the materials prior to any instance of internal use, b) he may ask that the materials be withdrawn from internal use if necessary revisions are not feasible. The final decision regarding appropriate revision or withdrawal of materials will be made by the college copyright administrator. 3) If the individual creator terminates employment with the college, then the college retains the right to continue internal use of the college-supported or college-sponsored materials unless the individual and the college agree in writing on special conditions for subsequent internal use of the materials and the procedures for their revision.

(b) External use: Licensing or sale of college-supported or college-sponsored materials for external use shall be preceded by written agreement between the college and the individual creator specifying the conditions of use, and including provisions concerning the right of the individual creator to revise materials periodically or to withdraw them from use, subject to existing agreements, in the event revisions are not feasible. [Order 2, § 132A-180-030, filed 12/8/76.]

**WAC 132A-180-035 Payments to the individual creator.** (1) Compensation for production activity: In general, the regular assignments of the individual should be adjusted to take into account the extra time required to develop or produce college-supported or college-sponsored materials. In these circumstances, additive compensation would not be paid to the individual creator. If recorded material is re-used, it may be appropriate to adjust the regular assignments of the individual where he makes some continuing input or contribution to the repeated program.

(2) Income from sales or rentals:

(a) Both the college and the individual are entitled to a share of income from the licensing or sale of college-supported or college-sponsored materials: the college on the basis of salary, facilities, administrative support, or other resources devoted to the project; and the individual for creative activity which contributes to an enriched educational program. Where sponsored grant or contract funds are involved, the division of income will be subject to approval by the sponsoring agency. In some cases, the



sponsor may require that all income be credited to the project account.

(b) Where college-supported or college-sponsored materials are to be sold or rented, the [and] subject to any limitations specified by granting agencies, the following guidelines pertaining to financial arrangements should be observed: 1) All incremental expenses related to the production and distribution of additional copies will be recovered from each sale or rental. 2) An appropriate fraction of the college's original production costs, as agreed upon between the individual and the college copyright administrator, should also be recovered from each sale or rental. 3) Subject to any limitations specified by outside granting agencies, a royalty of not more than ten percent of items 1) and 2) may be included in the sale or rental price. After production costs are fully recovered and after required distribution to a sponsoring agency, if any, the resultant royalty income will be divided equally between the individual and the college. [Order 2, § 132A-180-035, filed 12/8/76.]

**WAC 132A-180-040 Protection and liability.** (1) The college copyright administrator shall investigate allegations of unauthorized use or copyright infringement of college-supported or college-sponsored materials and shall recommend appropriate action. If such action is started by the college, all costs of such action shall be borne by the college. All proceeds in excess of such costs shall be shared equally by the college and the individual creator, subject to sponsoring agency limitations, if any, when a grant or contract is involved.

(2) Before any use is made of college-supported or college-sponsored materials, the individual creator shall certify in writing to the college copyright administrator that, to the best of the individual creator's knowledge, the materials do not infringe on any existing copyright or other legal right. When there are allegations of violations of personal or property rights by the college or by the individual creator of college-supported or college-sponsored materials copyrighted by the college, the college shall assume responsibility for the defense of any action. However, the individual creator shall indemnify the college against any damages, charges, costs, expenses (including counsel fees), judgments, penalties, liabilities, or losses of any other kind or nature whatsoever, which are sustained or suffered by or secured against or imposed on the college as a result of the finding of any court or [of] law or any other decision-making tribunal that publication or use of the college-supported or college-sponsored material infringed on or violated any statutory or common law right or any other right of any character of any party whomsoever. [Order 2, § 132A-180-040, filed 12/8/76.]

## Chapter 132A-276 WAC PUBLIC DISCLOSURE POLICY

### WAC

- 132A-276-005 Purpose.
- 132A-276-010 Definitions.
- 132A-276-015 Description of district.
- 132A-276-020 Operations and procedures.

- 132A-276-025 Records availability.
- 132A-276-030 Public records officer.
- 132A-276-035 Office hours.
- 132A-276-040 Requests for public records.
- 132A-276-045 Copying.
- 132A-276-050 Exemptions.
- 132A-276-055 Review of denials.
- 132A-276-060 Protection of public records.
- 132A-276-065 Records index.
- 132A-276-070 Adoption of form—Appendix A.

**WAC 132A-276-005 Purpose.** The purpose of this chapter shall be to ensure compliance by the Community College District No. I with the provisions of chapter 42.17 RCW (Initiative 276), Disclosure-Campaign-Finances-Lobbying-Records; and in particular with RCW 42.17.250 through 42.17.320, dealing with public records. [Order 3, § 132A-276-005, filed 12/8/76.]

**WAC 132A-276-010 Definitions.** (1) **PUBLIC RECORDS.** "Public Record" includes any writing containing information relating to the conduct of government, 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, type-writing, 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 NO. I.** The Community College District No. I is an agency organized by statute pursuant to RCW 28B.50.040. The Community College District No. I shall hereinafter be referred to as the "district." Where appropriate, the term "district" also refers to the staff, the board of trustees, and employees of the district. [Order 3, § 132A-276-010, filed 12/8/76.]

**WAC 132A-276-015 Description of district.** District No. I is a community college district organized under RCW 28B.50.040. The administrative office of the district and its staff are located at Peninsula College, 1502 East Lauridsen Boulevard, Port Angeles, Washington, 98362. [Order 3, § 132A-276-015, filed 12/8/76.]

**WAC 132A-276-020 Operations and procedures.** The district is established under RCW 28B.50.040 to implement the educational purposes established by RCW 28B.50.020. The college district is operated under the supervision and control of a board of trustees. The board of trustees is made up of five members each appointed by the governor to a term of five years. The trustees meet the third Wednesday of each month at 7:30 p.m. in the board room of Peninsula College, unless public notice is given of a special meeting. At such time the trustees exercise the powers and duties granted them under RCW 28B.50.140. [Order 3, § 132A-276-020, filed 12/8/76.]

**WAC 132A-276-025 Records availability.** All public records of the district, as defined in WAC 132A-276-010 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310 and WAC 132A-276-050. [Order 3, § 132A-276-025, filed 12/8/76.]

**WAC 132A-276-030 Public records officer.** The district's public records shall be in the charge of the public records officer designated by the college president. The person so designated shall be located in the administrative office of the district. The public records officer shall be responsible for the following: The implementation of the district's rules and regulations regarding release of public records, coordinating the staff of the district in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW. [Order 3, § 132A-276-030, filed 12/8/76.]

**WAC 132A-276-035 Office hours.** Public records shall be available for inspection and copying during the customary office hours of the district. For the purposes of this chapter, the customary office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays. [Order 3, § 132A-276-035, filed 12/8/76.]

**WAC 132A-276-040 Requests for public records.** In accordance with requirements of chapter 42.17 RCW, 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 district which shall be available at its administrative office. The form shall be presented to the public records officer, or to any member of the district's staff, if the public records officer is not available, at the administrative office of the district during customary office hours. 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 nature of the request;
- (d) 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;
- (e) If the requested matter is not identifiable by reference to the district'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. [Order 3, § 132A-276-040, filed 12/8/76.]

**WAC 132A-276-045 Copying.** No fee shall be charged for the inspection of public records. The district shall charge a fee of 10¢ per page of copy for providing copies of public records and for use of the district's copy equipment. This charge is the amount necessary to reimburse the district for its actual costs incident to such copying. If a particular request for copies requires an unusually large amount of time, or the use of any equipment not readily available, the district will provide copies at a rate sufficient to cover any additional cost. All fees must be paid by money order, cashier's check, or cash in advance. [Order 3, § 132A-276-045, filed 12/8/76.]

**WAC 132A-276-050 Exemptions.** (1) The district reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132A-276-040 is exempt under the provisions of RCW 42.17.310.

(2) In addition, pursuant to RCW 42.17.260, the district 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 42.17 RCW. 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. [Order 3, § 132A-276-050, filed 12/8/76.]

**WAC 132A-276-055 Review of denials.** (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 a 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 or his designee shall immediately consider the matter and either affirm or reverse such denial or consult with the attorney general 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 district has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first. [Order 3, § 132A-276-055, filed 12/8/76.]

**WAC 132A-276-060 Protection of public records.** Requests for public records shall be made in the Administration Building of Peninsula College. Public records and a facility for their inspection will be provided by the public records officer. Such records shall not be

removed from the place designated for their inspection. Copies shall be made at Peninsula College. If copying facilities are not available at the college, the college will arrange to have copies made commercially according to the provisions of WAC 132A-276-045. [Order 3, § 132A-276-060, filed 12/8/76.]

**WAC 132A-276-065 Records index.** The district has available to all persons a current index which provides identifying information as to the following records issued, adopted or promulgated since June 30, 1972:

- (1) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;
- (2) Those statements of policy and interpretations of policy, statute and the Constitution which have been adopted by the agency;
- (3) Administrative staff manuals and instructions to staff that affect a member of the public;
- (4) Planning policies and goals, and interim and final planning decisions;
- (5) 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;
- (6) 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. [Order 3, § 132A-276-065, filed 12/8/76.]

**WAC 132A-276-070 Adoption of form—Appendix A.** The district hereby adopts for use by all persons requesting inspection and/or copying, or copies of its records, the form following this page, marked Appendix A, and entitled "Request for Public Record."

**APPENDIX A**

**REQUEST FOR PUBLIC RECORD TO  
COMMUNITY COLLEGE DISTRICT NO. I**

(a) -----  
Signature Name (Please print)  
-----  
Name of organization, if applicable  
-----  
Mailing address of applicant Phone number

(b) -----  
Date request made at Community Time of Day  
College District No. I request made

(c) Nature of request -----  
-----  
-----

(d) Identification reference on current index -----  
Please describe  
-----  
-----

(e) Description of record, or matter, requested if not identifiable by reference to the Community College District No. 1 current index

-----  
-----  
-----

Request approved ----- By -----  
Date Public Records Officer

Request denied -----  
Date

Reasons for denial: -----  
-----  
-----

Referred to ----- Date -----  
By -----  
Public Records Officer

[Order 3, § 132A-276-070, filed 12/8/76.]

**Chapter 132A-300 WAC  
GRIEVANCE RULES—TITLE IX**

**WAC**

- 132A-300-005 Statement of policy.
- 132A-300-010 Grievance procedure.

**WAC 132A-300-005 Statement of policy.** Peninsula College is covered by Title IX prohibiting sex discrimination in education. It is the policy of Peninsula College to insure equal opportunity without regard to sex in all areas of admission, education, application for employment, and employment. [Order 4, § 132A-300-005, filed 8/31/77.]

**WAC 132A-300-010 Grievance procedure.** (1) Any applicant for admission, enrolled student, applicant for employment or employee of Peninsula College who believes he/she has been discriminated against on the basis of sex may lodge a formal institutional grievance by:

- (a) Step 1: Informal meeting – Requesting an informal meeting with the individual believed to have committed the discriminatory act and attempt to informally resolve the concern.
- (b) Step 2: Title IX official hearing – If not satisfied by the results of the informal meeting, the complainant may request in writing, stipulating the specific grievance, a meeting with the Title IX officer. Within 30 days of receiving the written request, the Title IX officer will have arranged a meeting and reported the findings, in writing, to both the complainant and the person to whom the complaint is directed. It shall be at the discretion of the complainant to determine whether the Title IX officer will meet with each party separately or in a single meeting. If the complainant requests a single meeting, that meeting shall be attended by the complainant, the person to whom the complaint is directed, and the Title IX officer who will chair the meeting.
- (c) Step 3: Presidential appeal – If the complaint is not resolved as a result of the hearing conducted by the Title IX officer, either the complainant or the person to

whom the complaint is directed may request an appeal to the college president in writing within 10 days after receiving the written results of Title IX official hearing. Within 15 days after receiving the written request, the college president or the president's designee will conduct the presidential appeal hearing and report the findings in writing to both the complainant and the person to whom the complaint is directed.

(i) The college president or designee, the Title IX officer, the complainant, and the person to whom the complaint is directed shall attend the presidential appeal hearing. The college president or presidential designee shall preside.

(ii) Either the complainant or person to whom the complaint is directed may have witnesses present at the discretion of the person presiding.

(iii) The written findings of the presidential appeal will be considered final. No further intra-institutional appeal exists.

(2) If desired, inquiries or appeals beyond the institutional level may be directed to:

(a) Regional Director, Office of Civil Rights, HEW, 1321 Second Avenue, Seattle, WA 98101.

(b) The Equal Opportunity Commission, 705 Second Avenue, Seattle, WA 98101.

(c) Human Rights Commission, 402 Evergreen Plaza Building 7th and Capitol Way, Olympia, WA 98504.  
[Order 4, § 132A-300-010, filed 8/31/77.]