

Title 132J WAC

COMMUNITY COLLEGES—GREEN RIVER COMMUNITY COLLEGE

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Chapter 132J-12 WAC

UNIFORM PERSONNEL RULES FOR THE CLASSIFIED STAFF SERVICE OF GREEN RIVER COMMUNITY COLLEGE

WAC

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WAC 132J-12-003 Purpose. It is the purpose of these Rules to give effect to the State Civil Service Law, chapter 41.06 RCW, of the State of Washington. It is the further purpose of these Rules to provide basic statements of personnel policy and procedures which shall be applied equitably to all employees in the classified staff service. They are intended to provide a modern workable system of personnel administration based on merit principles. They are published to inform employees, supervisors and administrators of their rights and responsibilities under these Rules, and to define the basis on which the office of the Director shall conduct a comprehensive system of personnel management. [Order 68-1, § 132J-12-003, filed 10/15/68.]

WAC 132J-12-006 Positions covered by the Rules. The Rules shall apply to all positions in the classified staff service as defined in the Act and such temporary employees included by the Personnel Committee. [Order 68-1, § 132J-12-006, filed 10/15/68.]

WAC 132J-12-009 Adoption of rules. Upon adoption by the Personnel Committee of the Board of Trustees of Community College District No. X. (Green River Community College) these Rules shall be in full force and effect. [Order 68-1, § 132J-12-009, filed 10/15/68.]

WAC 132J-12-012 Amendment of Rules. These Rules may be amended by action of the Committee as provided by law. It is recognized that the background and experience of each of the state Institutions of Higher Learning in the administration of the Act will be of valuable assistance to the Personnel Committee of other such institutions. The desirability of uniformity in the rules of the Personnel Committees of the several Institutions of Higher Learning, where practicable, is likewise recognized.

It shall be the duty of the Director of Personnel to review with the other Institutions of Higher Learning any proposed modifications of these Rules, and to thereafter submit recommendations to the Committee for amendments to these Rules. [Order 68-1, § 132J-12-012, filed 10/15/68.]

WAC 132J-12-015 Definition of terms. The following terms wherever used in these Rules shall have the meaning indicated below except where the context clearly indicates otherwise:

(1) "ACT." The State Civil Service Law, chapter 1, Laws of 1961 (chapter 41.06 RCW) of the State of Washington and amendments thereto.

(2) "ALLOCATION." The assignment of an individual position to an appropriate class on the basis of the kind, difficulty, and responsibility of the work of the position.

(3) "APPOINTING AUTHORITY." The person or persons empowered by the Board to appoint or recommend appointment to classified service.

(4) "BOARD." The Board of Trustees of Community College District No. X. (Green River Community College).

(5) "CLASS." One or more positions sufficiently similar with respect to duties and responsibilities that the same descriptive title may be used with propriety to designate each position allocated to the class; that the same general qualification requirements are needed for performance of the duties of the class; that the same tests of fitness may be used to select employees; and that the same schedule of pay can be applied with equity to all positions in the class under the same or substantially the same employment conditions.

(6) "CLASSIFIED SERVICE." All positions in the Community College District No. X. (Green River Community College) subject to the provisions of the Act.

(7) "COMMITTEE." The Personnel Committee of the Board of Trustees of Community College District No. X. (Green River Community College).

(8) "COMPETITIVE SERVICE." Those classes of positions for which a competitive examination shall be given for the determination of the rank order of merit of the competing candidates.

(9) "DEMOTION." The change of an employee from a position in one class to a position in another class which has a lower maximum salary.

(10) "DIRECTOR." The Director of Classified Staff Personnel.

(11) "DISMISSAL." The separation from employment for cause.

(12) "ELIGIBLE." Any person whose name is on an eligible list.

(13) "ELIGIBLE LIST." A list of persons who have successfully passed a noncompetitive, open competitive, or promotional examination or who are on an appropriate re-employment list by reason of layoff, request for transfer, or reclassification of their positions.

(14) "EXEMPT POSITION." A position excluded from coverage by the provisions of the Act.

(15) "LAYOFF." The removal of an employee from his position because of lack of work, lack of funds, or work reorganization and which reflects no discredit upon the employee.

(16) "NONCOMPETITIVE SERVICE." Noncompetitive service means all positions in the classified service for which competitive examination is not required.

(17) "ORGANIZATIONAL UNIT." An administrative division of Community College District No. X.

(Green River Community College) established for the purpose of personnel administration as defined in section 219.

(18) "PERMANENT EMPLOYEE." An employee appointed to a classified position continuing for more than six months and who has successfully completed his probationary period.

(19) "POSITION." A group of current duties and responsibilities requiring the full or part time employment of one person.

(20) "PROBATIONARY PERIOD." A six months' working test period, to be considered an integral part of the examination process during which a new appointee is required to demonstrate his suitability for the position by actual performance of its duties.

(21) "PROMOTION." The change of an employee from a position in one class to a position in another class having a higher maximum salary.

(22) "PROVISIONAL APPOINTMENT." An appointment for not more than six months to fill a vacancy, pending the establishment of an eligible list for the position.

(23) "RESIGNATION." The separation from employment by an employee made at his own request.

(24) "STUDENT EMPLOYEE." An employee who is enrolled for more credit hours of academic work than what permitted in staff employment as provided in section 344-356 [WAC 132J-12-344-132J-12-356].

(25) "SUSPENSION." The temporary and involuntary separation of an employee from the institution's service for disciplinary reasons.

(26) "TRANSFER." The change of an employee from one position to another position in the same class or in another class with essentially the same maximum salary. [Order 68-1, § 132J-12-015, filed 10/15/68.]

WAC 132J-12-018 Organization. The Board shall designate three of its members as a permanent personnel committee. The term of service shall continue through the member's term of service as regent/trustee. [Order 68-1, § 132J-12-018, filed 10/15/68.]

WAC 132J-12-021 Compensation. Each member of the Committee shall be compensated for his services and necessary expenses in accordance with the Act. [Order 68-1, § 132J-12-021, filed 10/15/68.]

WAC 132J-12-024 Election of officers. The Committee shall elect a chairman and vice-chairman, from among its members, to serve one year. The presence of at least two (2) members of the Committee shall constitute a quorum to transact business. A written public record shall be kept by the committee of all its actions. The Director shall serve as Secretary. [Order 68-1, § 132J-12-024, filed 10/15/68.]

WAC 132J-12-027 Meetings. Meetings, including hearings, shall be held at the call of the Chairman, or any two members. All members shall be provided reasonable advance notice of the time and place of the meetings. Statements of findings and release of material shall be made only with the approval of a majority of

the Committee. A member of the Committee or the Secretary may administer oaths. [Order 68-1, § 132J-12-027, filed 10/15/68.]

WAC 132J-12-030 Powers and duties. The Committee shall have such powers, duties, and responsibilities as are required by the Act requested by the Board or otherwise required. [Order 68-1, § 132J-12-030, filed 10/15/68.]

WAC 132J-12-033 Appointment of personnel director. Upon the recommendation of the President, the Board shall designate a qualified full time, nonacademic employee who shall act as Director of Personnel for the classified staff service. [Order 68-1, § 132J-12-033, filed 10/15/68.]

WAC 132J-12-036 Powers and duties. The Director shall direct and supervise all of the administrative and technical personnel activities for the classified staff service in accordance with the Act and rules and regulations approved and promulgated thereunder. [Order 68-1, § 132J-12-036, filed 10/15/68.]

WAC 132J-12-039 Content. The Personnel Committee shall maintain a Classification Plan for all positions in the classified service. The plan shall consist of specifications for each class, including a title, description of the duties and responsibilities, and the qualifications required and/or desired of an incumbent. [Order 68-1, § 132J-12-039, filed 10/15/68.]

WAC 132J-12-042 Amendment. The Classification Plan may be amended by action of the Committee as provided by law. [Order 68-1, § 132J-12-042, filed 10/15/68.]

WAC 132J-12-045 Allocation. Each position in the classified service shall be allocated to an established class in the Classification Plan. An appointment may be made only to a position that has been classified.

(1) **New Allocation.** Whenever an Appointing Authority desires to fill a new position, a notice of such proposed action together with a description of the duties of the position shall be submitted to the Director. The Director shall allocate such position and notify the Appointing Authority of the allocation.

(2) **Reallocation.** Whenever an Appointing Authority makes a permanent and substantial change in the duties or responsibilities of a position, written notice of the changes shall be submitted to the Director for determination of the proper allocation of the position. The Director shall notify the Appointing Authority of such allocation. The Director upon his own initiative or at the request of an Appointing Authority or an employee or an employee's representative, may study the duties of any position to determine if its allocation is proper. Following such studies, the Director may reallocate the position to the appropriate class.

(3) **Effect of Reallocation.** An employee occupying a position which has been reallocated shall continue in the position only if he possesses the minimum qualifications

or training and experience established for such position as measured by a qualifying examination. A reallocated position shall be considered the same as a vacant position and shall be filled in accordance with the provisions governing appointment, promotion, demotion, or transfer of employees. When an incumbent is ineligible to continue in the position and is not transferred, promoted, or demoted, the layoff provisions of these rules shall apply.

(4) **Appeal of Allocation.** If an employee believes his position to be improperly allocated, or if an Appointing Authority believes a position under his supervision to be improperly allocated, he may appeal the allocation.

a. A written appeal shall be prepared, stating the reasons for such appeal and arguments in support of it.

b. The appeal shall be sent to the Committee whose decision shall be final. [Order 68-1, § 132J-12-045, filed 10/15/68.]

WAC 132J-12-048 Interpretation of specifications.

The definitions in class specifications are descriptive and not restrictive. They are intended to indicate the kinds of positions that are allocated to the several classes as determined by their duties and responsibilities, and are not to be construed as declaring what the duties of responsibilities of any position may be or as limiting or modifying the power of any Appointing Authority to assign, direct, and control the work of the employees under his supervision. The use of a particular expression or illustration as to duties shall not be held to exclude others not mentioned but which are of similar kind or quality, nor shall any specific omission necessarily mean that such factor is not included. [Order 68-1, § 132J-12-048, filed 10/15/68.]

WAC 132J-12-051 Use in allocation. In determining the class to which any position should be allocated, the specifications describing each class shall be considered as a whole. Consideration shall be given to the general duties, specific tasks, responsibilities, education and experience requirements, and relationships to other classes, as a composite description of the kind of employment that the class is intended to embrace. [Order 68-1, § 132J-12-051, filed 10/15/68.]

WAC 132J-12-054 Use in examination. The class specifications shall be used as a basis for determining the suitability of candidates for employment by supplying data basic to the preparation of qualifying tests and examination. [Order 68-1, § 132J-12-054, filed 10/15/68.]

WAC 132J-12-057 Statements of general qualifications. Qualifications commonly required of all incumbents of positions of different classes, such as acceptable physical condition and freedom from disabling defects for the position, honesty, sobriety and industry, shall be deemed to be implied as entrance requirements to each class, and need not be specifically mentioned in the specifications. However, nothing in these Rules shall be deemed to prohibit the handicapped who are otherwise qualified. [Order 68-1, § 132J-12-057, filed 10/15/68.]

WAC 132J-12-060 Authority. The specifications for any class as interpreted herein shall constitute the basis and source of authority for the tests to be included in an examination for the class and for the evaluation of the qualifications of applicants. [Order 68-1, § 132J-12-060, filed 10/15/68.]

WAC 132J-12-063 Use of class titles. The class title shall be the official title of every position allocated to the class for the purpose of personnel actions and shall be used on all payroll, budget, and other official records and reports relating to the position. Any abbreviation or code symbols approved by the Director may be used in lieu of the class title to designate the class of a position for official records. Other working titles may be authorized by the Appointing Authority to be used as a designation of a position for purposes of internal administration or in oral or written contracts with the public or students. [Order 68-1, § 132J-12-063, filed 10/15/68.]

WAC 132J-12-066 General policies. A Compensation Plan for classified positions shall be maintained to provide for equitable pay for classified employees. Pay rates shall be linked directly to the classification plan and shall reflect not less than prevailing rates in Washington State private industries and other governmental units for positions of a similar nature. [Order 68-1, § 132J-12-066, filed 10/15/68.]

WAC 132J-12-069 Content. A Compensation Plan for the classified staff service shall consist of schedules of rates or ranges with regular increment increase in monthly amounts showing the assignment of such pay rates to the classes of positions. It shall also consist of such paragraphs as are necessary to describe basic compensation policies. [Order 68-1, § 132J-12-069, filed 10/15/68.]

WAC 132J-12-072 Amendment. The Compensation Plan may be amended by action of the Committee as provided by law. It is the responsibility of the Director to maintain a continuing review of the adequacy and equity of the compensation plan, and he shall propose amendments that are required to adjust it. He shall periodically secure comparative wage information with one such inquiry to be conducted each year prior to the convening of each regular session of the State Legislature. [Order 68-1, § 132J-12-072, filed 10/15/68.]

WAC 132J-12-075 Payroll certification. Salary payment to classified employees may not be approved until the Director has certified that their appointment has been made in accordance with the Act and these Rules. [Order 68-1, § 132J-12-075, filed 10/15/68.]

WAC 132J-12-078 Overtime payment. For all classified employees time worked in excess of eight (8) hours in any work day or 40 hours in a work week period and when authorized by the Appointing Authority shall constitute overtime. The schedules of work of each organizational unit shall be so arranged as to reduce to a

minimum the necessity for overtime work except for emergency conditions.

Compensation shall be received for the hours or fractions of hours, worked in overtime status at the rate of one and one-half times the employee's regular rate of pay. Compensatory time off may be given at the rate of one and one-half hours for each hour of overtime worked. If compensatory time off cannot be taken during the week in which the overtime hours are worked, then cash payment for overtime must be made. [Order 68-1, § 132J-12-078, filed 10/15/68.]

WAC 132J-12-081 Hours of work. Hours of work shall be specified by job class. They may vary for different classes but shall be uniform for all employees in the same class.

(1) Two general work schedules are recognized. The assignment of an employee to a particular schedule will be stated in the class specifications as described in the Classification Plan. The employee shall be notified of such assignment in the terms of his appointment.

(a) **Plan A.** Forty hours per week shall constitute full time employment. The normal work week is considered to be eight hours for five consecutive days, from 8:00 A.M. to 5:00 P.M., with one hour for lunch. The Appointing Authority may adjust the schedule of an individual employee or group of employees under his supervision to provide different schedules of daily hours of working days, or to provide for extra services outside of normal work hours, provided that such adjustment shall not result in requiring an average work week of either less or more than forty hours per week for full time employment. Reasonable notice will be given the employee whose schedule of hours must be changed.

(b) **Plan B.** Employees whose duties are primarily professional or supervisory, or who are assigned the responsible charge of a work program that cannot be restricted to a specific schedule of hours, shall work during such periods as their duties require. [Order 68-1, § 132J-12-081, filed 10/15/68.]

WAC 132J-12-084 Rest periods. Each employee shall be entitled to not less than a ten (10) minute rest period for each four hours of work. Each eight-hour shift shall include two rest periods, even though the shift is unequally divided. [Order 68-1, § 132J-12-084, filed 10/15/68.]

WAC 132J-12-087 Holidays. The following holidays with pay, in addition to other days designated under the authority of the Board, shall be allowed employees working on a continuous basis or on leave with pay on the last working day preceding the holiday:

Recognized Holidays*

New Year's Day	Labor Day
Washington's Birthday	Veteran's Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Day

*In substitution for Lincoln's Birthday, Columbus Day, and General Election Day which are legal

holidays for state employees established by RCW 1.16.050, the following days will granted:

The Friday following Thanksgiving, the last working day before Christmas, and the last working day before New Year's Day.

Whenever any legal holiday, other than Sunday, falls upon a Sunday, the following Monday shall be a legal holiday. Whenever an employee is required to work any of the legal holidays he shall be given a compensatory day off with pay.

(1) Holiday time worked shall be treated as overtime work as defined in the Compensation Plan.

(2) When a holiday falls on an employee's scheduled day off, he shall be given a day of compensatory time off. [Order 68-1, § 132J-12-087, filed 10/15/68.]

WAC 132J-12-096 Annual Leave. Classified employees shall earn annual leave at rates based on the schedule of their duties.

(1) Annual leave with pay shall accrue to employees whose work is scheduled under Plan A of these Rules at the rate of one working day for each month of continuous service if their employment is continuous for six months or longer.

(a) One additional day of annual leave shall be allowed each year for satisfactorily completing the first two, three and five continuous years of employment respectively.

(b) Beginning with the tenth year of continuous employment, in recognition of continuity of service, one additional working day of annual leave shall be allowed for each additional year of continuous service thereafter until a maximum of twenty-two (22) working days of annual leave is allowed.

(2) Annual leave with pay shall accrue to employees whose work is scheduled under Plan B of these Rules at the rate of twenty-two (22) working days per year. Annual leave shall accrue on a pro-rata basis for any period less than one (1) year.

(3) Where less than full time service is required, annual leave shall accrue at the appropriate fraction of the rates set forth under these Rules, after completing not less than one year in such service.

(4) New employees may not take annual leave until they have completed their probationary period of six months' service.

(5) Annual leave shall be scheduled by the employing department at a time most convenient to the work of the department, the determination of which shall rest entirely with the Appointing Authority. As far as possible, leave will be scheduled in accordance with the wishes of the employee in any amount up to the total of his earned leave credits.

(6) Unused annual leave credits may be accumulated to a maximum of thirty (30) working days, except that if an employees' request for leave is deferred by the Appointing Authority and a statement of the necessity is filed with the Director, then the maximum of thirty (30) days' accrual shall be extended for each month that the leave is deferred. No extra compensation in lieu of annual leave shall be paid the employee.

(7) Upon the separation from the classified service in good standing after six months of continuous employment, annual leave pay shall be allowed to the extent of the employee's accrued and unused annual leave credits as shown by the records of the Director. [Order 68-1, § 132J-12-096, filed 10/15/68.]

WAC 132J-12-120 Sick leave. Sick leave with full pay shall accrue to classified employees at the rate of one working day per month of completed service.

(1) Sick leave shall be allowed an employee up to the amount of his earned credits under the following conditions:

(a) Because of and during illness or injury which has incapacitated the employee from performing his duties.

(b) By reason of exposure of the employee to contagious disease during such period of his attendance on duty would jeopardize the health of fellow employees or the public.

(c) Because of emergencies caused by serious illness or death in the immediate family of the employee that require the assistance of the employee in circumstances arising from the care of the patient or arrangements for the deceased. Leave for the purpose of condolence or bereavement may be granted only with the approval of the Appointing Authority.

(d) For the purpose of medical, dental or optical appointments, if arranged in advance with the Appointing Authority.

(2) Sick leave shall not be allowed for maternity purposes. Maternity leave may be authorized for periods of nonwork in accordance with Industrial Welfare Order No. 2-62(10), effective 3-21-62 published by the Department of Labor and Industries of the State of Washington, which reads as follows:

"(10) **Maternity.** No female employee shall be knowingly employed for a period of four months before confinement for childbirth, or six weeks thereafter, except that upon presentation of a letter of request from the employer together with a doctor's certificate, stating her health will not be impaired by such employment to a specified time, a special permit may be granted for continued employment by the Supervisor of Women and Minors."

(3) Sick leave payments to employees suffering illness or injury compensable under industrial insurance provisions shall be entitled to the pay to which they would be entitled if on duty minus any industrial insurance payments received by the employee in compensation for the time loss resulting from such illness or injury, for the period of such leave.

(4) Sick leave shall accumulate to a maximum of one hundred eighty (180) working days of unused leave.

(5) Illness or disability shall be reported at the beginning of any period of sick leave to the immediate supervisor by the employee or a person acting for him. Upon his return to work, the employee may be required by the Appointing Authority to submit a written statement explaining the nature of the disability.

(6) A physician's certificate of illness or injury satisfactory to the Appointing Authority may be required for approval of sick leave.

(7) Upon separation of the employee from the classified service for any cause, compensation shall not be paid for accrued sick leave credits. Employees who have been laid off will have previous sick leave credits reinstated upon their return to active service. [Order 68-1, § 132J-12-120, filed 10/15/68.]

WAC 132J-12-123 Prior annual and sick leave credits. Any and all days of annual leave or sick leave which may have legally accrued under any prior rule, regulation or practice prior to the effective date of these rules shall be honored and allowed at the same rate and manner as provided in such prior rule, regulation or practice. [Order 68-1, § 132J-12-123, filed 10/15/68.]

WAC 132J-12-144 Military training leave with pay. An employee in the classified staff service shall be entitled to military leave of absence without loss of pay for active duty in the Washington National Guard, or in the Army, Air, Marine, or Naval Reserve Forces of the United States for purposes of attending annual field training exercises or otherwise discharging reserve obligations. Military training leave shall not exceed fifteen (15) calendar days in any one year as provided by statute. [Order 68-1, § 132J-12-144, filed 10/15/68.]

WAC 132J-12-147 Military leave without pay. A classified employee shall be entitled to military leave of absence without pay for service in the armed forces of the United States or the state, and to reinstatement upon application to the Director within ninety (90) days after the expiration of such period of military service, to his former position or to one of like class in accordance with state law governing this matter. [Order 68-1, § 132J-12-147, filed 10/15/68.]

WAC 132J-12-150 Leave for civil duty. Leave of absence for jury duty, to serve as a witness at trials, or to exercise other civil duties may be granted an employee. In such cases a salary adjustment shall be made to deduct any amount received for such civil duty, less expenses, from the employee's monthly salary warrant, so that there is neither a financial gain or loss to the employee. [Order 68-1, § 132J-12-150, filed 10/15/68.]

WAC 132J-12-153 Leave of absence without pay. Leave of absence without pay may be allowed for a classified employee for specific period for any of the reasons applicable for leave with pay and for maternity leave.

(1) Leave of absence without pay may be allowed, upon the approval of the Appointing Authority and the Director, in an amount not to exceed twelve months.

(2) Leave of absence without pay extends from the time an employee's name is removed from the payroll until he returns to continuous service.

(3) Annual leave or sick leave credits will not accrue during a leave of absence without pay which exceeds ten (10) working days in any calendar month. [Order 68-1, § 132J-12-153, filed 10/15/68.]

WAC 132J-12-165 Absence without authorized leave. Leave of absence whether with or without pay, must be authorized in writing by the Appointing Authority and the Director. Absence other than on duly authorized leave shall be treated as leave without pay, and, in addition, may be grounds for disciplinary action. [Order 68-1, § 132J-12-165, filed 10/15/68.]

WAC 132J-12-168 Selection by examination. Appointments to positions in the classified staff service shall be made according to merit and suitability. Merit and suitability in the competitive service shall be ascertained by examination which shall be selected or specified by the Director, and shall relate to those matters which will test fairly the capacity and fitness of the candidates to discharge efficiently the duties of the position. [Order 68-1, § 132J-12-168, filed 10/15/68.]

WAC 132J-12-171 Announcement of examinations. Announcements shall specify the title and salary range of the class for which the examination is announced; the nature of the work to be performed; the experience and training required; the time, place and manner of making application; the necessary qualifications established for admission to the examination; and other pertinent information consistent with the Act and these Rules. [Order 68-1, § 132J-12-171, filed 10/15/68.]

WAC 132J-12-175 Distribution of announcements. Public notice of examinations shall be given at least one calendar week in advance of the last date for filing of applications by means of announcements posted on bulletin boards. Announcements of examinations shall be given such other publicity as the Director deems warranted in the interest of attracting adequate numbers of qualified applicants. [Order 68-1, § 132J-12-175, filed 10/15/68.]

WAC 132J-12-177 Open competitive examinations. Examinations designed to establish employment lists shall be open to all who appear to meet the qualifications and other requirements for the class as set forth in the examination announcement. Probationary employees may be admitted to open competitive examinations. [Order 68-1, § 132J-12-177, filed 10/15/68.]

WAC 132J-12-180 Promotional examinations. Promotional examinations shall be open to any permanent employee or probationary employee with four months of continuous service in the classified staff service who meets the necessary qualifications. [Order 68-1, § 132J-12-180, filed 10/15/68.]

WAC 132J-12-183 Forms of application. Application for an examination shall be filed on such application forms as may be prescribed by the Director. To be accepted for review applications must be delivered to the office of the Director prior to the closing date specified in the announcement or postmarked before midnight of that date. Applications shall include a statement from the applicant with all pertinent information regarding his education, experience, and other personal data which

the Director deems necessary. Applications must be signed by the applicants, and the truth of all statements contained therein certified by such signature. The Director may require such proof of age, residence, education, experience, veteran's preference and other claims as he deems appropriate. [Order 68-1, § 132J-12-183, filed 10/15/68.]

WAC 132J-12-186 Freedom from bias. No question in any application form or any examination shall be so framed as to elicit any information concerning political or religious opinions or affiliations or the race of any applicant nor shall any inquiry be made concerning such opinions or affiliations. The foregoing shall not prevent any inquiry as to whether the applicant, employee, or eligible, advocates or is a member of any organization which advocates the overthrow of or resistance by force to our form of government where the conditions of the employment in question require such inquiry. [Order 68-1, § 132J-12-186, filed 10/15/68.]

WAC 132J-12-189 Admission to examination. Persons who submit applications on or before the last date of filing and whose applications clearly show that they meet the requirements for admission to the examination shall be admitted to compete in the examination for which they are applying. No person shall be permitted to take an examination without an authorization or other satisfactory evidence of acceptance or conditional acceptance of his application. Any applicant who for illness or other good cause, is unable to appear as notified may be given the examination at a later date, but only if the candidate advised the Director of his inability prior to the time he was originally scheduled to appear. [Order 68-1, § 132J-12-189, filed 10/15/68.]

WAC 132J-12-192 Disqualification of applicants. The Director may reject the application of any person for admission to an examination, or decline the applicant who:

- (1) Is found to lack the qualifications prescribed for admission to the examination;
- (2) Is physically unfit to perform effectively the duties of the class;
- (3) Is addicted to the habitual use of alcoholic beverages and to excess or to the use of narcotics;
- (4) Has been adjudged guilty of a crime involving moral turpitude, or infamous or disgraceful conduct, or who has been dismissed from a position for delinquency or misconduct;
- (5) Has used or attempted to use influence or bribery to secure an advantage in an examination or appointment;
- (6) Has made a false statement of any material fact or has practiced or attempted to practice deception or fraud in his application or examination; or
- (7) Has otherwise violated provisions of the law or these rules. Whenever the Director refuses an applicant under the provisions of these Rules, he shall furnish him a statement of the reasons therefor. [Order 68-1, § 132J-12-192, filed 10/15/68.]

WAC 132J-12-195 Original examinations. Examinations for original appointment to the classified service shall relate to those matters which fairly test the capacity and suitability of the persons examined to discharge duties of positions sought. Examinations may be assembled or unassembled and may include written, oral, physical, or performance tests, evaluations of training and experience, or any combination of these. They may take into consideration such factors as education, experience, aptitude, knowledge, skills, abilities, character, physical fitness, or any other qualifications or attributes which in the judgment of the Director shall enter into the determination of the relative fitness of applicants. [Order 68-1, § 132J-12-195, filed 10/15/68.]

WAC 132J-12-198 Promotional examinations. Promotional examinations shall be of like kind and character to those for original appointment to the service. In addition to other factors, promotional examinations shall take into consideration quality and nature of experience as well as length of service. [Order 68-1, § 132J-12-198, filed 10/15/68.]

WAC 132J-12-201 Noncompetitive examinations. The Director may conduct for the noncompetitive service an examination which consists only of the determination of whether or not the applicant meets the minimum qualifications for the position for use in positions declared to be in the noncompetitive service. An unranked eligible list will be established from such examinations. [Order 68-1, § 132J-12-201, filed 10/15/68.]

WAC 132J-12-204 Open-continuous examinations. When it is necessary to meet continued requirements for filling positions and there is not available a sufficient number of qualified applicants for a class, the closing date for an examination may be indefinite and applicants may be tested continuously as they appear in such manner and at such times and places as the Director may provide. The closing date for any open-continuous examination may be set at any time by the Director but notice of this action shall be posted in a public place at least one (1) week prior to the effective date of closing. [Order 68-1, § 132J-12-204, filed 10/15/68.]

WAC 132J-12-207 Conduct of examinations. Examinations shall be held at such times and places as, in the judgment of the Director, most nearly meet the convenience of applicants, practicability of administration, and needs of the service. The examination shall be conducted either by the Director or by persons designated by him. [Order 68-1, § 132J-12-207, filed 10/15/68.]

WAC 132J-12-210 Anonymity of applicants. All reasonable precautions shall be taken to preserve the anonymity of applicants in the conduct and scoring of examinations. [Order 68-1, § 132J-12-210, filed 10/15/68.]

WAC 132J-12-213 Rating of examinations. In all examinations the minimum ratings by which eligibility may be achieved shall be set by the Director. The final

examination grade shall be based on all factors of the examination and shall be determined by the ratings on each part of the examination in accordance with the weights established for each part of the examination by the Director prior to the dates of the examination. All competitors may be required to obtain a minimum rating in one or each part of the examination in order to achieve a final passing grade or to be rated on the remaining parts of the examination. [Order 68-1, § 132J-12-213, filed 10/15/68.]

WAC 132J-12-216 Veteran's preference. A veteran shall be entitled to have up to ten (10) per cent added to his final rating in any open competitive examination; provided that his rating before such an addition was at least equal to the minimum passing score. [Order 68-1, § 132J-12-216, filed 10/15/68.]

WAC 132J-12-219 Noncompetitive examinations. In unranked eligible lists derived from noncompetitive examinations veterans will be identified to the Appointing Authority. [Order 68-1, § 132J-12-219, filed 10/15/68.]

WAC 132J-12-222 Definition of veteran. The term veteran as used in this rule shall include any person who has served in any branch of the armed forces of the United States during the war including any military campaign for which a campaign ribbon shall have been awarded; provided that such person has received an honorable discharge, a physical discharge under honorable conditions or was relieved of active duty under honorable circumstances. [Order 68-1, § 132J-12-222, filed 10/15/68.]

WAC 132J-12-223 Limitations on preference. The provisions of WAC 132J-12-216, 132J-12-219 and 132J-12-222 shall not apply to promotional examinations except that when a veteran was employed in the classified staff service at the time of his entry into military service and returned to that same employment, he shall be entitled to the preference provided above on his first promotional examination; provided further that a person who receives veteran's preference in an entrance examination may not receive preference in a promotional examination. [Order 68-1, § 132J-12-223, filed 10/15/68.]

WAC 132J-12-226 Proof of eligibility. Proof of eligibility for preference shall be provided by a veteran in the form of his discharge certificate, certified or photostatic copy thereof, or other satisfactory evidence of service and conditions of discharge. [Order 68-1, § 132J-12-226, filed 10/15/68.]

WAC 132J-12-229 Notification of examination results. Each person competing in examination shall be given at his request notice of his rating and his relative standing on the eligible list or of his failure to obtain a place on the list. Within thirty (30) days after his final rating, any competitor may have his examination and rating reviewed by the Director. If an error has been

made, it will be corrected and an eligible's name will be placed at the appropriate place on the list. A correction so made shall not invalidate any employment previously made from the list. Requests for review of an applicant's examination shall be limited to the applicant, his authorized representative, and an interested Appointing Authority. [Order 68-1, § 132J-12-229, filed 10/15/68.]

WAC 132J-12-231 Notification of cancellation. If the Director finds it necessary to cancel a promotional list, notice will be given to the eligibles on the list cancelled. At his discretion the Director may combine a new list with an existing one by placing the names of eligibles in order of rank as provided in this rule. [Order 68-1, § 132J-12-231, filed 10/15/68.]

WAC 132J-12-232 Medical examination. Candidates for employment or promotion shall take a medical examination, if prescribed, for the position to which appointment is sought. All candidates must conform with medical regulations for state employment established by the Washington State Board of Health. A medical examination may also be required where a question arises concerning the fitness of the incumbent of a position in the classified service for the performance of his duties. [Order 68-1, § 132J-12-232, filed 10/15/68.]

WAC 132J-12-235 Establishment and maintenance. The Director shall establish and maintain eligible lists necessary to carry out the purpose of the Act and these Rules. [Order 68-1, § 132J-12-235, filed 10/15/68.]

WAC 132J-12-238 Organizational units. The Committee shall establish organizational units for purposes of employment, or layoff, based upon seniority. The Director shall notify the Appointing Authority of the establishment of organizational units, who in turn will notify affected employees of such units. The Committee may modify or cancel established organizational units, upon notice to the Appointing Authority concerned at any time when such action is in the best interest of the classified service. [Order 68-1, § 132J-12-238, filed 10/15/68.]

WAC 132J-12-241 Merit lists. On the following lists the names of eligibles for positions in the competitive service shall be placed in order of their final earned rating on examinations plus any preference credits. In case of a tie between a veteran and a nonveteran, the name of the veteran shall be placed ahead of that of the nonveteran. In the case of other ties in final ratings, names shall be placed on the list in the order of rating earned in the part of the examination given the greater weight. Any remaining ties shall be broken by casting lots.

(1) **Open Competitive List.** Each open competitive list shall be established by class of employment and shall consist of a list of names of all persons who have passed examination for the class for which the open competitive list is established.

(2) **Institution-wide Promotional Lists.** Institution-wide promotional lists shall be established by class of

employment and shall consist of the names of permanent employees who have passed a promotional examination for the class for which the list is established.

(3) **Organizational Unit Promotional Lists.** Organizational unit promotional lists shall consist of names of all permanent employees in an organizational unit who have passed the promotional examination for the class for which the list is established. Promotional lists shall be established for an organizational unit only after such subdivision has been approved by the Director prior to the date of the examination. [Order 68-1, § 132J-12-241, filed 10/15/68.]

WAC 132J-12-245 Layoff lists. Names shall be placed on the following lists in order of the length of the employees' previous service in the class for which the list is established.

(1) **Organizational Unit Layoff List.** An organizational unit layoff list shall contain the names of all permanent and probationary employees laid off from the class of employment in the approved organizational unit for which the list is established.

(2) **Institution-wide Layoff List.** An institution-wide layoff list shall contain the names of all permanent and probationary employees in the class of employment for which the list is established. [Order 68-1, § 132J-12-245, filed 10/15/68.]

WAC 132J-12-248 Unranked lists. Names shall be placed unranked on the following lists:

(1) **Transfer Lists.** A transfer list shall contain the names of all permanent employees who are currently employed and have submitted a written request to be considered for transfer to another position.

(2) **Re-employment List.** A re-employment list shall contain the names of all permanent employees who have resigned from the class of employment in good standing, and who have requested re-employment in the class, provided that they meet the minimum requirements for the class at the time of their application.

(3) **Noncompetitive Service Lists.** A noncompetitive list shall include the names of applicants who successfully meet the minimum requirements for the class of employment for which the list is established, where the class has been previously declared by the Director to be a part of the noncompetitive service. [Order 68-1, § 132J-12-248, filed 10/15/68.]

WAC 132J-12-251 Duration of eligible lists. The Committee shall determine the period during which promotional or open-competitive lists shall remain in effect. When an eligible list exists for any class, and the Director deems it necessary to establish another such list for the same class, the existing list ordinarily shall be cancelled. [Order 68-1, § 132J-12-251, filed 10/15/68.]

WAC 132J-12-253 Layoff and re-employment lists. Layoff and re-employment lists shall be deemed to be continuous existence. The eligibility of individual names

placed on such a list shall expire one year after placement on the list, but the Director may extend such eligibility list for an additional period or periods, provided that no such extension shall continue the name of any individual on such a list to a date beyond three (3) years after placement on the list. [Order 68-1, § 132J-12-253, filed 10/15/68.]

WAC 132J-12-261 Removal of names from eligible lists. The Director may remove names from eligible lists permanently or temporarily for any of the following reasons subject to appeal rights as provided in WAC 132J-12-338 and 132J-12-341.

(1) A person who is appointed to a permanent position through certification or appointed to trial service or a probationary position shall have his name removed from the list. All other names would remain on the list.

(2) Failure to respond within ten (10) days to a written inquiry or within three (3) days to a telegraphed inquiry from the Director or Appointing Authority relative to availability for appointment.

(3) Declination of appointment under such conditions as the eligible previously indicated he would accept.

(4) Failure to report for duty within the time prescribed by the Appointing Authority.

(5) Failure to maintain a record of his current address at the office of the Director. For this purpose the return of a letter by the postal authorities, if properly addressed to the last address on record, shall be deemed sufficient grounds for such removal of the name from the eligible list.

(6) Upon certification three times to the same or different employing official, if not appointed. When so removed the applicant will be informed in writing.

(7) In the case of organizational unit promotional lists, or transfer lists, appointment or transfer of the employee to a position in another organization unit.

(8) In the case of institution-wide promotional lists and transfer lists, upon separation from the classified service. [Order 68-1, § 132J-12-261, filed 10/15/68.]

WAC 132J-12-264 Comparable lists. If a vacancy exists in a class for which there is no existing list, the Director may prepare an appropriate list for the class from one or more existing related lists. For this purpose the Director shall select lists from classes for which the examination and qualifications are similar to those required for the class in which the vacancy exists. [Order 68-1, § 132J-12-264, filed 10/15/68.]

WAC 132J-12-267 Availability of eligibles. It shall be the responsibility of eligibles to notify the office of the Director in writing of any change affecting availability for employment. However, the Director may circularize lists or use other methods to determine at any time the availability of eligibles.

Whenever an eligible submits a written statement restricting the conditions under which he will be available for employment, his name shall be withheld from all certifications which do not meet the conditions he had specified. An eligible may file a new written statement at any time within the duration of an employment list

modifying any prior statement as to conditions under which he will be available for employment. [Order 68-1, § 132J-12-267, filed 10/15/68.]

WAC 132J-12-270 Request for employees. When a vacancy in the classified staff service is to be filled, the Appointing Authority shall submit a requisition to the Director on such form and in such manner as the Director may prescribe. This requisition shall state the class title, the number of positions to be filled, and other appropriate information. In addition, desirable or necessary special or outstanding qualifications for the position under consideration may be indicated and the reasons therefor. Eligibles shall be certified in strict order of standing on the appropriate list except in the cases where the Director has determined that he should certify eligibles with special qualifications. In the latter case, eligibles meeting the special qualifications shall be certified in the order of their standing on the list. Any permanent employee who is adversely affected by such certification may appeal the action to the Committee. [Order 68-1, § 132J-12-270, filed 10/15/68.]

WAC 132J-12-273 Method of certification. Upon receipt of a personnel requisition, the Director shall certify in writing two more names than there are vacancies to be filled. The following eligible lists shall be used by the Director in the order of priority indicated below:

- Organizational Unit Layoff Lists
- Institution-wide Layoff Lists
- Organizational Unit Promotional Lists
- Transfer Lists
- Institution-wide Promotional Lists
- Re-employment Lists
- Open Competitive and Noncompetitive Lists

[Order 68-1, § 132J-12-273, filed 10/15/68.]

WAC 132J-12-276 Ranked lists. Where ranked lists are used, the Director shall certify in writing the three names highest on the appropriate list. If more than one vacancy in the same class is to be filled by an organizational unit, he shall submit two more names of eligibles than there are vacancies.

If there are not sufficient names on any single list to provide the proper number for certification, additional names may be certified from the list of next lower priority. [Order 68-1, § 132J-12-276, filed 10/15/68.]

WAC 132J-12-277 Urgency certification. If transfer, or demotion is applied for by a classified employee for compelling reasons, such as a handicapping injury that no longer permits him to work in his present job or for similar circumstances that, in the judgment of the Director, justify a priority certification, the Director may certify such employee in preference over eligibles on any list or lists described above. An employee so certified must meet the minimum qualifications for the classification for which he is certified. [Order 68-1, § 132J-12-277, filed 10/15/68.]

WAC 132J-12-279 Related lists. The Director may at his discretion certify from eligible lists for higher

classes to vacancies occurring in lower classes or from eligible lists for one class to vacancies in another class when no appropriate list exists where he determines the examination reasonably measures the ability of the eligible to perform the duties in the class to which certification is made. [Order 68-1, § 132J-12-279, filed 10/15/68.]

WAC 132J-12-281 Selection. The Appointing Authority shall return the list of names certified indicating his action on the certification, within a time limit set by the Director from the date of certification.

(1) When a choice is made for appointment, the name of the eligible selected should be so indicated.

(2) When an eligible declines the appointment, he should be required to submit a request in writing to remain on the eligible list.

(3) An additional name may be requested for consideration. [Order 68-1, § 132J-12-281, filed 10/15/68.]

WAC 132J-12-284 Probationary appointments. Probationary appointments shall be made only after certification from eligible lists. The Director shall be notified of the selection made as provided in § 281 of these Rules. [Order 68-1, § 132J-12-284, filed 10/15/68.]

WAC 132J-12-287 Provisional appointments. When the Appointing Authority certifies to the Director that there is urgent need to fill a position and no qualified eligibles exist, the Director may authorize him to fill the position by provisionally appointing any person who meets the minimum requirements for the class of work. Such an appointment shall be terminated within six months or upon certification and appointment from an eligible list, whichever occurs first. No person shall receive more than one provisional appointment in any twelve (12) month period. No seniority shall be gained as the result of a provisional appointment, except for continuance of seniority in a lower class upon provisional promotion to a higher class. During the time a position is filled by a provisional appointment, the Director shall conduct a wide and continuous search for applicants for the position and conduct examinations for the same. If no other person applies within six months, the provisional appointee may be examined and appointed.

In situations wherein qualified eligibles are available but less than three required for certification, a provisional appointment of an eligible may be made. If the Director is unable within thirty (30) days of the effective date of the provisional appointment to attract the number of candidates necessary for full certification, the person holding the provisional appointment may be given a probationary appointment providing he passed the examination for the class. [Order 68-1, § 132J-12-287, filed 10/15/68.]

WAC 132J-12-290 In-training appointments. In the event that it is impossible to establish an eligible list for a class, the Director may approve the "in-training appointment" of an applicant who does not fully meet the minimum requirements of training and experience, provided that the organizational unit establishes and carries

on a program of in-service training which will satisfy the deficiency in training and experience within one year. The first six months of training period shall be considered the probationary period. Applicants shall be certified for such appointments either from an eligible list for a lower rated class or from an eligible list established specifically for in-training purposes. The employee shall be compensated at a lower grade than that of the class for which training is being given. At the end of the training period the employee shall be appointed to the position for which he is being trained upon certification of the appropriate Appointing Authorities as to his competence, but the Director may require a qualifying examination. [Order 68-1, § 132J-12-290, filed 10/15/68.]

WAC 132J-12-293 Promotion—Trial service period. Upon promotion the employee shall be required to serve a trial service period of six months. If during this period it is determined by the Appointing Authority that the employee is not capable of performing the duties of the higher position, he shall revert automatically to a position in his former classification. Such determination by the Appointing Authority is not appealable by the employee. [Order 68-1, § 132J-12-293, filed 10/15/68.]

WAC 132J-12-296 Transfer. A position may be filled by transferring an employee from another position of the same class or similar class with essentially the same maximum salary. Interdepartmental transfers must be approved by the Appointing Authority accepting the transfer and the Director. [Order 68-1, § 132J-12-296, filed 10/15/68.]

WAC 132J-12-299 Demotion. A position may be filled by the demotion of an employee in accordance with the procedures as set forth in these Rules. [Order 68-1, § 132J-12-299, filed 10/15/68.]

WAC 132J-12-302 Purpose for probationary period. A probationary or working test period shall be an integral part of the examination process and shall be utilized as an opportunity to observe an employee's work, to train and aid the employee in adjustment to his position, and to reject any employee whose work performance fails to meet required work standards. [Order 68-1, § 132J-12-302, filed 10/15/68.]

WAC 132J-12-305 Duration. All original appointments shall be tentative and subject to a probationary period of six (6) months of actual service which starts upon the effective date of an appointment. During the probationary period, the employee is not eligible for promotion. [Order 68-1, § 132J-12-305, filed 10/15/68.]

WAC 132J-12-308 Removal during probationary period. At any time during the trial period the Appointing Authority may remove an employee whose performance does not meet the required standards, provided that he shall report the removal and the reasons therefor

in writing before the effective date of separation to the Director and to the employee concerned. Notice of two weeks will normally be given an employee who is removed. If more than three employees are removed successively from the same position during their trial service period, the Director shall immediately investigate and determine whether the removals were because the employees did not meet the required standards and submit a report of his investigations together with his conclusions to the Committee. If the employees were removed for reasons other than their performance did not meet the required standards, the Board shall order their reinstatement. Dismissal during the probationary period is not, however, appealable by the employee. [Order 68-1, § 132J-12-308, filed 10/15/68.]

WAC 132J-12-311 Demotion during probationary period. At any time during the probationary period when an employee is about to be laid off because of reduction in force, the Appointing Authority, with the consent of the employee, may demote such employee in lieu of layoff if he is otherwise eligible and work is available in a lower class. The name of such an employee shall be restored to the lists from which it was removed at the time of appointment. The probationary period of an employee demoted in lieu of layoff during that period shall include the period of probation in the higher class. No demotion of this kind shall be made if it will result in the separation of any other employee with greater length of service.

An employee serving as a result of appointment from a promotional list, who is removed from the new position for reasons other than misconduct or delinquency and who was a permanent employee in another position in the classified staff service immediately prior to his promotional appointment, shall be re-instated in his former position or in one of like status and pay. [Order 68-1, § 132J-12-311, filed 10/15/68.]

WAC 132J-12-314 Separation. Resignation, retirement, layoff, dismissal, or abandonment of the position shall constitute separation from service. [Order 68-1, § 132J-12-314, filed 10/15/68.]

WAC 132J-12-317 Resignation. Any employee may resign from service and should present his resignation in writing to the Appointing Authority. To resign in good standing an employee must give at least two calendar weeks' notice, unless the Director waives the notice requirement. Such resignation shall be promptly forwarded to the Director by the Appointing Authority. [Order 68-1, § 132J-12-317, filed 10/15/68.]

WAC 132J-12-320 Reduction in force—Layoff. The Appointing Authority may separate an employee without prejudice because of lack of funds, reorganization or curtailment of work. Notice of at least two calendar weeks must be given to such employee.

(1) **Order of Layoff.** Layoff of permanent employees will be made in inverse order of seniority in the class of work and the organizational unit involved. Seniority shall be measured by the period of unbroken service in

the class and organizational unit, including authorized leaves of absence. Where two or more employees in the same class have equal seniority, layoff will be in alphabetic order of the last names of the employees affected.

(2) **Transfer or Voluntary Demotion.** In the event of a reduction in force, a permanent employee shall not be laid off while any probationary, provisional, or temporary employee in a higher class of a series of related classes with greater seniority shall be offered voluntary demotion to a lower class, provided he qualifies for the class and has greater seniority than the occupant of the position in the lower class.

(3) **Laid Off Employees on Layoff Registers.** The names of permanent and probationary employees who have been laid off shall be placed on the appropriate layoff list in accordance with these rules. [Order 68-1, § 132J-12-320, filed 10/15/68.]

WAC 132J-12-323 Dismissal. The Appointing Authority may dismiss for cause any permanent employee under his jurisdiction by delivering at least fifteen (15) calendar days before the effective date thereof a written statement of the specific charges by personal delivery or by certified mail to the employee's last known address, with a copy to the Director. If the Appointing Authority, because of the circumstance and legal cause as set forth in the written statement for the dismissal, desires to make an immediate separation from the service, he may effect a suspension without pay pending dismissal. By so notifying the Director in writing, such action shall automatically result in permanent separation at the end of the period of suspension. Suspensions pending dismissal shall be subject to limitations provided in section 332. The Appointing Authority may withdraw or modify a dismissal within fifteen (15) calendar days after the original written notice is filed. A permanent employee so dismissed shall have the right to appeal in writing not later than thirty (30) calendar days after the effective date of the dismissal to the Committee and shall be granted a hearing as provided in WAC 132J-12-338 - 132J-12-341. [Order 68-1, § 132J-12-323, filed 10/15/68.]

WAC 132J-12-326 Abandonment of position. An employee who is absent from his position for three consecutive days without notice to the Appointing Authority may be considered to have abandoned his position and be immediately dismissed. A notice of dismissal shall be sent by certified mail to the last known address of the employee forthwith. [Order 68-1, § 132J-12-326, filed 10/15/68.]

WAC 132J-12-329 Disciplinary action. Any action which reflects discredit upon the Community College District No. X (Green River Community College) or is a direct hindrance to the effective performance of institutional functions shall be considered sufficient cause for disciplinary action. Sufficient cause shall include but not be limited to: Neglect of duty, inefficiency, incompetence, insubordination, indolence, conviction of a crime involving moral turpitude, malfeasance, gross misconduct, or willful violation of the rules and regulations of

the Community College District No. X (Green River Community College) and these rules and regulations.

(1) **Reprimand.** The Appointing Authority may reprimand an employee for cause. If such reprimand is to be put in writing, it shall be addressed to the employee and a signed copy shall be sent to the Director for inclusion in the employee's personal file. A permanent employee who is reprimanded in this manner may appeal for a hearing in writing to the Director within ten (10) calendar days of receipt of the reprimand. [Order 68-1, § 132J-12-329, filed 10/15/68.]

WAC 132J-12-332 Suspension. The Appointing Authority may suspend an employee without pay for cause for a period or periods not exceeding thirty (30) calendar days in any one calendar year and not exceeding fifteen (15) calendar days for any single offense. The Appointing Authority shall notify the employee concerned in writing by certified mail, with a copy to the Director, not later than one (1) day after the suspension is made effective. Such notice shall include the specified charges for and the duration of the suspension. Any permanent employee who is suspended shall have the right to appeal to the Committee not later than thirty (30) calendar days after the effective date of such action. [Order 68-1, § 132J-12-332, filed 10/15/68.]

WAC 132J-12-335 Demotion. The Appointing Authority may demote an employee for cause. A written statement of the specified charges for any such action shall be furnished to the employee by certified mail and a copy filed with the Director at least fifteen (15) calendar days prior to the effective date of the action. No demotion shall be made as a disciplinary action unless the employee to be demoted is eligible for employment in the lower class, and shall not be made if any permanent employee in the lower class will be laid off by reason of the action. A permanent employee who is demoted shall have the right to appeal to the Committee not later than thirty (30) calendar days after the effective date of dismissal. [Order 68-1, § 132J-12-335, filed 10/15/68.]

WAC 132J-12-338 Who may appeal from disciplinary actions. Any permanent employee who is suspended, demoted, reduced or dismissed shall have the right to appeal to the Committee not later than thirty (30) days after the effective date of such action. The request for an appeal must be in writing, and must be filed through the Director. The Committee shall hear such appeals within thirty (30) calendar days of the receipt of such request. [Order 68-1, § 132J-12-338, filed 10/15/68.]

WAC 132J-12-341 Procedures for hearing appeals. The following provisions of sections 18, 19, 20 and 21 of the Act govern the conduct of appeal hearings by the Committee as well as appellate hearings by civil courts:

Section 18. Hearings on such appeals shall be open to the public, except for cases in which the (Committee) determines there is substantial reason for not having an open hearing, or in cases where the employee so requests, and shall be informal with technical rules of evidence not applying to the proceedings except the rules of

privilege recognized by law. Both the employee and his appointing agency shall be notified reasonably in advance of the hearing and may select representatives of their choosing, present and cross-examine witnesses and give evidence before the (Committee). Members of the (Committee) may, and shall at the request of either party, issue subpoenas and subpoenas duces tecum. All testimony shall be on oath administered by a member of the (Committee). The Board shall certify to the Superior Court the facts of any refusal to obey a subpoena, take the oath, or testify. The Court shall summarily hear the evidence on such refusal and if the evidence warrants punish such refusal in the same manner and to the same extent as for contempt committed before, or in connection with the proceedings of, the hearing, including all testimony, recorded manually or by mechanical device, and exhibits; but it shall not be required to transcribe such record unless requested by the employee who shall be furnished therefor. Payment of the cost of a transcript used on appeal shall await determination of the appeal and shall be made by the employing agency if the employee prevails.

Section 19. Within thirty (30) days after the conclusion of the hearing the (Committee) shall make and fully record in its permanent records findings of fact, conclusions of law when the construction of a rule, regulation or statute is in question, reasons for the action taken and its order based thereon, which shall be final subject to action by the Court on appeal as hereinafter provided at the same time sending a copy of the findings, conclusions and order by registered mail to the employing agency and to the employee at his address as given at the hearing or to a representative designated by him to receive the same.

Section 20. (1) Within thirty (30) days after the recording of the order and mailing thereof, the employee may appeal to the Superior Court of Thurston County, or, in the case of an employee of an institution of Higher Learning, to the Superior Court of the county in which such institution is located, on one or more of the grounds that the order was:

- (a) Founded on or contained error of law, which shall specifically include error in construction or application of any pertinent rules or regulations;
- (b) Contrary to a preponderance of the evidence as disclosed by the entire record with respect to any specified finding or findings of facts;
- (c) Materially affected by unlawful procedures;
- (d) Based on violation of any constitutional provision, or
- (e) Arbitrary or capricious.

(2) Such grounds shall be stated in a written notice of appeal filed with the Court, with copies thereof served on the Director of Personnel or a member of his staff or a member of the (Committee) and on the employing agency, all within the time stated.

(3) Within thirty (30) days after service of such notice or within such further time as the Court may allow, the (Committee) shall transmit to the Court a certified transcript, with exhibits, of the hearing; but by stipulation between the employing agency and the employee the

transcript may be shortened, and either party unreasonably refusing to stipulate to such limitation may be ordered by the Court to pay the additional costs involved. The Court may require or permit subsequent corrections or additions to the transcript.

Section 21. (1) The Court shall review the hearing without a jury on the basis of the transcript and exhibits, except that in the case of alleged irregularities in procedure before the (Committee) not shown by the transcript the Court may order testimony to be given thereon. The Court shall upon request by either party hear oral argument and receive written briefs.

(2) The Court may affirm the order of the (Committee), remand the matter for further proceedings before the (Committee), or reverse or modify the order if it finds that the employee's objection thereto is well taken on any of the grounds stated. Appeal shall be available to the employee to the Supreme Court from the order of the Superior Court as in other civil cases.

Section 22. (1) An employee who is terminated from state service may request the (Committee) to place his name on an appropriate re-employment list, and the (Commission) shall grant this request where the circumstances are found to warrant re-employment.

(2) Any employee, when fully reinstated after appeal shall be guaranteed all employee rights and benefits, including back pay, sick leave, vacation accrual, retirement and OASDI credits. [Order 68-1, § 132J-12-341, filed 10/15/68.]

Reviser's note: Sections 20 and 21, chapter 1, Laws of 1961 (codified as RCW 41.06.200 and 41.06.210) as set forth above do not reflect their amendment by section 25, chapter 36, Laws of 1969 ex. sess. and section 101, chapter 81, Laws of 1971, respectively.

WAC 132J-12-344 Service ratings and training. The Director may in cooperation with the Appointing Authority, provide for the rating of the service performance of employees in the classified staff service. Such service ratings shall be made in such manner and upon such forms as the Director may prescribe and may be used as a means of evaluating the employee's performance. [Order 68-1, § 132J-12-344, filed 10/15/68.]

WAC 132J-12-347 Education and training. An employee may enroll in course work not to exceed six credit hours during any one quarter, with the approval of his Appointing Authority and the Director. Participating employees must meet regular academic and admissions regulations and are subject to fee schedules established by the Board. [Order 68-1, § 132J-12-347, filed 10/15/68.]

WAC 132J-12-350 Outside course work. An employee who has completed his probationary period may enroll in course work of his choice, to be taken outside of working hours or with an adjusted schedule of working hours and compensation. [Order 68-1, § 132J-12-350, filed 10/15/68.]

WAC 132J-12-353 Classes during working hours—Compensation—Authorization. An employee may enroll in course work judged to be directly related to improvement of the effectiveness of the employee's

work with the approval or at the request of his appointing authority and the Director. Classes for such work may be attended during normal working hours without adjustment of compensation, but if such classes do not occur during normal working hours, compensating time off duty will not be allowed for class hours attended. Such course work must be taken for credit and a satisfactory grade point average maintained. [Order 68-1, § 132J-12-353, filed 10/15/68.]

WAC 132J-12-356 Special training programs. Special training programs may be conducted to improve employees' service and to assist employees to enhance their opportunities for promotion. Such programs may be offered during the normal working hours and the participating employee may attend the sessions without adjustment of compensation. This program shall be available to all classified employees on an equal basis. [Order 68-1, § 132J-12-356, filed 10/15/68.]

WAC 132J-12-359 Prohibitions and penalties—Political activity. Solicitation for or payment to any partisan, political organization, or for any partisan, political purpose of any compulsory assessment or involuntary contribution is prohibited. No person shall solicit on state property any contribution to be used for partisan, political purposes.

Employees shall have the right to vote and express their opinions on all political subjects and candidates, but shall not hold any political party office or participate in the management of a partisan, political campaign. Nothing in this section shall prohibit a classified employee from participating fully in campaigns relating to constitutional amendments, referendums, initiatives, and issues of a similar character, and for nonpartisan offices.

Nothing in this section shall prohibit appointment, nomination or election to part time public office in a political subdivision of the state when the holding of such office is not incompatible with, nor substantially interferes with, the discharge of official duties in state employment. [Order 68-1, § 132J-12-359, filed 10/15/68.]

WAC 132J-12-362 Outside employment. No employee in the classified staff service shall undertake employment other than his position in the classified staff service if such employment brings discredit to the institution or has an adverse effect upon the employee's performance of his duty. [Order 68-1, § 132J-12-362, filed 10/15/68.]

WAC 132J-12-365 Employment of more than one member of a family. The appointment of more than one member of a family as a permanent employee in the classified staff service requires special justification in terms of personnel requirements and the unusual qualifications of the individual. Such appointment must have the prior approval of the Director and is subject to periodic review. Two persons who are related by blood ties or by marriage may not be appointed to positions where one might exert any influence or produce any consequence upon the employment of the other. In general,

people who are so related may not be employed in the same organizational unit. [Order 68-1, § 132J-12-365, filed 10/15/68.]

WAC 132J-12-368 False statements—Fraud. No persons shall make any false statement, certificate, mark, rating or report with regard to any test, certification, or appointment made under any provision of the Act or these Rules, or in any manner commit any fraud preventing the impartial execution of the Act and these Rules. [Order 68-1, § 132J-12-368, filed 10/15/68.]

WAC 132J-12-371 Bribery. No person seeking appointment to or promotion in the classified staff service shall give, render or pay any money, service or any other valuable thing to any person in connection with his test, appointment or promotion. [Order 68-1, § 132J-12-371, filed 10/15/68.]

WAC 132J-12-374 Interference by officials. No employee of the office of the Director, examiner, or other person shall defeat, deceive, or obstruct any person in his right to his examination, eligibility, certification or appointment under the Act and these Rules or furnish to any person any special or privileged information for the purpose of affecting the rights or prospects of any person with respect to employment in the classified service. [Order 68-1, § 132J-12-374, filed 10/15/68.]

WAC 132J-12-377 Penalties. Any person who willfully violates any of the provisions of the Act or these Rules shall be subject to dismissal and such other punishment as may be provided by law. [Order 68-1, § 132J-12-377, filed 10/15/68.]

WAC 132J-12-380 Discrimination. No question in any examination shall be so framed as to elicit information concerning the political or religious opinions or affiliations of any applicant, nor shall any inquiry be made concerning such opinions or affiliations of any applicant, nor shall any inquiry be made concerning such opinions or affiliations, and all disclosures thereof shall be discounted. No discrimination shall be exercised, threatened or promised by any employee or Appointing Authority against or in favor of any applicant, eligible, or employee because of his political or religious opinions or affiliations or of his race. No discrimination shall be exercised because of the age or sex of any applicant, eligible or employee. [Order 68-1, § 132J-12-380, filed 10/15/68.]

WAC 132J-12-383 Personnel records and reports. The office of the Director shall be the central depository of all such personnel files and records as the Director deems necessary and as are required by the Act and these Rules. [Order 68-1, § 132J-12-383, filed 10/15/68.]

WAC 132J-12-385 Roster. The Director shall establish and maintain a roster of all employees in the classified staff service showing for each employee the

class title, the organizational unit assignment, salary employment data as he deems pertinent. [Order 68-1, § 132J-12-385, filed 10/15/68.]

WAC 132J-12-388 Reports to the personnel director. Every appointment, transfer, termination, promotion, demotion, dismissal, leave of absence, change of salary rate, and other temporary or permanent change in the status of employees in the classified staff service, shall be reported to the office of the Director in writing. The Director is authorized to prescribe the time, manner, form and method of making any written report that may be stipulated in any of these Rules. [Order 68-1, § 132J-12-388, filed 10/15/68.]

WAC 132J-12-401 Public records. Records of the office of the Director, such as examination, personal history and other papers, disclosure of which could render harm to the employee without serving a necessary and useful purpose, shall be considered confidential. The use of such documents will be specified by the Director. Such records of the office as may be defined by law as public records shall be open to inspection by legitimately interested parties only during regular office hours for reasonable periods of time and in accordance with which procedures as the Director may provide. [Order 68-1, § 132J-12-401, filed 10/15/68.]

Chapter 132J-112 WAC PROCEDURES FOR ADMINISTERING THE PROFESSIONAL NEGOTIATIONS LAW

WAC

- 132J-112-900 Purpose—Elections and recognition.
- 132J-112-901 Definitions.
- 132J-112-902 Request for election—Canvass of academic employees by independent and neutral person or association.
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- 132J-112-915 Disposition of challenged ballots—Tally sheets—Investigation by chief election officer.
- 132J-112-916 Counting of ballots—Procedure—Certification of results of election—Retention of ballots—Signed voting lists.
- 132J-112-917 Electioneering within the polls forbidden.
- 132J-112-918 Contest of election—Time for filing objections—Investigation of objections.
- 132J-112-919 Persons eligible to vote—Any person who qualifies under definition of "academic employee".
- 132J-112-920 Election determined by majority of valid votes cast—Run-off election.
- 132J-112-921 Time lapse for new election.

WAC 132J-112-900 Purpose—Elections and recognition. The Board of Trustees of Community College District No. 10 proposes the adoption of policies for the administration of chapter 196, Laws of 1971 ex. sess. which has as its purpose of strengthening of methods of administering employer-employee relations through the establishment of orderly methods of communication between academic employees and the community college district by which they are employed. Therefore, the Board of Trustees of Community College District No. 10 adopts reasonable rules and regulations for the administration of employer-employee relations under this chapter. [Emergency and Permanent Order 3417, § 132J-112-900, filed 4/24/72.]

WAC 132J-112-901 Definitions. "Employee organization" means any organization which includes as members the academic employees of Community College District No. 10 and which has as one of its purposes the representation of the employees in their employment relations with the community college district.

"Academic employee" means any teacher, counselor, librarian, or department head, division head, or administrator, who is employed by Community College District No. 10, with the exception of the chief administrative officer of the community college district. [Emergency and Permanent Order 3417, § 132J-112-901, filed 4/24/72.]

WAC 132J-112-902 Request for election—Canvass of academic employees by independent and neutral person or association. Any organization, which includes as members academic employees of Community College District No. 10, desiring to be recognized as the majority organization representing such employees pursuant to chapter 196, Laws of Washington, 1971 ex. sess. shall request in writing to the Board of Trustees of Community College District No. 10 that an election be held to determine whether a majority of such employees desire to designate it as their representative for the purposes of the Act. Upon the receipt of such a request the Board of Trustees of Community College District No. 10 will request some independent and neutral person or association to determine whether thirty percent or more of the academic employees of Community College District No. 10 have indicated that they desire to be represented by that organization for such purposes. The independent and neutral person or association shall make such determination upon the basis of records of dues, paying membership, signed authorizations to represent, or other reliable and probative evidence. [Emergency and Permanent Order 3417, § 132J-112-902, filed 4/24/72.]

WAC 132J-112-903 Notice of election—Organization to be included on ballot—Time for filing. If the independent and neutral person or association determines that thirty per cent or more of the academic employees of Community College District No. 10 have indicated that they desire to be represented by that organization for such purposes, the Board of Trustees of Community College District No. 10 will publish a notice

that it will hold an election as soon as practical to determine whether the academic employees of Community College District No. 10 desire the requesting organization or any other organization to represent them for the purposes of chapter 196, Laws of Washington, 1971 ex. sess. Any other organization of academic employees desiring to be designated as the majority organization representing such employees shall, within seven days after publication of such notice by the Board of Trustees of Community College District No. 10, file with the Board of Trustees a request in writing that its name be included on the ballot in the election to be held. No organization shall be permitted to have its name placed on the ballot used in the election unless such a request has been received within seven days after the publication of the notice that an election will be held. Such organization must accompany the request for placement on the ballot by written proof of at least ten percent representation of the academic employees within the district. [Emergency and Permanent Order 3417, § 132J-112-903, filed 4/24/72.]

WAC 132J-112-904 Contents of notice of election—Designation of chief election officer—Duties. The notice published by the Board of Trustees of Community College District No. 10 pursuant to WAC 132J-112-903, shall state the date, hours, and polling places for the election. The notice shall also designate a chief election officer of the election and charge him with the duty of preparing the ballots and promulgating instructions concerning the details of the election to be conducted pursuant to these rules. [Emergency and Permanent Order 3417, § 132J-112-904, filed 4/24/72.]

WAC 132J-112-905 List of academic employees—Posting of list. In any election conducted pursuant to these rules, lists of academic employees eligible to vote shall be prepared by the Board of Trustees listing academic employees by voting places. Such lists shall be posted at least 24 hours before the election. Such lists shall be for informational purposes and shall not be conclusive as to the right of an academic employee to vote in the election. [Emergency and Permanent Order 3417, § 132J-112-905, filed 4/24/72.]

WAC 132J-112-906 Election inspectors—Duties—Right to challenge voter—Improper conduct. The election officer shall designate at least one inspector for each polling place to observe the conduct of the election. Any organization whose name shall appear on the ballot in the election shall also be entitled to have one inspector present at each polling place to observe the conduct of the election. Each organization shall also be entitled to have an inspector present at the College District Office for the counting of the ballots cast. Such inspectors must refrain from electioneering during the election. They may challenge the eligibility of any person to vote in the election, and, upon such challenge the ballot of that person shall be treated as provided in these rules. Inspectors shall also report in writing to the chief election officer any conduct which they observe in the

course of balloting which they believe may have improperly affected the result of the voting at the polling place at which they serve as observers. [Emergency and Permanent Order 3417, § 132J-112-906, filed 4/24/72.]

WAC 132J-112-907 Ballots. The ballots used in any election held pursuant to this part shall be in the following form:

To select for representation purposes pursuant to chapter 196, Laws of Washington, 1971 ex. sess., a majority organization to represent academic employees of Community College District No. 10

	Vote for one
Organization X	<input type="checkbox"/>
Organization Y	<input type="checkbox"/>
No Organization	<input type="checkbox"/>

Do not sign your name or put other identifying marks on this ballot. Should you incorrectly mark your ballot you may obtain a new ballot by returning the incorrectly marked ballot to the election inspector.

[Emergency and Permanent Order 3417, § 132J-112-907, filed 4/24/72.]

WAC 132J-112-908 Record of vote—Signature—Challenge. At the time of the election the name of each employee voting shall be recorded by his signature written beside his name on the voting list for the polling place at which he votes. Each academic employee may cast only one ballot in any election held pursuant to these rules, and the presence of a signature beside the name of an employee desiring to vote shall automatically constitute grounds for challenge of his right to cast a ballot in an election. [Emergency and Permanent Order 3417, § 132J-112-908, filed 4/24/72.]

WAC 132J-112-909 Incorrectly marked ballot. Any voter who incorrectly marks his ballot may obtain a new ballot by returning the incorrectly marked ballot to the chief election officer's inspector. Such incorrectly marked ballot shall be marked void in the presence of the inspectors of organizations participating in the election before the new ballot is delivered to the voter. [Emergency and Permanent Order 3417, § 132J-112-909, filed 4/24/72.]

WAC 132J-112-910 Privacy for voter—Equipment. Voters shall be provided with tables or desks so arranged that a voter may mark his ballot without making it possible for other persons to observe the manner in which he has marked it. [Emergency and Permanent Order 3417, § 132J-112-910, filed 4/24/72.]

WAC 132J-112-911 Folding ballot—Ballot box. Each voter shall fold his ballot so that the manner in which he has marked it cannot be observed and shall then place it in the locked box provided at the designated voting place. [Emergency and Permanent Order 3417, § 132J-112-911, filed 4/24/72.]

WAC 132J-112-912 Challenged ballot—Procedure. A challenged ballot shall be placed in an envelope bearing no identifying marks. It shall then be placed in another envelope upon which shall be written the name of the employee desiring to cast the ballot, the reasons for which the ballot was challenged, by whom it was challenged, and the polling place at which it was challenged, and the envelope shall be sealed and initialed by the election inspectors. [Emergency and Permanent Order 3417, § 132J-112-912, filed 4/24/72.]

WAC 132J-112-913 Employees present entitled to vote—Sealing ballot box—Unused ballots. At the time for closing the polls, all employees present and waiting at the polling place shall be entitled to vote. The ballot box shall then be sealed. All unused ballots shall then be counted in the presence of election inspectors. [Emergency and Permanent Order 3417, § 132J-112-913, filed 4/24/72.]

WAC 132J-112-914 Election inspectors duties after voting has terminated. When all voting has terminated at a polling place, the election inspectors will bring to the chief election officer at the Community College District Office the following: 1) signed voting list of eligible academic employees, 2) all unused ballots, 3) all challenged ballots, and 4) the sealed ballot box containing all ballots cast. [Emergency and Permanent Order 3417, § 132J-112-914, filed 4/24/72.]

WAC 132J-112-915 Disposition of challenged ballots—Tally sheets—Investigation by chief election officer. The challenged ballots previously placed in separate envelopes shall be placed in a sealed envelope marked "challenged ballots" and sent along with the tally sheet to the chief election officer. The challenged ballots shall not be opened or counted unless the counting of such ballots might affect the results of the election. If the challenged ballots might affect the results of the election, the chief election officer shall conduct an investigation into, or if necessary a formal hearing on, the validity of the challenges made. If he concludes that the challenge was properly made, that ballot shall be excluded from the count. Otherwise, such ballots shall be counted as cast. [Emergency and Permanent Order 3417, § 132J-112-915, filed 4/24/72.]

WAC 132J-112-916 Counting of ballots—Procedure—Certification of results of election—Retention of ballots—Signed voting lists. When ballot boxes from all voting places have been received by the chief election officer's inspector, he shall open them and thoroughly mix all ballots cast so that it is impossible to identify the polling place from which any particular ballot came. The ballots cast shall be separated into the categories as they have been cast for organizations participating in the election, for no organization, and void ballots which are unintelligible or for an organization not participating in the election. The ballots in these categories shall be counted by the chief election officer with the assistance of such of his election inspectors as shall be necessary in the presence of the inspectors for

the organizations participating in the election. After the ballots have been so counted the inspector designated by the organizations to serve at the Community College District Office shall indicate by his signature upon the tally sheet that he agrees with the count made, or in case of disagreement, he shall write a short statement of his grounds for disagreement with the count. The chief election officer shall certify to the Board of Trustees the results of the election within forty-eight hours after the polls have been closed. The used ballots, the unused ballots, the challenged ballots, and the signed voting lists of eligible academic employees shall be kept by the chief election officer or some person designated by him for one year after the election. [Emergency and Permanent Order 3417, § 132J-112-916, filed 4/24/72.]

WAC 132J-112-917 Electioneering within the polls forbidden. No election signs, banners, or buttons shall be permitted in the room in which the balloting takes place, nor shall any person in that room discuss the advantages or disadvantages of representation by an organization whether on the ballot or otherwise, nor shall any person in that room engage in any other form of electioneering. [Emergency and Permanent Order 3417, § 132J-112-917, filed 4/24/72.]

WAC 132J-112-918 Contest of election—Time for filing objections—Investigation of objections. Any organization, the name of which appears on the ballot, or any academic employee may within five days after the certification of the results of an election under the provisions of this part, file objections to the conduct of the election with the chief election officer designated by the Board of Trustees pursuant to WAC 132J-112-904 of this part. The election officer shall investigate such objections and, if necessary, hold formal hearings thereon. He shall report thereon to the Board of Trustees. If the Board of Trustees shall conclude that the conduct objected to may have improperly affected the results of the election, it shall order a new election. Otherwise, it shall overrule the objections and the results of the election shall be considered final. Objections to the conduct of the election which are not filed in accordance with the provisions of this section shall be waived and of no effect. [Emergency and Permanent Order 3417, § 132J-112-918, filed 4/24/72.]

WAC 132J-112-919 Persons eligible to vote—Any person who qualifies under definition of "academic employee". For the purposes of eligibility to vote, the term "academic employee" means any teacher, counselor, librarian, or department head, division head, or administrator, who is currently employed by Community College District No. 10 with the exception of the Chief Administrative Officer of the district and those employed exclusively in Community Service courses. [Emergency and Permanent Order 3417, § 132J-112-919, filed 4/24/72.]

WAC 132J-112-920 Election determined by majority of valid votes cast—Run-off election. An organization of academic employees which receives a majority of

the valid votes cast in an election held in accordance with the rules of this part shall be recognized as representing the academic employees of Community College District No. 10 pursuant to chapter 196, Laws of Washington, 1971 ex. sess. If more than one organization of academic employees has participated in an election and a majority of the valid votes cast has not been either for representation by one of the organizations or for no representation, a run-off election shall be held. In such a run-off, only those two choices receiving the highest number of valid votes cast in the initial election shall appear on the ballot. [Emergency and Permanent Order 3417, § 132J-112-920, filed 4/24/72.]

WAC 132J-112-921 Time lapse for new election. If no organization of academic employees is selected as representative in an election held pursuant to these rules, another election shall not be held until the lapse of one year from the date of the certification of the results of the earlier election. If an organization of academic employees is selected as the recognized employee organization in an election held pursuant to these rules, another election shall not be held until the lapse of one year from the date of the certification of the results of the earlier election. [Emergency and Permanent Order 3417, § 132J-112-921, filed 4/24/72.]

Chapter 132J-116 WAC TRAFFIC AND PARKING RULES AND REGULATIONS

WAC

- 132J-116-010 Purpose for adopting rules.
- 132J-116-020 Definitions.
- 132J-116-030 Applicable traffic rules and regulations.
- 132J-116-040 Permits required for vehicles on campus.
- 132J-116-050 Authorization for issuance of permits.
- 132J-116-060 Valid permit.
- 132J-116-070 Display of permit.
- 132J-116-080 Transfer of permits.
- 132J-116-090 Permit revocation.
- 132J-116-100 Right to refuse permit.
- 132J-116-110 Right to appeal permit revocation or refusal to grant permit.
- 132J-116-120 Responsibility of person to whom permit issued.
- 132J-116-130 Designation of parking.
- 132J-116-140 Parking within designated spaces.
- 132J-116-150 Regulatory signs and directions.
- 132J-116-160 Speed limit.
- 132J-116-170 Pedestrian's right-of-way.
- 132J-116-180 Two-wheeled motorbikes or bicycles.
- 132J-116-190 Report of accidents.
- 132J-116-200 Enforcement.
- 132J-116-210 Issuance of traffic tickets.
- 132J-116-220 Fines and penalties.
- 132J-116-230 Liability of college.
- 132J-116-240 Exceptions.

WAC 132J-116-010 Purpose for adopting rules. Pursuant to the authority granted by RCW 28B.50.140(10), the Board of Trustees of Green River Community College, District 10, is granted authority to make rules and regulations for pedestrian and vehicular traffic on public lands devoted to, operated by, or maintained by the college district. The rules and regulations

contained in this chapter are established for the following purposes:

- (1) To protect and control pedestrian and vehicular traffic; and
- (2) To assure access at all times for emergency traffic; and
- (3) To minimize traffic disturbance during class hours; and
- (4) To facilitate the operation of the community college of the district by assuring access for vehicles and to regulate the use of parking spaces. [Order 73-4, § 132J-116-010, filed 6/6/73.]

WAC 132J-116-020 Definitions. As used in this chapter, the following words and phrases shall mean:

(1) "Board" shall mean the Board of Trustees of Green River Community College, District 10, State of Washington.

(2) "Campus" shall mean any or all public lands devoted to, operated by, or maintained by Green River Community College, District 10, State of Washington.

(3) "Dean of Students" shall mean the dean of students of Green River Community College, District 10, State of Washington.

(4) "College" shall mean Green River Community College, District 10, State of Washington and the personnel thereof, and any other community college centers or facilities established within District 10, State of Washington.

(5) "Faculty members" or academic employees shall mean any employee of Green River Community College, District 10, State of Washington who has employment as a teacher, counselor, librarian or other position for which the training, experience, and responsibilities are comparable as determined by the appointing authority, except administrative appointments.

(6) "Administration" shall mean those employees whose job duties are administrative by job description and who exercise supervisory or other managerial responsibilities over other employees.

(7) "Campus patrolman" shall mean a contracted or salaried employee of the college who is responsible to the dean of students for campus traffic control, parking, and security.

(8) "Staff" shall mean the contracted or classified employees of Green River Community College, District 10, State of Washington.

(9) "Student" shall mean any person who is enrolled in any community college operated by Washington State Community College, District 10.

(10) "Vehicle" shall mean an automobile, truck, motor-driven cycle, scooter or any vehicle otherwise powered.

(11) "Visitors" shall mean any person or persons who come upon the campus as guests and person or persons who lawfully visit the campus for purposes which are in keeping with the college's role as institutions of higher learning in the State of Washington.

(12) "Permanent permits" shall mean permits which are valid for a school term or a portion thereof.

(13) "School term" shall mean, unless otherwise designated, the time period commencing with the summer

quarter of a community college calendar year and extending through the immediately subsequent fall, winter, and spring quarters. The summer school session shall be considered the first quarter of the college calendar year for parking and traffic control purposes.

(14) "Temporary permits" shall mean permits which are valid for a specific period designated on the permit or application up to a maximum of one month. [Order 73-4, § 132J-116-020, filed 6/6/73.]

WAC 132J-116-030 Applicable traffic rules and regulations. The other traffic rules and regulations which are also applicable upon the campus are as follows:

(1) The motor vehicle and other traffic laws of the State of Washington; and

(2) The traffic code of the County of King, State of Washington. [Order 73-4, § 132J-116-030, filed 6/6/73.]

WAC 132J-116-040 Permits required for vehicles on campus. Students, faculty members, staff members, guests, or visitors shall not stop, park, or leave a vehicle whether attended or unattended upon the campus without a parking permit issued pursuant to WAC 132J-116-050. All persons parking on the campus will be given five (5) academic days to secure and display a temporary or permanent permit from the dean of students, or his designee. [Order 73-4, § 132J-116-040, filed 6/6/73.]

WAC 132J-116-050 Authorization for issuance of permits. The dean of students, or his designee, is authorized to issue parking permits to students, faculty members, staff members, guests, or visitors of the college, pursuant to the following regulations:

(1) A person may be issued a parking permit upon the proper registration of his vehicle with the college.

(2) The dean of students, or his designee, may issue temporary, permanent, or special parking permits when such permits are necessary to enhance the business or operation of the college.

(3) Additional permits are available according to the current fee schedule to an individual who may be registered to drive any one of several vehicles. It shall be agreed that only one vehicle registered to an individual shall be permitted to park on campus at any one time.

(4) Persons who pay the current fee for parking permits and later request a refund shall receive refunds according to the following refund policy:

(a) If the refund is requested before the first day of class for a quarter — 100% refund.

(b) If the refund is requested during the first ten (10) days of classes for the quarter — 50% refund.

(c) If the refund is requested after the first ten (10) days of a quarter — no refund. [Order 77-1, § 132J-116-050, filed 5/20/77 and 9/15/77; Order 73-4, § 132J-116-050, filed 6/6/73.]

WAC 132J-116-060 Valid permit. A valid parking permit is:

(1) An unexpired *permanent* parking permit registered and properly displayed; or

(2) A *temporary* parking permit authorized by the dean of students, or his designee, and properly displayed; or

(3) A *special* parking permit authorized by the dean of students, or his designee, and properly displayed; or

(4) A *visitor's* permit authorized by the dean of students, or his designee, and properly displayed; or

(5) No permit will be valid for more than one (1) year, and temporarily properly displayed. This permit serves to provide storage, not parking. [Order 73-4, § 132J-116-060, filed 6/6/73.]

WAC 132J-116-070 Display of permit. All permanent parking permits shall be permanently affixed to the vehicle according to the current campus regulations.

(1) Expired permits shall be removed before the new permits are affixed.

(2) Permits not displayed pursuant to the current regulations shall not be valid. [Order 73-4, § 132J-116-070, filed 6/6/73.]

WAC 132J-116-080 Transfer of permits. Parking permits are not transferable. If a vehicle is sold or traded, a new permit will be issued to the permit holder at no additional cost if the permit holder does the following:

(1) Brings invalid permit, or remnant thereof, and permit number to the appropriate office; this office shall then issue the permit holder a new parking permit registered under a new number.

(2) If the invalid permit, or remnant thereof, is not submitted to the proper authority, a fee will be charged according to the current fee schedule. [Order 73-4, § 132J-116-080, filed 6/6/73.]

WAC 132J-116-090 Permit revocation. Parking permits are the property of the college and may be recalled by the dean of students for any of the following reasons:

(1) When the purpose for which the permit was issued changes or no longer exists; or

(2) When a permit is used for an unregistered vehicle or by an unauthorized individual; or

(3) Falsification on a parking permit application; or

(4) Continued or flagrant violations of parking or traffic regulations; or

(5) Counterfeiting or altering a parking permit. [Order 73-4, § 132J-116-090, filed 6/6/73.]

WAC 132J-116-100 Right to refuse permit. The college (dean of students or his designee) reserves the right to refuse the issuance of a parking permit to anyone who has had a previous parking permit revoked or refused, or to anyone whose driving or parking record indicates a flagrant disregard for the rights or safety of other people. [Order 73-4, § 132J-116-100, filed 6/6/73.]

WAC 132J-116-110 Right to appeal permit revocation or refusal to grant permit. When a parking permit has been recalled pursuant to WAC 132J-116-090 or has been refused in accordance with WAC 132J-116-

100, or when a fine or penalty has been levied against a violator of the rules and regulations set forth in this chapter, such action by the dean of students, or his designee, may be appealed pursuant through the established channels. [Order 73-4, § 132J-116-110, filed 6/6/73.]

WAC 132J-116-120 Responsibility of person to whom permit issued. The person to whom a parking permit is issued, pursuant to the rules and regulations set forth in this chapter, shall be responsible for all violations of said rules and regulations involving the vehicle; but, such responsibility shall not relieve other persons who by their conduct with vehicles registered with another permit holder, violate the rules and regulations established by this chapter. In the event that a vehicle in violation is not registered with the college, the current registered owner will be responsible for the violation(s) of the campus regulations. [Order 73-4, § 132J-116-120, filed 6/6/73.]

WAC 132J-116-130 Designation of parking. The parking space available on campus shall be designated and allocated by the dean of students, or his designee, in such a manner as will best achieve the objectives of the rules and regulations in this chapter.

(1) Faculty and staff spaces shall be so designated; and

(2) Student spaces will be all spaces designated for parking and not posted for special use. Special provisions have been made for physically handicapped students, or their designee.

(3) Parking spaces shall be designated for use of visitors on campus; and

(4) Parking spaces may be designated for special purposes as deemed necessary. [Order 73-4, § 132J-116-130, filed 6/6/73.]

WAC 132J-116-140 Parking within designated spaces. (1) All vehicles shall follow traffic arrows and other markings established for the purpose of directing traffic on campus.

(2) All vehicles must be parked within designated, marked stalls.

(3) No vehicle shall be parked so as to occupy any portion of more than one parking space or stall as designated within the parking area. The fact that other vehicles may have been so parked as to require the vehicle parking to occupy a portion of more than one space or stall in order to park, shall not constitute an excuse for a violation of this section.

(4) No vehicle shall be parked on the campus except in those areas set aside and designated for parking. [Order 73-4, § 132J-116-140, filed 6/6/73.]

WAC 132J-116-150 Regulatory signs and directions. The dean of students, or his designee, is authorized to erect signs, barricades and other structures and to paint marks or other directions upon the entry ways and streets on campus and upon the various public lands devoted to, operated by, or maintained by the college district. Such signs, barricades, structures, markings and directions, shall be so made and placed as in the opinion

of the dean of students, or his designee, will best effectuate the objectives stated in WAC 132J-116-010 and will best effectuate the rules and regulations contained in this chapter. Drivers of vehicles shall observe and obey the signs, barricades, structures, markings and directions erected pursuant to this section. Drivers shall also comply with the directions given them by the campus patrolmen in the control and regulation of traffic. [Order 73-4, § 132J-116-150, filed 6/6/73.]

WAC 132J-116-160 Speed limit. No vehicle shall be operated on the campus at a speed in excess of fifteen (15) miles per hour, or such slower speed as is reasonable and prudent to the circumstances. No vehicle of any type shall at any time use the campus parking lots for testing, racing, or other unauthorized activities. [Order 73-4, § 132J-116-160, filed 6/6/73.]

WAC 132J-116-170 Pedestrian's right-of-way. (1) The operator of a vehicle shall yield right-of-way, slowing down or stopping, if need be, to so yield to any pedestrian, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible or unsafe for the driver to yield.

(2) Whenever any vehicle slows or stops so as to yield to pedestrian traffic, the operator of any other vehicle approaching from the rear shall not overtake and pass such a vehicle which has slowed or stopped to yield to pedestrian traffic.

(3) Where a sidewalk is provided, pedestrians shall proceed upon such a sidewalk. [Order 73-4, § 132J-116-170, filed 6/6/73.]

WAC 132J-116-180 Two-wheeled motorbikes or bicycles. (1) All two-wheeled vehicles powered by an engine shall park in a space designated for motorcycles only. No unauthorized vehicles shall be ridden on the sidewalks on campus at any time unless authorized by the dean of students or his designee.

(2) Bicycles and other nonengined powered cycles shall be subject to posted or published regulations as established. [Order 73-4, § 132J-116-180, filed 6/6/73.]

WAC 132J-116-190 Report of accidents. The operator of any vehicle involved in an accident on campus resulting in injury to or death of any person or total or claimed damage to either or both vehicles exceeding \$100 shall immediately report such accident to the dean of students or his designee and shall within twenty-four (24) hours after such accident, file a State of Washington Motor Vehicle Accident Report. Other minor accidents may be reported to the Office of Campus Parking and Security for insurance record purposes. [Order 73-4, § 132J-116-190, filed 6/6/73.]

WAC 132J-116-200 Enforcement. (1) Parking and traffic rules and regulations will be enforced throughout the calendar year. Parking and traffic rules and regulations are enforced on a twenty-four (24) hour daily basis.

(2) The dean of students or his designee shall be responsible for the enforcement of the rules and regulations contained in this chapter. The dean of students is hereby authorized to delegate this responsibility to the campus patrolmen or other subordinates. [Order 73-4, § 132J-116-200, filed 6/6/73.]

WAC 132J-116-210 Issuance of traffic tickets. Upon observing the violation of any of the rules and regulations contained in this chapter, the dean of students, his designee or subordinates, may issue a summons or citation setting forth the date, the approximate time, permit number, license information, infraction, officer, and schedule of fines. Such summons or traffic citation may be served by attaching or affixing a copy thereof in some prominent place outside such vehicle or by personally serving the operator. [Order 73-4, § 132J-116-210, filed 6/6/73.]

WAC 132J-116-220 Fines and penalties. The dean of students, or his designee, is authorized to impose the following fines and penalties for the violation of the rules and regulations contained in this chapter.

(1) Except as provided under subsection (2), fines will be levied for all violations of the regulations contained in this chapter.

(2) Vehicles parked in a manner so as to obstruct traffic, including access to and from parking spaces and areas, will be subject to a fine and may be impounded and taken to such place for storage as the dean of students, or his designee, selects. The expenses of such impoundings and storage shall be the responsibility of the registered owner or driver of the vehicle. Vehicles impounded by means of an immobilizing device shall be charged a service fee according to the current fee schedule. The college shall not be liable for loss or damage of any kind resulting from such impounding and storage.

(3) At the discretion of the dean of students, an accumulation of traffic violations by a student, staff, administrator or faculty member will be cause for disciplinary action, and the dean of students shall initiate disciplinary proceedings against such a violator.

(4) At the discretion of the dean of students, accumulation of traffic citations by a student, staff, administrator or faculty member may be turned over to a private collection agency for the collection of fines not previously received by the dean of students, or his designee. Other appropriate collection procedures may be initiated as deemed necessary.

(5) Vehicles involved in violations of these regulations may be impounded as provided for in subsection (2) herein.

(6) A schedule of fines shall be set and reviewed annually by a parking advisory committee. This schedule shall be published in the summary of Parking Regulations, and traffic citations form. [Order 73-4, § 132J-116-220, filed 6/6/73.]

WAC 132J-116-230 Liability of college. The college assumes no liability under any circumstances for vehicles on campus. [Order 73-4, § 132J-116-230, filed 6/6/73.]

WAC 132J-116-240 Exceptions. No vehicle owned by a governmental agency as evidenced by an exempt license plate will be required to display a parking permit. Such vehicles will be subject to all other parking and traffic regulations. No patrol, service, maintenance, or other authorized vehicles in use for these purposes will be required to obey parking regulations when they are being used for a purpose which requires that they be parked, stopped or driven in unusual locations, or in an unusual manner in order to accomplish their lawful and authorized purpose. [Order 73-4, § 132J-116-240, filed 6/6/73.]

Chapter 132J-120 WAC STUDENT BODY RIGHTS AND RESPONSIBILITIES

WAC

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132J-120-120	Disciplinary proceedings.
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WAC 132J-120-010 The purpose for adopting these statements. The purpose of this document is to provide students with statements of their responsibilities, rights, rules, and regulations while enrolled at Green River Community College, District 10, hereafter referred to as GRCC. The following assumptions provide a base for these statements:

(1) Students have the same fundamental rights of all citizens.

(2) The college provides a variety of educational opportunities for students to examine the academic, vocational, technical, social, emotional, recreational, and cultural aspects of society.

(3) Students are encouraged to participate in free inquiry and expression, to develop their capacity for critical judgment, and to engage in group and independent search for truth and knowledge.

(4) A student's registration implies willingness to and responsibility for compliance with the general policies, procedures, and regulations established by the Board of Trustees with local, state, and federal laws. [Order 76-2, § 132J-120-010, filed 7/1/76.]

WAC 132J-120-020 General policies. (1) Green River Community College is an agency of the state of Washington and as such adheres to all local, state, and federal laws.

(2) Written procedures shall be established to maintain conditions conducive to the effective performance of the function of the college, to protect individual students from unfair imposition of penalties, and to assure due process.

(3) If these rules are violated, the college has the obligation to take such action as is in the best interest of the entire college and which is commensurate with the rights of the individual.

(4) If a student is charged with an off-campus violation of the law, the college shall not take action unless the student fails to comply with college policies.

(5) Students shall have the responsibility and the right to participate in the formulation and reviewing of all Green River Community College policies and rules pertaining to student conduct and the enforcement thereof.

(6) This document shall be printed in the college catalog and made available to students upon request.

(7) It shall be the responsibility of all student(s) attending Green River Community College to abide by these rules when on any college facility or acting in association with a campus organization. [Order 76-2, § 132J-120-020, filed 7/1/76.]

WAC 132J-120-030 Definitions. (1) The "Academic Board" is a board composed of four student members appointed by the ASGRCC president and four faculty members selected from a list of volunteers, by a vote of those volunteers, which make recommendations to the Dean for Students for the purpose of (a) review student petitions to have grades lined through on his/her transcript, and (b) hear grievances which may occur between students and faculty members regarding the normal educational activities.

(2) "Admissions" is the procedure required by the college to determine a student's eligibility and status for registration for a class or classes.

(3) "Associated Students of Green River Community College," "ASGRCC," is the Associated Students of Green River Community College, hereafter referred to as ASGRCC, which includes all persons who are enrolled in classes at the college.

(4) "ASGRCC Senate" is the representative group of students officially recognized by the Board of Trustees, who represent students enrolled at the college.

(5) "Assembly" is any overt activity engaged in by three or more persons, the object of which is to gain publicity, advocate a view, petition for a cause, or disseminate information.

(6) The "Board of Appeals" is a board composed of four student members appointed by the ASGRCC president and four faculty members appointed by the college president, or his designee, who hear and adjudicate cases referred or appealed from the Judicial Board.

(7) The "Board of Trustees" is the five-member Board of Trustees of Green River Community College, District 10, appointed by the Governor of the state of Washington.

(8) The "College" is a term used synonymously with Green River Community College, District 10, (GRCC) and is composed of the main campus, extension centers, and off-campus classes and activities.

(9) "College Community" is composed of all individuals who are enrolled in classes and/or employed by the college.

(10) "College Administration" is composed of all college employees who are designated as members of the administration by the Board of Trustees.

(11) The "College Newspaper(s)" or "Campus Newspaper(s)" is the publication sponsored by the ASGRCC.

(12) "College President" is the chief executive officer of the college appointed by the Board of Trustees.

(13) "Commons" is the campus area immediately surrounding the columns and fountain immediately west of the Performing Arts Building.

(14) "Evaluation" is procedures, parameters, and criteria used in evaluating and grading students' performances in classes or programs.

(15) "Instructor/Faculty" (academic employee) are those professional staff members who are employed by the college in temporary or full-time, tenured or probationary positions, as teachers, counselors, and/or librarians for the purpose of instruction or providing support services for students.

(16) "Judicial Board" is the five students appointed by the ASGRCC president who hear and adjudicate cases, charges, and render interpretations relating to disciplinary procedures.

(17) "Legal Compulsion" is a subpoena, court order, or other binding legal activity which requests or forces the college's official representatives to conform to the nature of the order, and/or, means a judicial or legislative order which requires some action by the person to whom it is directed.

(18) "Lindbloom Student Center Advisory Board," "LSC Advisory Board," is the eleven-member board which consists of the Associate Dean for Student Programs, a recreation representative, a student senator, a faculty member, the supervisor of buildings and grounds, a citizen of Community College District 10, three students-at-large, one administrator, and a recording secretary, whose function is to implement programs, policies, and procedures pertaining to the Lindbloom Student Center.

(19) "Records" are official transcripts, documents, references, or other such confidential information which is in writing and preserved as evidence.

(20) "Registrar" is the college administrator employee who is charged with the responsibility for maintaining transcripts, grades, and grade rosters.

(21) "Registration" is the procedure required by the college to enroll students for a class or classes.

(22) "Student" is any person enrolled at the college.

(23) "Student Organization" is a group of students who have complied with the formal requirements of college recognition as provided by the ASGRCC Constitution. [Order 76-2, § 132J-120-030, filed 7/1/76.]

WAC 132J-120-040 Right to academic freedom.

(1) Freedom of discussion and expression of views shall be encouraged and protected. The instructor has the responsibility to maintain order and to keep classroom discussion and lecture relevant to the course syllabus, but this authority shall not be used to suppress the expression of views contrary to his/her own.

(2) Students are responsible for learning the content of courses in which they are enrolled.

(3) A student's performance shall be evaluated solely on course achievement.

(4) Course standards shall be defined in the approved course syllabus filed in the college library. [Order 76-2, § 132J-120-040, filed 7/1/76.]

WAC 132J-120-050 Right of access to college facilities. (1) Students shall have the right of access to college facilities subject to ordinary schedules and regulations governing each particular facility.

(2) Students shall have privacy in their offices, when appropriately assigned, for the maintenance of personal papers, confidential records, and effects.

(3) Students shall have the right of "Assembly" on college facilities, subject to regular college scheduling procedures, provided that such assemblies are conducted in an orderly manner. All assemblies shall be considered orderly if they:

(a) do not interfere with classes, scheduled meetings or ceremonies, or regular activities of the college,

(b) do not interfere with pedestrian or vehicular traffic,

(c) do not cause physical abuse to another person in the college community,

(d) do not cause destruction or damage to college property.

(4) All speakers shall allow time for a question and answer session.

(5) Amplifying equipment shall not be used without the permission of the college president, or his designee. [Order 76-2, § 132J-120-050, filed 7/1/76.]

WAC 132J-120-060 Right to confidentiality of records. (1) No records shall be kept about students' views, beliefs, and/or political affiliations and such information acquired by college employees shall be considered unofficial and confidential.

(2) Judgment of character or academic achievement may be provided only upon request and consent of the student.

(3) The registrar's office shall be the only office on campus to maintain records of students' academic achievements.

(4) The academic record shall only contain classes and dates taken, grades received and credits earned.

(5) The academic record shall be available to administrative staff and faculty members under appropriate circumstances as determined by the Registrar.

(6) Academic records and disciplinary records shall be in separate files.

(7) Only the office of the dean for students and the Judicial Board shall maintain files for disciplinary records.

(8) Academic records and disciplinary records shall be considered confidential information.

(9) The only other person(s) permitted access to these records shall be designated by the student and/or legal compulsion.

(10) Disciplinary records shall be destroyed after one (1) calendar year from the occurrence of the incident.

(11) Disciplinary records shall not be released from GRCC unless authorized by the student and/or by legal compulsion.

(12) Any student may challenge the accuracy of any entry or the presence of any item on his/her academic record by requesting a hearing of the Academic Board. [Order 76-2, § 132J-120-060, filed 7/1/76.]

WAC 132J-120-070 Right of sale of personal property. (1) Students may have the right to engage in incidental sales of personal property in a private transaction.

(2) All other sales shall take place in the Lindbloom Student Center subject to approval of the college president, or his designee, consistent with rules established by the LSC Advisory Board. [Order 76-2, § 132J-120-070, filed 7/1/76.]

WAC 132J-120-080 Right of distribution of material. (1) Handbills, leaflets, and statements may be distributed without prior approval of content.

(2) The distribution of materials shall be prohibited in parking areas.

(3) The sponsors are responsible for the removal of materials at an appropriate time as determined by the administration of the college.

(4) Distribution by means of accosting individuals or by hawking or shouting is prohibited.

(5) All materials shall indicate the name of the sponsoring person or student organization. [Order 76-2, § 132J-120-080, filed 7/1/76.]

WAC 132J-120-090 Right to publication. (1) Campus newspapers and other media shall be free from censorship and advance approval of copy and shall be free to develop their own editorial policies and news coverage.

(2) Editorial freedom entails a corollary obligation under the canons of responsible journalism, *publication code and applicable regulations of Green River Community College publication policy, state and/or federal law regarding libel and obscenity.

*To be developed.

(3) It shall be stated in publications, broadcasts, and in speeches that editorial opinions are not necessarily those of the institution or its members.

(4) Articles appearing in the campus newspaper(s) shall be considered to represent the views of the editor unless otherwise stated. [Order 76-2, § 132J-120-090, filed 7/1/76.]

WAC 132J-120-100 Student activities. (1) Students have the right to organize and join organizations to promote their common interests.

(2) The membership, policies, and actions of a student organization shall be determined by a vote of only those persons who hold bonified [bona fide] membership in the ASGRCC.

(3) Each organization shall have a student chairperson whose name shall be registered with the appropriate college employee in Student Programs.

(4) Student organizations are required to submit a constitution which shall include a statement of purpose,

criteria for membership, rules and procedures to the ASGRCC Student Senate for approval.

(5) Student organizations shall be open to students without respect to race, creed, or national origin, sex, or handicap.

(6) The student programs and activities fees shall be administered in accordance with the current Board of Trustees policies.

(7) Students shall have recognition and voting rights in the current organization which recommends policy to the Board of Trustees. [Order 76-2, § 132J-120-100, filed 7/1/76.]

WAC 132J-120-110 Procedures for violation of academic standards. (1) A student shall have the right to file a grievance of alleged unfair teaching or evaluation practices. In most situations, the student should discuss the complaint with the instructor involved; if no resolution is reached with the instructor, the following steps shall be available to the student:

(a) a conference with the division chairperson,

(b) a conference with the appropriate associate dean(s),

(c) a conference with the appropriate dean.

(d) The student or any other involved person may request a conference with any combination of the above persons.

(2) After reasonable efforts have been made to resolve the grievance through the above steps, the student may, through the office of the Dean for Students, request a hearing before the Academic Board.

(3) The appeal beyond the Academic Board is to the president of the college.

(4) It is the responsibility of the administration of the college to carry out the final recommendation of each grievance. [Order 76-2, § 132J-120-110, filed 7/1/76.]

WAC 132J-120-120 Disciplinary proceedings. (1) Disciplinary proceedings involving violations of this document may be initiated through the following processes by any member of the college community in this order:

(a) Judicial Board

(b) Board of Appeals

(c) College President.

(2) The appropriate forms and/or information shall be available in the dean for students' office.

(3) Sanctions resulting from actions of the Judicial Board, Board of Appeals or college president may include, but not be limited to; reprimands, limiting participation in programs, dismissal and fines. [Order 76-2, § 132J-120-120, filed 7/1/76.]

WAC 132J-120-130 Method of revision. (1) If any member of the college community wishes to request a change in these statements, he/she must notify the ASGRCC President and the president of the college in writing.

(2) The ASGRCC Senate shall have the right and responsibility to review and make recommendations to the Board of Trustees prior to the Board's adoption of any change.

(3) Proposed changes must be printed in the college newspaper at least one (1) week prior to submission to the Board of Trustees.

(4) All recommendations to the Board of Trustees shall be made available to the members through the office of the college president at least ten (10) days prior to the scheduled meeting at which the item(s) are to be considered. [Order 76-2, § 132J-120-130, filed 7/1/76.]

Chapter 132J-128 WAC TENURE

WAC

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132J-128-120	Dismissal procedure.
132J-128-130	Resignation.
132J-128-140	Retirement.

WAC 132J-128-010 Tenure. In accordance with the provisions of sections 32 through 45 [RCW 28B.50-.850 through 28B.50.869], chapter 283, Laws of 1969 ex. sess. as amended by chapter 5, Laws of 1970 2nd ex. sess., the following procedures for tenure at Community College District No. 10 will be implemented. [Permanent and Emergency Order 75-2, § 132J-128-010, filed 10/21/75.]

WAC 132J-128-020 Tenure review committees. The Union, as the duly elected bargaining agent, shall hold an election and select tenure review committees which will interview and evaluate the probationers and will make recommendations to the Board of Trustees regarding the professional qualifications of non-tenured faculty members. [Permanent and Emergency Order 75-2, § 132J-128-020, filed 10/21/75.]

WAC 132J-128-030 Granting of tenure. It shall be the policy of Community College District No. 10 that the Board of Trustees, on the recommendation of the tenure review committee which has interviewed and evaluated the probationer, may grant tenure at any time between the assumption of the employee's faculty position and the end of the three (3) year probationary period as stated in the laws of Washington.

As a general practice, the Board of Trustees does not grant tenure prior to the end of the second year of probation.

The Board, at its discretion, shall periodically review and make recommendations regarding criteria for evaluation of probationers.

The criteria and method of evaluation established shall provide for a fair, balanced, unbiased evaluation of the probationer's effectiveness in his/her appointment

and shall include student as well as peer and administrative evaluation.

All criteria relating to tenure considerations for evaluation of probationers shall be subject to approval of the College president after considering the recommendations of the Board and the involved divisions.

If the president does not approve the criteria as developed by the involved divisions, he shall, as soon as practicable, return the criteria to the divisions for further consideration together with his reasons in writing. [Permanent and Emergency Order 75-2, § 132J-128-030, filed 10/21/75.]

WAC 132J-128-040 Tenure review committee defined. A committee composed of the probationer's faculty peer and the administrative staff of the community college and a student, provided that the majority of the committee shall consist of the probationer's faculty peers and that the members be elected as specified by the Tenure Policy by a majority of the faculty members. [Permanent and Emergency Order 75-2, § 132J-128-040, filed 10/21/75.]

WAC 132J-128-050 Establishment of criteria and methods for evaluation. (1) Each division of the College shall establish and maintain criteria and methods for evaluation of probationers in its division.

(2) The criteria and method of evaluation established by divisions shall provide adequate opportunity for the probationer to demonstrate his/her effectiveness in his/her appointment and shall be consistent with his/her job description.

(3) The probationer will be encouraged to assist his/her Tenure Review Committee in determining appropriate methods of evaluation. [Permanent and Emergency Order 75-2, § 132J-128-050, filed 10/21/75.]

WAC 132J-128-060 Selection of the tenure review committee. (1) A tenure review committee shall be established for each probationer. The committee shall be responsible for the probationer until he/she is either granted tenure or is no longer employed within Community College District No. 10. If a vacancy occurs during the terms of service of the tenure review committee, the Union will hold a special election within four weeks to fill the position after the vacancy occurs.

(2) The chairperson of the Union tenure committee shall be responsible for the establishment of each tenure review committee which shall begin functioning no later than six (6) weeks to fill the position after the vacancy occurs.

(3) Each tenure review committee shall be composed of six (6) members. There shall be automatic nomination of the division chairperson. This position shall be designated position Number 1. Two faculty members shall be nominated by the president of the Union for positions Number 2 and 3. One faculty member shall be nominated by the probationer to position Number 4. The president of the College shall appoint an administrator to position Number 5. The Associated Student Body shall select one student to position Number 6. After

these nominations are made, the chairperson of the Union tenure committee shall call an all-faculty meeting at which faculty members may be nominated for positions 1 through 4. A vote shall be taken and the nominee receiving a majority vote for each position shall be elected. If no candidate for a particular position receives a majority vote, a runoff election shall be held within five (5) days between the two candidates receiving the largest number of votes. [Permanent and Emergency Order 75-2, § 132J-128-060, filed 10/21/75.]

WAC 132J-128-070 Evaluation of the probationer.

(1) All evaluative information will be considered confidential by members of the tenure review committee.

(2) The evaluative process shall be initiated by the chairperson of the tenure review committee of the Union, who shall call an initial meeting of each tenure review committee. The committee shall elect a chairperson at the initial meeting who will coordinate the evaluation process and keep a record of all written documents pertaining to the evaluation.

(3) The tenure review committee shall evaluate only the probationer's effectiveness in his/her appointment. In addition to the opinion of committee members, other professional judgments regarding the probationer's effectiveness may be considered.

(4) Observation of the probationer while he/she is performing his/her professional responsibilities shall be a part of the evaluation process. The members of the tenure review committee, who shall make the observation, in consultation with the probationer shall determine the frequency of such observations.

(5) A written evaluation noting areas of proficiency and deficiency shall be made for each observation.

(6) Within two (2) weeks after each observation, a majority of the tenure review committee will meet with the probationer to discuss his/her performance and the evaluation reports. The minutes of this meeting shall include the names of committee members present.

(7) A summary of each item discussed at any conference or interview between the probationer and his/her tenure review committee shall be made in writing. The summary shall be made after the item has been discussed and disagreements shall be noted.

(8) The probationer shall receive a copy of any interview summary, evaluation instrument, report of observation or any other document which is part of his/her tenure review process. The tenure review committee's file will contain the probationer's written acknowledgment of receipt of such document. Any handwritten notations or remarks on those documents shall be initialed by the probationer and by the chairperson of his/her tenure review committee.

(9) It is the right of the probationer to write letters of reply or to submit statements on his/her behalf which shall be made an official part of his/her tenure review file.

(10) Copies of the final evaluation report and the tenure review committee's recommendations on tenure, further probation, or dismissal shall be sent to the probationer's immediate administrator, appropriate

dean, the College president, the Board of Trustees, and the president of the Union.

(11) If, in the judgment of his/her tenure review committee, a probationer shall receive a renewed probationary appointment for an additional year, then:

(a) the probationer shall be notified in conference of the recommendation and

(b) after the conference, a notice in writing shall be sent to the probationer, the probationer's immediate administrator, the College president, and the Board of Trustees. All evaluations or recommendations for the probationer shall report his/her strengths as well as his/her weaknesses.

(12) If, in the judgment of his/her tenure review committee, the probationer should be denied tenure and his/her probationary appointment not be renewed, then:

(a) the probationer shall be notified in conference of the reasons for this recommendation.

(b) The recommendation, which shall cite reasons, shall be sent in writing to the probationer, the probationer's immediate administrator, the College president, and the Board of Trustees by the regular January Board of Trustees' meeting.

(c) If the probationer agrees with the recommendation, he/she shall submit a letter stating his/her acceptance of the decision. [Permanent and Emergency Order 75-2, § 132J-128-070, filed 10/21/75.]

WAC 132J-128-080 Final action on tenure. (1) In reaching its decision as to whether to grant tenure, to extend a probationer's faculty appointment, or to deny tenure and not renew the probationary faculty appointment, the Board of Trustees shall give reasonable consideration to the recommendations of the tenure review committee. If the Board of Trustees disagrees with the recommendation of the tenure review committee, it shall submit specific, written objections and points of disagreement to the probationer and his/her tenure review committee. The written objections shall be presented to the committee within thirty (30) days of receiving the committee's recommendation and at least one (1) week before taking final action. In addition, at least three (3) days prior to taking final action, the Board shall hold a meeting with the tenure review committee to discuss all points of disagreement.

(2) If the probationer is not to be retained, such action will be taken by the Board of Trustees no later than the regular February Board of Trustees' meeting in the first, second, or third year of probation, provided that such notice may not be given subsequent to the last day of winter quarter.

(3) Upon the granting of tenure or the non-renewal of a contract, all records, correspondence or other written material relating to the evaluation process shall be given to the appropriate dean, retained for one year, and then destroyed or returned to the faculty member.

(4) If the probationer is dismissed prior to the termination of his/her contract, his/her case shall be considered by the hearing committee in accordance with the laws of the State of Washington and the Dismissal Policy of Community College District No. 10. [Permanent

and Emergency Order 75-2, § 132J-128-080, filed 10/21/75.]

WAC 132J-128-090 Dismissal philosophy. Both the Board of Trustees and the Union are committed to improving and emphasizing the professional competency of the faculty of Community College District No. 10. When documented evidence indicates sufficient cause for dismissal of a faculty member, it shall be College policy to initiate dismissal proceedings in accordance with the provisions for notification and appeal established by Washington State statute.

Both parties agree that attempts shall be made to correct specific deficiencies in a faculty member's appointment before instituting dismissal proceedings. The faculty member shall receive early written notification of his/her specific deficiencies and shall be granted the opportunity and given assistance by division and/or administrative personnel in meeting the conditions and responsibilities regarding the terms of employment.

If possible, dismissal proceedings shall be avoided by the faculty member's being reassigned to other teaching duties within the member's field of competency. This reassignment will be taken only with the assurance that the student welfare will not be adversely affected thereby. [Permanent and Emergency Order 75-2, § 132J-128-090, filed 10/21/75.]

WAC 132J-128-100 Dismissal hearing committee. A dismissal hearing committee comprised for the express purpose of hearing dismissal cases shall be formulated. The committee shall consist of five (5) members:

(1) One (1) member and one (1) alternate to be chosen by the College president at his discretion.

(2) Four (4) full-time faculty members and four (4) alternates to be elected by the full-time faculty acting as a body. This election shall take place on or before the 15th of October each year.

(3) Either the counsel for the charged faculty member or the counsel for the administration may challenge for cause the membership of the dismissal hearing committee. Challenge for cause shall be determined by the hearing officer except for physical incapacity to serve on the committee which will be considered just cause for not serving.

(4) Terms of office for elected faculty members and alternates will be determined by the Union. [Permanent and Emergency Order 75-2, § 132J-128-100, filed 10/21/75.]

WAC 132J-128-110 Basis for dismissal. (1) The Board of Trustees shall not dismiss a tenured faculty member from his/her appointment except for sufficient cause, nor shall the Board of Trustees dismiss a faculty member who holds a probationary faculty appointment prior to the expiration of his/her contract except for sufficient cause. The Board of Trustees shall further determine that the "sufficient cause" is of a substantial nature and not frivolous or inconsequential and only when the Board of Trustees determines that the faculty member's termination of employment would be in the best interests of the College.

Sufficient cause shall not include membership or non-membership in employee organizations nor prohibit faculty members from the exercise of their rights under Title 28B RCW which include:

(a) The right to be represented by an appropriately elected professional organization.

(b) The right, after using established administrative channels, to meet, confer, and negotiate with the Board of Trustees.

(c) The right of any faculty member to appear in his/her own behalf on matters relating to his/her own employment.

Dismissal of a faculty member shall also follow the dismissal procedures defined in this policy and appropriate Washington State statutes.

(2) In addition to the legal definition, sufficient cause for dismissal shall be limited to the following:

(a) failure to fulfill job description;

(b) incompetence in fulfilling job description;

(c) repeated violation of published College operational procedures that are received by the charged faculty member;

(d) program termination or program reduction;

(e) lack of funds;

(f) illegal conflict of interest (RCW 42.20.910) [42.20.010];

(g) sufficient cause may also include aiding and abetting or participating in:

(i) any unlawful act of violence;

(ii) any unlawful act resulting in destruction of community college property; or

(iii) any unlawful interference with the orderly conduct of the educational process (RCW 28B.50.862).

Provision. If a faculty member is to be dismissed for program termination, program reduction, lack of funds or for reasons of economy prior to the expiration of his/her contract, efforts shall be made to reassign said faculty member within or to an area that can effectively utilize his/her services. In the event reassignment is not possible, prior to dismissal, the president of the College, the president of the Union, and appropriate dean(s) and division personnel shall meet with the faculty member to advise him/her of the reasons for dismissal. In the instance of dismissal for the above reasons, the faculty member shall receive written reasons for his/her dismissal and shall be given the opportunity to resign or to request a formal hearing if he/she so desires. [Permanent and Emergency Order 75-2, § 132J-128-110, filed 10/21/75.]

WAC 132J-128-120 Dismissal procedure. (1) When the appropriate dean receives or initiates a formal written complaint about a faculty member which may warrant dismissal, he shall inform that faculty member. The dean will meet with the faculty member and the division chairperson. At this preliminary meeting, which shall be an information gathering session, an adjustment may be mutually agreed upon at which time the case be

(a) closed,

(b) not closed, but a formal dismissal hearing is not recommended, or

(c) dismissal is recommended.

(2) If the case is not resolved at the initial meeting and dismissal proceedings are not initiated, the dean shall refer the case to the division chairperson, and the charged faculty member may request a representative of the Union to be present at all subsequent meetings with the appropriate dean and/or the division chairperson.

(3) If the case is not closed but a formal dismissal hearing is not recommended:

(a) The areas of deficiency and suggested methods of improvement shall be stated in writing and a copy given to the faculty member at the initial meeting.

(b) Attempts to eliminate the deficiency shall be made by the division chairperson and the faculty member until resolved, but not to exceed a period of six consecutive contract months.

(c) Two meetings shall be held between the faculty member and division chairperson to assist the faculty member to eliminate the deficiency.

(d) At the end of this period the appropriate dean shall call a meeting of the faculty member and the division chairperson for a report of all progress.

(e) Recommendation shall then be made to the College president by the appropriate dean. The recommendations shall provide for:

- (i) dropping the charges of deficiency, or
- (ii) holding a formal hearing for dismissal.

(4) If dismissal is recommended, formal proceedings will begin with the calling into action of the dismissal hearing committee by the president of the College and by presentation of a short and plain written statement to the faculty member from the president. The charge letter shall contain:

(a) the grounds for dismissal in reasonable particularity,

(b) the time and place of the hearing which shall be after not less than twenty days' notice,

(c) a statement of the legal authority and jurisdiction under which the hearing is to be held,

(d) reference to any particular statutes or rules involved.

(5) The dismissal hearing committee shall after receiving the written charge from the College president, establish a date for a committee hearing, giving the faculty member so charged twenty (20) working days' notice of such hearing, and inform the faculty member so charged (in writing) of the time, date, and place of such hearing.

(6) The dismissal hearing committee shall:

(a) hear testimony from all interested parties, including but not limited to other faculty members and students and receive any evidence offered by same.

(b) afford the faculty member whose case is being heard of the right to cross-examination and the opportunity to defend himself and be accompanied by legal counsel.

(c) the College administration may be represented by an assistant attorney general.

(7) The dismissal hearing committee shall be assisted by a lawyer who is a recognized hearing officer appointed by the Board of Trustees. Such hearing officer shall not be a voting member of the committee; it shall be his/her responsibility to:

(a) make all rulings regarding the evidentiary and procedural issues presented during the course of the hearing;

(b) meet and confer with the members of the dismissal hearing committee and advise them in regard to procedural and evidentiary issues considered during the course of the committee's deliberations;

(c) appoint a court reporter, who shall operate at the direction of the hearing officer 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 officer;

(d) prepare 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 their recommendations.

(8) A copy of the above record shall be transcribed and furnished upon request to the faculty member whose case is being heard.

(9) The hearing officer or dismissal hearing committee shall determine whether the hearing shall be open to the educational community in which it takes place, or whether particular persons should be permitted in attendance or excluded from attendance.

(10) Within ten (10) College calendar days of the conclusion of the hearing, the dismissal hearing committee will arrive at its recommendations in conference on the basis of the hearing. Before doing so, the committee should give the faculty member or his/her counsel(s) and the representative designated by the president of the College the opportunity to argue orally before it. If written briefs would be helpful, the dismissal hearing committee may request them. The committee may proceed to a recommendation promptly or await the availability of a transcript if making a fair recommendation would be aided thereby. Within fifteen (15) College calendar days of the conclusion of the hearing, the president of the College, the faculty member, and the Board of Trustees will be presented with recommendations in writing and given a copy of the record of the hearing.

(11) The Board of Trustees shall meet at a time no later than ten (10) days subsequent to its receipt of the dismissal hearing committee's recommendations as to the action to be taken by the Board of Trustees. 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. A record of the proceedings at the Board of Trustees level shall be made, and the final decision shall be based only upon the record made before the Board of Trustees, (including the briefs and oral arguments) and upon the record of the dismissal hearing committee. The decision to dismiss or not to dismiss shall rest, with respect to both the facts and the decision, with the Board of Trustees after giving reasonable consideration to the recommendations of the dismissal hearing committee. The dismissal hearing committee's recommendations shall be advisory only.

The Board of Trustees shall within ten (10) days following the conclusion of its review, notify the accused faculty member in writing of its final decision.

(12) Suspension of the faculty member by the president of the College during the administrative proceedings involving the faculty member (prior to the final decision of the Board of Trustees) is justified if immediate harm to the faculty member or others is threatened by his/her continuance. Any such suspension shall be with pay.

(13) Except for such simple announcements as may be required covering the time of the hearing and similar matters, no public statements about the case shall be made by the faculty member, the dismissal hearing committee, or administrative officers, or the Board of Trustees until all administrative proceedings and appeals have been completed.

(14) Any dismissed faculty member shall have the right to appeal the final decision of the Board of Trustees within ten (10) days of receipt of the notice of dismissal. The filing of an appeal shall not stay enforcement of the decision of the Board of Trustees. [Permanent and Emergency Order 75-2, § 132J-128-120, filed 10/21/75.]

WAC 132J-128-130 Resignation. A full-time faculty member resigning his/her position for the subsequent academic year shall so notify the appropriate dean or College president no later than May 1 of the current academic year or prior to signing a contract for the following academic year, whichever shall occur first. [Permanent and Emergency Order 75-2, § 132J-128-130, filed 10/21/75.]

WAC 132J-128-140 Retirement. (1) General Standards. The age of mandatory retirement shall be sixty-five (65) years. An academic employee reaching sixty-five (65) after September 1, may complete that school year. Employment after the mandatory retirement age may be continued on a year-to-year basis when in the best judgment of the president of the College, the dean of instruction or the dean for students, and the division chairperson, the individual's services are essential to the College program.

(2) Procedure. The procedure for retirement shall be implemented in the following manner.

(a) The academic employee shall notify the division chairperson and the dean of instruction or the dean for students of his or her age status during the fall quarter of the year prior to retirement.

(b) The business manager shall assist the employee in determining retirement benefits. [Permanent and Emergency Order 75-2, § 132J-128-140, filed 10/21/75.]

Chapter 132J-136 WAC SMOKING REGULATIONS

WAC

- 132J-136-020 Statement of purpose.
132J-136-025 Definition.
132J-136-030 Prohibition in certain areas.
132J-136-040 No smoking signs.

132J-136-050 Enforcement.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132J-136-010 Smoking regulations. [Order 73-3, § 132J-136-010, filed 5/23/73.] Repealed by Permanent and Emergency Order 75-1, filed 9/4/75. Later promulgation, see WAC 132J-136-030.

WAC 132J-136-020 Statement of purpose. Consistent with WAC 248-152-010—WAC 248-152-060 adopted by the State Board of Health, Green River Community College adopts these regulations in order to protect the public health, safety, and welfare including the protection of the nonsmoker from smoke in public places. [Permanent and Emergency Order 76-1, § 132J-136-020, filed 3/23/76; Permanent and Emergency Order 75-1, § 132J-136-020, filed 9/4/75.]

WAC 132J-136-025 Definition. "Smoke" or "smoking" as used in these regulations shall mean and include the smoking or carrying of any lighted pipe, cigar or cigarette. [Permanent and Emergency Order 76-1, § 132J-136-025, filed 3/23/76.]

WAC 132J-136-030 Prohibition in certain areas. Smoking shall be prohibited in the following places owned, operated or maintained by Green River Community College, District Number 10:

(1) Classrooms, laboratories, lecture halls, and GED testing rooms Lindbloom Center 108 and Lindbloom Center 106.

(2) The Library Resource Center.

(3) The Gator Room (Lindbloom Center 18), except in those cases where all other dining areas have been closed for other activities.

(4) Office reception areas and waiting rooms of any building owned or leased by the state of Washington.

(5) Food service area, which includes the food serving area and kitchen in accordance with WAC 248-152-030(3).

(6) Bookstore in accordance with WAC 248-152-030(7).

(7) Elevators to include Lindbloom Student Center and Science-Math-Technology building in accordance with WAC 248-152-030(1).

(8) Health Services area to include Lindbloom Center 120, and Lindbloom Center 118 in accordance with WAC 248-152-030(5).

(9) State vehicles (to include any vehicle owned by the state of Washington or leased by Green River Community College)—smoking areas to be designated by individual carrier companies (individual carrier to be commercial bus lines, etc.).

(10) Lobby area of gymnasium.

(11) For meetings and/or gatherings not open to and not attended by the general public, held in rooms where smoking is permitted, the individuals present shall determine, at the beginning of the meeting, the permissibility of smoking by a simple majority vote. The President or his designee may permit smoking in specified "no smoking areas" for specified private gatherings. [Permanent and Emergency Order 76-6, § 132J-136-

030, filed 8/11/76; Permanent and Emergency Order 76-4, § 132J-136-030, filed 6/25/76; Permanent and Emergency Order 76-1, § 132J-136-030, filed 3/23/76; Permanent and Emergency Order 75-1, § 132J-136-030, filed 9/4/75; Formerly WAC 132J-136-010.]

WAC 132J-136-040 No smoking signs. Signs prohibiting smoking shall be conspicuously posted in every room, building, or other place where smoking is prohibited by this regulation. [Permanent and Emergency Order 75-1, § 132J-136-040, filed 9/4/75.]

WAC 132J-136-050 Enforcement. Due to the limitations inherent in the means provided by Green River Community College for enforcing any health regulation of the State Board of Health, the enforcement and effectiveness of this regulation must also depend on the individuals, employees and students to abide by its provisions and to request others to do so. Violations of these smoking regulations shall subject individuals, employees and students to appropriate sanctions including but not limited to written reprimands, denial of the use of the facilities and for repeated violations possible suspension, dismissal or expulsion. [Permanent and Emergency Order 76-1, § 132J-136-050, filed 3/23/76; Permanent and Emergency Order 75-1, § 132J-136-050, filed 9/4/75.]

Chapter 132J-141 WAC PROHIBITED ACTIVITIES

WAC

132J-141-010 Prohibited activities.

WAC 132J-141-010 Prohibited activities. It shall be prohibited on or in property either owned, controlled or operated by Green River Community College, District No. 10, for anyone to use or have on his/her person firearms or solid explosives, except duly commissioned law enforcement officers and other individuals who receive written prior approval from the president of the college or his designee. Sanctions for violations of this rule may include, but are not limited to, suspension, dismissal and/or expulsion or removal from campus. [Permanent and Emergency Order 75-3, § 132J-141-010, filed 12/16/75.]

Chapter 132J-160 WAC REFUND OF TUITION AND SPECIAL COURSE/PROGRAM CONNECTED FEES

WAC

132J-160-010 Purpose.
132J-160-020 Definitions.
132J-160-030 Scope of tuition and special course/program connected fees refund policies.
132J-160-040 Tuition and special course/program connected fees withdrawal or reduction in class load refund [procedure] [policy].
132J-160-050 Appeal.

WAC 132J-160-010 Purpose. The Board of Trustees of Community College District No. 10 proposes the adoption of policies for administering the refund of tuition and special course/program connected [fees] when a student withdraws from school or reduces his class load. [Order 77-2, § 132J-160-010, filed 7/22/77; Order 73-1, § 132J-160-010, filed 5/14/73.]

WAC 132J-160-020 Definitions. (1) "Withdraw" - when a student formally leaves school by completing the forms and procedures established by the college.

(2) "Misconduct" - when a student has violated a college rule or policy which results in dismissal from school.

(3) "Tuition" - fees collected by Community College District No. 10 which include the General Tuition Fee (for state general fund), Operating Fee (for local general fund) and the Services and Activities Fees (for local student activities).

(4) "Special Course/Program Connected Fees" - Fees other than tuition required for enrollment (i.e., equipment fees, laboratory material fees, etc.). [Order 77-2, § 132J-160-020, filed 7/22/77; Order 73-1, § 132J-160-020, filed 5/14/73.]

WAC 132J-160-030 Scope of tuition and special course/program connected fees refund policies. Tuition and special course/program connected fees refunds will be made for the student's reduction in class load or for a student's complete withdrawal from school whether he or she has attended classes or not. Students will forfeit all claims to refund of [tuition] and special course/program connected fees when they discontinue class or classes without completion of the proper forms and procedures according to the published time schedule, discontinue class or classes because of misconduct, and when the tuition and special course/program connected fee[s] [are] [is] indicated by the Board of Trustees in the college catalog[,] quarterly course schedule, and/or course announcement as nonrefundable. Community Service course fees are exempt from this policy. [Order 77-2, § 132J-160-030, filed 7/22/77; Order 73-1, § 132J-160-030, filed 5/14/73.]

WAC 132J-160-040 Tuition and special course/program connected fees withdrawal or reduction in class load refund [procedure] [policy]. Upon withdrawal from school or reduction in class load and the completion of tuition and special course/program connected fees refund forms the student may receive a refund under the following conditions:

(1) 100% Refund - Five days prior to the beginning of a quarter.

(2) 100% Refund - When courses or programs are cancelled.

(3) 75% Refund - Between five days prior to the beginning of a quarter and the first five days of class or the equivalent of 10% of a quarter or course.

(4) No Refund - After the fifth day of a quarter or 10% of a quarter or course.

(5) The college shall charge a five dollar fee for each refund, with the exception of subsection (2) of this section, in which case no fee shall be charged.

(6) Refunds of less than five dollars will not be made. [Order 77-2, § 132J-160-040, filed 7/22/77; Order 73-1, § 132J-160-040, filed 5/14/73.]

WAC 132J-160-050 Appeal. Students have the right to appeal the refund policy when there are special circumstances involved. All appeals go to the Dean for Students. [Order 77-2, § 132J-160-050, filed 7/22/77.]

Chapter 132J-164 WAC

BUCKLEY FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT POLICY

WAC

132J-164-010	Purpose of the Buckley Family Educational Rights and Privacy Act Policy for Green River Community College.
132J-164-020	Definitions.
132J-164-030	Informing parents of students and eligible students of their rights.
132J-164-040	Procedures for parents and eligible students to request or inspect personal records or to release their personal records to designated persons.
132J-164-050	Students waiving right to review records.
132J-164-060	Appeal of accuracy of records.
132J-164-070	Use of student records.
132J-164-080	Exclusion.

WAC 132J-164-010 Purpose of the Buckley Family Educational Rights and Privacy Act Policy for Green River Community College. (1) The Family Educational Rights and Privacy Act of 1974 requires that colleges adopt policies and guidelines concerning the rights of students to inspect their educational records and the releasing of such records to third parties. The act also provides that such students shall have the right of hearings to correct or delete inaccurate, misleading or inappropriate data. The act also provides that students shall be informed of the categories of records maintained by the college which are related and identifiable to the student.

(2) Green River Community College is committed to conform to the minimum requirements of Section 438, Public Law 90-247 Title IV, as amended, 88 Stat 571-574 (20 USC 1232g) otherwise known as the Buckley Amendment Family Educational Rights and Privacy Act.

(3) Green River Community College is also committed to conform to the minimum requirements of the statement of the Rights and Responsibilities of the Student Body of Green River Community College (chapter 132J-120 WAC—See Appendix).

(4) In compliance with the above-stated guidelines this policy is designed to insure continued confidentiality of student records and to govern the release of personally identifiable information therein. [Order 77-3, § 132J-164-010, filed 8/30/77.]

WAC 132J-164-020 Definitions. (1) "Administrative Unit" shall mean any one of a number of offices

under the direction of a particular administrator, and set up to maintain a variety of records and processes for the college.

(2) "Administrator" shall mean those employees whose job duties are administrative by job description and who exercise supervisory or other managerial responsibilities over other employees.

(3) "Classified Person" shall mean any employee who is contracted for a job that is listed and classified with the Higher Education Personnel Board of the state of Washington.

(4) "College" shall mean Green River Community College, District 10, state of Washington and the personnel thereof, and any other community college centers or facilities established within District 10, state of Washington.

(5) "Confidentiality" shall mean the state of being held in secrecy or privacy, so as not to be available to third parties.

(6) "Coordinator of Admissions" is the college employee who is charged with the responsibility for maintaining applications, transcripts from other institutions, closed program records, and other records required or developed in the admissions process.

(7) "Credentials" shall mean those records and recommendations kept on file by the placement office for job or college placement purposes.

(8) "Dean for Students" shall mean the dean for students of Green River Community College, District 10, state of Washington.

(9) "Directory Information" includes the following information relating to a student: The student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, and other similar information.

(10) "Educational Records" are official transcripts, documents, references, or other such information which is in writing and is preserved as evidence.

(11) "Faculty" shall mean any employee of Green River Community College, District 10, state of Washington who has employment as a teacher, counselor, librarian, or other position for which the training, experience, and responsibilities are comparable as determined by the appointing authority, except administrative appointments.

(12) "Financial Aids Officer" is the college employee who is charged with the responsibility for maintaining applications for financial aids, student financial records, records of financial aids awards, work-study, and other information as may pertain to the operations of the financial aid office.

(13) "Identifiable Information" shall mean any record or information of such a nature as to aid in or cause the identification of the person to whom it relates.

(14) "Placement Officer" is the college employee who is charged with the responsibility for maintaining credentials, recommendations, and other information as may relate to the placement office.

(15) "President" is the chief executive of the college appointed by the board of trustees.

(16) "Registrar" is the college administrative employee who is charged with the responsibility for maintaining transcripts, grades, and grade rosters.

(17) "Student" is any person enrolled at the college.

(18) "Student Body of Green River Community College" includes all persons who are enrolled in classes at the college.

(19) "Student Body President" shall mean the person elected to the position so-titled by a vote of the Student Body of Green River Community College.

(20) "Third Parties" shall mean any and all persons and/or organizations other than the college or the student. [Order 77-3, § 132J-164-020, filed 8/30/77.]

WAC 132J-164-030 Informing parents of students and eligible students of their rights. (1) This policy shall be included in the regular college catalog as a means of informing parents and eligible students of their rights.

(2) For the purposes of this part, whenever a student has attained eighteen years of age, or is attending an institution of postsecondary education, the rights accorded to and the consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student.

(3) Dependent status of the student does not affect his rights under this code. [Order 77-3, § 132J-164-030, filed 8/30/77.]

WAC 132J-164-040 Procedures for parents and eligible students to request or inspect personal records or to release their personal records to designated persons. (1) A written request, dated and signed, must be submitted by the parent or eligible student to the office maintaining the student's record. Each office maintaining records shall be treated as an independent entity so far as record requests are concerned.

(a) The person responsible for the record shall respond to the request within a reasonable period of time, but in no case more than 45 academic days, unless an unavoidable hardship would be incurred by the response within that time. In such cases an extension shall be mutually agreed on and the extension agreement signed by the parties involved in the request.

(b) If a student is denied access to his/her record, the person responsible for that administrative unit shall respond in writing stating the reasons for the denial and the procedures for appealing the denial.

(2) Persons making the request must pay the specified fee or an appropriate cost of duplicating the record which shall include cost of materials and personnel time, if appropriate. The fee shall be a minimum of 25¢ and a maximum of \$1.00 per page, unless extraordinary circumstances require a higher fee. The exact fee shall be determined by the administrative unit providing the copy according to current fee costs of materials and salary schedules.

(3) The college will disclose those records as required by federal or state statutes so long as there is no violation of the Buckley Family Educational Rights and Privacy Act.

(4) No student shall be required to waive his/her rights to either maintain confidentiality or disclose his/her records.

(5) No record will be destroyed during a time when an outstanding disclosure request has been filed on that record.

(6) Student directory information will not be released without a written waiver by the student involved.

(7) A record of disclosures shall be maintained for each record disclosed to other than the student identified in the record and college employees who are authorized or designated to inspect or use such files.

(8) The following administrative units and college personnel are authorized and recognized to maintain student records:

(a) Registration – The registrar has the responsibility to establish and maintain students records as related to student enrollment, class achievement, attendance, and rosters.

(b) Admissions – The coordinator of admissions shall maintain all requests for admissions, which shall include high school records, test scores, letters of recommendation and copies of all correspondence as related to admissions. These records are normally purged after two years of inactivity, after which no admissions record is maintained.

(c) Financial aids – The financial aids officer has the responsibility to compile personal financial information in the determination of students eligibility for financial aids.

(d) Placement – The placement officer has the responsibility to aid students and faculty to develop professional credentials for students for employment purposes. The credentials may contain confidential letters of recommendation and grade records.

(e) Veterans services – The veterans services coordinator has the responsibility to establish and maintain veteran students and dependent students of veterans records for verification of enrollment, completion, and other records as may be needed for compliance with Veterans Administration requirements.

(f) Dean for students – The office of the dean for students is responsible for records of students involved in extraordinary situations, such as disciplinary problems, records of irregular behavior, violations of parking or other college policies, local, state, or federal laws, or other types of situations which are outside the normal education program.

(g) Health services – The health services office maintains records regarding selective student interviews, receipt of medication and participation in the health services program.

(h) All other records shall be considered incidental and not falling under the jurisdiction of this policy.

(i) Financial records of the parents are not at the students disposal. [Order 77-3, § 132J-164-040, filed 8/30/77.]

WAC 132J-164-050 Students waiving right to review records. (1) A student may waive his/her right to review his/her record and confidential statements. This waiver would normally be given for records such as those

involving, but not limited to, confidential recommendations, admissions to other institutions, honorary recognition, application for employment, etc.

(2) Written waivers shall state which record may be examined and for what purposes. [Order 77-3, § 132J-164-050, filed 8/30/77.]

WAC 132J-164-060 Appeal of accuracy of records.

(1) When a student believes that his/her academic record is inaccurate, an appeal may be made to the academic board, which will make a determination about the accuracy of the record.

(2) The accuracy of all other records may be appealed to an ad hoc records committee consisting of six persons:

(a) Two students appointed by the current student body president,

(b) Two faculty appointed by the current faculty representative unit president,

(c) One classified person appointed by the current classified staff representative unit president, and

(d) One administrator appointed by the president of the college.

(e) The dean for students shall act as a nonvoting executive secretary for the committee.

(f) The informal hearing shall be held within forty-five academic days of the written request, unless both parties mutually agree on a later date.

(g) The time and location of the hearing shall be determined by the dean for students and shall be so far as practical to the convenience of the concerned parties.

(h) The committee shall be selected for each case and dissolved at the determination of the case.

(i) The procedures and operations of the committee shall be determined by the committee.

(j) The dean for students must be notified if the student wishes to be represented during the hearing.

(k) Any appeals may be made to the president of the college within ten academic days. In all cases, the decisions of the college president shall be final. [Order 77-3, § 132J-164-060, filed 8/30/77.]

WAC 132J-164-070 Use of student records. (1)

The college may use a student's record for those purposes for which the record was developed, and for other required activities or programs conducted by the college. These uses may include, but not be limited to: Admissions, development of employment credentials, transcripts, degree achievement, honors program evaluation, eligibility for student body offices, athletic eligibility, and payroll.

(2) All administration, staff, faculty and other persons approved by the appropriate administrative unit shall have access to students records when serving in a normal educational interest.

(3) Federal, state, county or other agencies may have access to students records if their access is required for the maintenance and operation of the college, accreditation, student financial aid, judicial order or subpoena, or in cases of emergency when the student's health and safety is in jeopardy. [Order 77-3, § 132J-164-070, filed 8/30/77.]

WAC 132J-164-080 Exclusion. (1) Exclusions from the category of educational records and therefore from the effects of the Buckley Amendment's requirements for inspection and disclosure are:

(a) Records generated and maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his/her capacity,

(b) Records made and maintained by a law enforcement unit of an educational institution solely for the purpose of law enforcement,

(c) Records of instructional, supervisory, and administrative personnel which are in the sole possession of the maker thereof,

(d) Records relating to an individual who is employed by the institution other than as a result of his/her student status, and

(e) All records developed prior to January 1, 1975, letters of recommendation made prior to January 1, 1975, or written with assurance of confidentiality, and all records which have been obtained in accordance with the proper procedures, shall be exempt from this policy and not subject to access by the student.

(2) These records may only be reviewed by a physician or certified appropriate professional of mutual agreement by the student and the administrative unit managing the record for the college. If no mutual agreement can be reached, the president of the college shall select an appropriate person to review the record. [Order 77-3, § 132J-164-080, filed 8/30/77.]

**Chapter 132J-276 WAC
PUBLIC RECORDS**

WAC

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132J-276-900	Appendix "A"—Request for public record to Community College District No. 10.

WAC 132J-276-010 Purpose. The purpose of this chapter shall be to ensure compliance by the Community College District No. 10 with the provisions of chapter 1, Laws of 1973 (Initiative 276), Disclosure—Campaign—Finances—Lobbying—Records; and in particular with sections 25-32 of that act, dealing with public records. [Order 73-2, § 132J-276-010, filed 5/14/73.]

WAC 132J-276-020 Definitions. (b) **PUBLIC RECORDS.** "Public record" includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used or retained by any state

or local agency regardless of physical form or characteristics.

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

(3) **COMMUNITY COLLEGE DISTRICT NO. 10.** The Community College District No. 10 is an agency organized by statute pursuant to RCW 28B.50.040. The Community College District No. 10 shall hereinafter be referred to as the "district". Where appropriate, the term district also refers to the staff and board of trustees employees of the district. [Order 73-2, § 132J-276-020, filed 5/14/73.]

WAC 132J-276-030 Description of central and field organization of Community College District No. 10. District No. 10 is a community college district organized under RCW 28B.50.040. The Administrative Office of the district and its staff are located at Green River Community College, 12401 S.E. 320th Street, Auburn, Washington 98002. [Order 73-2, § 132J-276-030, filed 5/14/73.]

WAC 132J-276-040 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 Thursday of each month at 4:00 p.m. in the Holman Library Board Room of Green River Community College, unless public notice is given of a special meeting. At such time the trustees exercise the powers and duties granted it under RCW 28B.50.140. [Order 73-2, § 132J-276-040, filed 5/14/73.]

WAC 132J-276-050 Public records available. All public records of the district, as defined in WAC 132J-276-020 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by section 31, chapter 1, Laws of 1973 and WAC 132J-276-100. [Order 73-2, § 132J-276-050, filed 5/14/73.]

WAC 132J-276-060 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 1, Laws of 1973. [Order 73-2, § 132J-276-060, filed 5/14/73.]

WAC 132J-276-070 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 73-2, § 132J-276-070, filed 5/14/73.]

WAC 132J-276-080 Requests for public records. In accordance with requirements of chapter 1, Laws of 1973 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures: (1) A request shall be made in writing upon a form prescribed by the 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 administrative 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 73-2, § 132J-276-080, filed 5/14/73.]

WAC 132J-276-090 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 73-2, § 132J-276-090, filed 5/14/73.]

WAC 132J-276-100 Exemptions. (1) The district reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132J-276-080 is exempt under the provisions of section 31, chapter 1, Laws of 1973.

(2) In addition, pursuant to section 26, chapter 1, Laws of 1973, the 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 1, Laws of 1973. The Public Records Officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the records withheld. [Order 73-2, § 132J-276-100, filed 5/14/73.]

WAC 132J-276-110 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the Public Records Officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the Public Records Officer or other administrative staff member denying the request shall refer 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 73-2, § 132J-276-110, filed 5/14/73.]

WAC 132J-276-120 Protection of public records. Requests for public records shall be made in the Administration Building (Holman Library) of Green River Community 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 Green River Community 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 132J-276-090. [Order 73-2, § 132J-276-120, filed 5/14/73.]

WAC 132J-276-130 Records index. (1) 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.

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

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

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

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

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

"(f) correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party."

(2) AVAILABILITY. The current index promulgated by the district shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection. [Order 73-2, § 132J-276-130, filed 5/14/73.]

WAC 132J-276-140 Adoption of form. The district hereby adopts for use by all persons requesting inspection and/or copying or copies of its records, the form attached herein as Appendix A [WAC 132J-276-900], entitled "Request for Public Record." [Order 73-2, § 132J-276-140, filed 5/14/73.]

WAC 132J-276-900 Appendix "A"—Request for public record to Community College District No. 10.

APPENDIX "A"

REQUEST FOR PUBLIC RECORD TO COMMUNITY COLLEGE DISTRICT NO. 10

(a) Signature _____ Signature (Please Print) _____
 Name of Organization, if Applicable _____
 Mailing Address of Applicant _____ Phone Number _____

(b) Date Request Made at Community College District No. 10 _____ Time of Day 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. 10's Current Index _____

 Request: Approved _____ Date _____ By _____

 Denied Date _____
 Reasons for Denial _____

 Referred to _____ Date _____ By _____

 Public Records Officer

[Order 73-2, Appendix A (codified as WAC 132J-276-900), filed 5/14/73.]

Chapter 132J-300 WAC
GRIEVANCE PROCEDURE—SEX
DISCRIMINATION

WAC
 132J-300-010 Grievance procedure—Sex discrimination.

WAC 132J-300-010 Grievance Procedure—Sex Discrimination. Title IX. Statement of Policy (As Required by Section 86.8(a) of Title IX). Green River Community College is covered by Title IX prohibiting sex discrimination in education. It is the policy of Green River Community College to insure equal opportunity without regard to sex in all areas of admission, education, application for employment, and employment.

(1) Grievance Procedure (As Required by Section 86.8(b) of Title IX). Any applicant for admission, enrolled student, applicant for employment or employee of Green River Community 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(s), a meeting with the college 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: Regional Director, Office of Civil Rights, HEW, 1321 Second Avenue, Seattle, WA 98101; The Equal Opportunity Commission, 705 Second Avenue, Seattle, WA 98101; Human Rights Commission, 402 Evergreen Plaza Building, 7th and Capitol Way, Olympia, WA 98504. [Order 76-5, § 132J-330-010, filed 6/25/76.]

Chapter 132J-325 WAC
STATE ENVIRONMENTAL POLICY ACT (SEPA)

WAC
 132J-325-010 State Environmental Policy Act (SEPA).

WAC 132J-325-010 State Environmental Policy Act (SEPA). It shall be the policy of Community College District No. 10 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.

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 76-3, § 132J-325-010, filed 6/25/76.]