

Title 132L WAC

COMMUNITY COLLEGES--CENTRALIA COLLEGE-- OLYMPIA TECHNICAL COMMUNITY COLLEGE

(FORMERLY OLYMPIA VOCATIONAL TECHNICAL INSTITUTE)

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Chapter 132L-12

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- 132L-12-010 Purpose. [Order 71-3, § 132L-12-010, filed 1/20/71.] Repealed by Order 74-47, filed 8/9/74 and 10/3/74. For later promulgation, see chapter 132L-128 WAC.
- 132L-12-020 Definitions. [Order 71-3, § 132L-12-020, filed 1/20/71.] Repealed by Order 74-47, filed 8/9/74 and 10/3/74. For later promulgation, see chapter 132L-128 WAC.
- 132L-12-030 Duties and responsibilities of probationary review committees. [Order 71-3, § 132L-12-030, filed 1/20/71.] Repealed by Order 74-47, filed 8/9/74 and 10/3/74. For later promulgation, see chapter 132L-128 WAC.
- 132L-12-040 Policy relating to the dismissal of tenured and probationary faculty members. [Order 71-3, § 132L-12-040, filed 1/20/71.] Repealed by Order 74-47, filed 8/9/74 and 10/3/74. For later promulgation, see chapter 132L-128 WAC.
- 132L-12-050 Duties and responsibilities of the dismissal review committee. [Order 71-3, § 132L-12-050, filed 1/20/71.] Repealed by Order 74-47, filed 8/9/74 and 10/3/74. For later promulgation, see chapter 132L-128 WAC.
- 132L-12-060 Procedure relating to the dismissal of a tenured or probationary faculty member. [Order 71-3, § 132L-12-060, filed 1/20/71.] Repealed by Order 74-47, filed 8/9/74 and 10/3/74. For later promulgation, see chapter 132L-128 WAC.
- 132L-12-070 Designation of administrative appointments. [Order 71-3, § 132L-12-070, filed 1/20/71.] Repealed by Order 74-47, filed 8/9/74 and 10/3/74. For later promulgation, see chapter 132L-128 WAC.

- 132L-12-080 Confidentiality of reports. [Order 71-3, § 132L-12-080, filed 1/20/71.] Repealed by Order 74-47, filed 8/9/74 and 10/3/74. For later promulgation, see chapter 132L-128 WAC.
- 132L-12-090 Policy relating to the terms of employment and tenured faculty members. [Order 71-3, § 132L-12-090, filed 1/20/71.] Repealed by Order 74-47, filed 8/9/74 and 10/3/74. For later promulgation, see chapter 132L-128 WAC.

Chapter 132L-20 WAC

STUDENT RIGHTS AND RESPONSIBILITIES

WAC

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WAC 132L-20-010 Preamble. Centralia College is dedicated not only to learning and the advancement of knowledge but also to the development of ethically sensitive and responsible persons. It seeks to achieve these goals through a sound educational program and policies concerning conduct that encourage independence and maturity while strengthening the spirit of mutual cooperation and responsibility shared by all members of the college community. Sharing goals held in common, the students, faculty, and staff of Centralia College are joined in voluntary association in an educational community.

The student is, first of all, a member of the community at large, and as such, is entitled to the rights and responsibilities of any citizen of comparable age and maturity. In addition, students, as members of the college community are in the unique position of being citizens of two communities, subject to the regulations imposed by both and accountable to both.

Centralia College expects that students will respect the laws of the greater society. As an agency of the state of Washington, the college must respect and adhere to the regulations established by local, state, and federal

authorities. As an educational institution, it has the added responsibility for assisting students in gaining an understanding of the law and its function, and the responsibilities imposed upon each individual in a democratic society to respect and support the legal structure which protects the individual and the society. As a functioning organization, it also has the responsibility to develop a set of regulations to assure the orderly conduct of the affairs of the college.

Admission to the college carries with it the expectation that the student will conduct himself as a responsible member of the college community, that he will comply with the rules and regulations of the college, maintain high standards of integrity and honesty, respect the rights, privileges and property of other members of the college community and will not interfere with legitimate college affairs.

An atmosphere of learning and self-development is created by appropriate conditions in the college community. The rights and responsibilities in this document are critical ingredients in the free, creative, and spirited educational environment to which the students, faculty and staff of Centralia College are committed. [Order 71-11, § 132L-20-010, filed 2/17/71.]

WAC 132L-20-020 Definitions. As used in this Code of Student Rights and Responsibilities the following words and phrases shall mean:

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

(2) "Board" means the board of trustees of Community College District No. 12, state of Washington.

(3) "College" means Centralia Community College located within Community College District No. 12, state of Washington.

(4) "College facilities" means and includes any or all real and personal property owned or operated by the college and shall include all buildings and appurtenances affixed thereon or attached thereto.

(5) "College personnel" refers to any person employed on a full time or part time basis, except those who are faculty members, by Centralia Community College.

(6) "Disciplinary action" means and includes suspension or any lesser sanction of any student by the dean of students, the student hearing committee, the president or the board of trustees for the violation of any of the provisions of the Code of Student Rights and Responsibilities for which such sanctions may be imposed.

(7) "District" means Community College District No. 12, state of Washington.

(8) "Faculty members" means any employee of Centralia Community College who is employed on a full time or part time basis 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.

(9) "President" means the duly appointed chief executive officer of Community College District No. 12,

state of Washington, or in his absence, the acting chief executive officer.

(10) "Recognized student organization" means and includes any group or organization composed of students which is formally recognized by the student government of the college.

(11) A "sponsored event or activity" means any activity that is scheduled by the college and supervised and controlled by the college's faculty members or college personnel. Such "sponsorship" shall continue only as long as the event is supervised and controlled by the college faculty member or college personnel. When the sponsored event or activity is of a prolonged nature, and free time periods are permitted to the students participating in the event, any activity taking place during such a free time period outside of the supervision and control of the college's faculty member or college personnel responsible for the event or activity shall be deemed to be a nonsponsored activity.

(12) "Student", unless otherwise qualified, means and includes any person who is enrolled for classes or formally in the process of applying for admission to the college. [Order 71-11, § 132L-20-020, filed 2/17/71.]

WAC 132L-20-030 Jurisdiction. (1) All rules herein adopted shall apply to every student whenever said student is present upon or in any college facility and whenever said student is present at or engaged in any college sponsored activity or function which is held on or in noncollege facilities not open to attendance by the general public.

(2) Faculty members, other college employees, and members of the public who breach or aid or abet another in the breach of any provision of this chapter shall be subject to possible prosecution under the state criminal trespass law and/or any other possible civil or criminal remedies available to the public and/or appropriate disciplinary action pursuant to the state of Washington Higher Education Personnel Board rules or the district's tenure rules and regulations. [Order 71-11, § 132L-20-030, filed 2/17/71.]

WAC 132L-20-040 Authority to prohibit trespass.

(1) The president is authorized in the instance of any event that he deems impedes the movement of persons or vehicles or which he deems to disrupt or threatens to disrupt the ingress and/or egress of persons from college facilities, and the president acting through the dean of students, or such or person as he may designate shall have authority and power to:

(a) Prohibit the entry of, withdraw the license or privilege of a person or persons or any group of persons to enter onto or remain upon any portion of a college facility; or

(b) Give notice against trespass to any person, persons, or group of persons against whom the license or privilege has been withdrawn or who have been prohibited from, entering onto or remaining upon all or any portion of a college facility; or

(c) Order any person, persons or group of persons to leave or vacate all or any portion of a college facility.

(2) Any student who shall disobey a lawful order given by the president or his designee pursuant to the requirements of subsection (1) of this rule shall be subject to disciplinary action. [Order 71-11, § 132L-20-040, filed 2/17/71.]

WAC 132L-20-050 Right to demand identification.

(1) For the purpose of determining identity of a person as a student any faculty member or other college personnel authorized by the president may demand that any person on college facilities produce evidence of student enrollment at the college. Tender of the student identification card will satisfy this requirement.

(2) Refusal by a student to produce identification as required shall subject the student to disciplinary action. [Order 71-11, § 132L-20-050, filed 2/17/71.]

WAC 132L-20-060 Freedom of access to higher education. Students are free to pursue their educational goals; appropriate opportunities for learning in the classroom and on the campus shall be provided by the district. Centralia College shall maintain an open-door policy, to the end that no student will be denied admission because of the location of his residence, or because of his educational background or ability; that, insofar as is practical in the judgment of the College Board, curriculum offerings shall be provided to meet the educational and training needs of the community generally and the students thereof; and that all students, regardless of their differing courses of study, will be considered, known and recognized equally as members of the student body: *Provided*, That the administrative officers of Centralia College may deny admission to a prospective student or attendance to an enrolled student if, in their judgment, he would not be competent to profit from the curriculum offerings of the community college, or would, by his presence or conduct, create a disruptive atmosphere within the community college inconsistent with the purposes of the institution. [Order 71-11, § 132L-20-060, filed 2/17/71.]

WAC 132L-20-070 Freedom of expression. Fundamental to the democratic process are the rights of free speech and peaceful assembly. Students and other members of the college community shall always be free to express their views or support causes by orderly means which do not disrupt the regular and essential operation of the college.

Concomitantly, while supporting the rights of students and other members of the college community, Centralia College recognizes the responsibility to maintain an atmosphere on campus conducive to a sound educational endeavor.

To insure the reconciliation of such rights and responsibilities, while respecting the private rights of all individuals, campus demonstrations may be conducted only in areas which are generally available to the public provided such demonstrations are conducted in an orderly manner, do not interfere with vehicular or pedestrian traffic, do not interfere with processes of the college and are not held in or on facilities where college functions

are in progress. [Order 71-11, § 132L-20-070, filed 2/17/71.]

WAC 132L-20-080 Freedom of association and organization. Students bring to the campus a variety of interests previously acquired and develop many new interests as members of the college community. They are free to organize and join associations to promote any legal purpose, whether it be religious, political, educational, recreational, or social.

Student organizations must be granted a charter by the Centralia College student government before they may be officially recognized. Prior to becoming chartered, a student organization must submit to the student government a statement of purpose, criteria for membership, a statement of operating rules or procedures, and the name of a faculty member who has agreed to serve as advisor. All student organizations must also submit to the student government a list of officers and keep that list updated when changes occur. In order to qualify for issuance of a charter, a student organization must be open to all students without respect to race, creed, or national origin, except for religious qualification which may be required by organizations whose aims are primarily sectarian, or for other reasonable justifications which are directly related to the purposes of the organization. Affiliation with a noncampus organization shall not be grounds for denial of charter provided that other conditions for charter issuance have been met. [Order 71-11, § 132L-20-080, filed 2/17/71.]

WAC 132L-20-090 Student participation in college governance. As members of the college community, students will be free, individually and collectively, to express their views on college policy, and on matters of general interest to the student body. The ASCC constitution and the college's administrative procedures provide clear channels for student participation in the formulation and application of institutional policies regarding academic and student affairs. Individuals affected by a policy shall have a representative voice in the formulation of that policy. [Order 71-11, § 132L-20-090, filed 2/17/71.]

WAC 132L-20-100 Student records. When a student enters the college and submits the required personal data for academic and personnel records, there is an implicit and justifiable assumption of trust placed in the college as custodian of these data. The college also believes that a similar relationship should be maintained relative to subsequent data generated during the student's enrollment—academic performance, activities, personal interviews, and disciplinary proceedings.

(1) Records and Communications are Confidential. In its relations with students, the college intends to carry on its educational and counseling processes so as to preserve the confidential character of communications and records.

(2) Information Which May be Released. Information will be furnished of a "public" or "directory" nature, that is, information which has appeared at one time or another in publications that are available to the general

public or are a matter of public record. A student may, in writing, request that such information relating to him be withheld.

(3) Requests from Employers or Prospective Employers. The college respects the right of its students to determine employers or prospective employers to whom they wish the college to furnish nonpublic personal information. At the written request of the student concerned, the college will respond to inquiries originating from employers or prospective employers—public or private.

(4) Request from Other Educational Institutions. The college will send individually identified written reports to other educational institutions only with the consent of the student involved. When requested by another institution or when deemed necessary by the college, unidentified information may be sent when such information is to be used for curriculum study, accreditation, or studies which may be of benefit to future students.

(5) Request from Faculty Members. Faculty members may request objective information contained in permanent academic records when needed in discharge of their official duties.

(6) Relationships with Parents. The college recognizes the legitimate interest of parents and guardians to consult with the professional staff about the academic and personal well-being of their sons and daughters. Parents or guardians of unemancipated minor students will be furnished grade reports or transcripts upon written request without the permission of students. Parents or guardians of emancipated minor students will not be furnished such information without the permission of the student, nor will the parents or guardians of students who have reached legal majority have the right to obtain such information without the consent of the student. In like manner, the spouse of a married student, regardless of the student's age, will be given such information only with the consent of the student.

(7) Student Access to Records. A student may view the contents of his personnel record with the professional staff. If a student feels the information in his record inadequate or inaccurate, he may file corrections for inclusion in the record.

(8) Information on Race, Creed, Political Membership. Political membership or information is not recorded in student records unless the student expressly requests the inclusion of such information. This is released only if the student so requests. Information relative to an identifiable individual's race or creed will not be provided at any time.

(9) Information Regarding the Academic Achievement of Students being considered for college-associated honors, awards, or scholarships may be furnished the college committees and advisors responsible for making the awards. [Order 71-11, § 132L-20-100, filed 2/17/71.]

WAC 132L-20-110 Student publications. Centralia College recognizes the fact that student publications are a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. They are a means of

bringing student concerns to the attention of the faculty and institutional authorities and of formulating opinion on various issues on the campus and in the college community at large. They may serve as a means of journalistic and/or creative expression.

Centralia College, as the publisher of student publications, must bear the legal responsibility for the contents of the publications. For this reason it has approved a student publications policy and created a student publications board charged with the enforcement of that policy.

The student publications policy protects the students' freedom to deal with any ideas and to express any opinions in the student publications without fear of their censorship. Editors and managers of student publications are protected from arbitrary suspension and removal. Only for proper and stated causes, as outlined in the statement of purpose or philosophy adopted for each student publication, should editors and managers be subject to removal and then by orderly and prescribed procedures.

At the same time, the student publications policy has charged the student editors and managers with corollary responsibilities to be governed by the canons of responsible journalism, including the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo. [Order 71-11, § 132L-20-110, filed 2/17/71.]

WAC 132L-20-120 Distribution and posting of materials. The college encourages free expression. Use of college facilities as provided herein, however, does not accord users immunity from legal action.

Permission for posting of literature in the various restricted areas provided therefore, shall be obtained from the following college officials:

(1) The director of student activities for posting on the restricted posting areas of the student center and those areas located on the campus outside of college buildings.

(2) Deans and directors for posting on the restricted posting areas provided in the appropriate college facility.

ASCC campaign rules govern special poster and sign locations for ASCC elections. Information on these special policies and regulations is available in the ASCC office.

Posting of posters, signs, and other publicity or promotional materials is permitted only in the locations specified above. All material sought to be posted in restricted posting areas should have the identity of its sponsorship appearing on its face.

The dissemination or distribution of materials by persons on the public streets, walks and ways of the campus, shall be subject to the laws of the city of Centralia, Lewis County, state of Washington, and the United States.

Permission for the dissemination or distribution of materials in other areas of the college campus, buildings and facilities shall be obtained from the director of student activities. Persons distributing materials without permission shall be subject to the provisions of the Code

of Student Rights and Responsibilities. [Order 71-11, § 132L-20-120, filed 2/17/71.]

WAC 132L-20-130 Commercial and promotional activities. College facilities may not be used for commercial solicitation, advertising, or promotional activities except when such activities clearly serve educational objectives (as in display of books or technical equipment of interest to the academic community), and when they are conducted under the sponsorship or at the request of a college department or the Associated Students, and so long as such use does not interfere with or operate to the detriment of the conduct of college affairs. [Order 71-11, § 132L-20-130, filed 2/17/71.]

WAC 132L-20-140 Use of college facilities. Any recognized ASCC organization may request approval from the director of student activities to utilize available college facilities for authorized activities as provided for in official ASCC documents. Facilities will be provided free of charge to the organization except when such use necessitates staffing and services beyond regular college requirements. Standard college fees will be charged in these cases.

Use of facilities for purposes other than those approved or in an irresponsible manner may result in withdrawal of this privilege for an organization.

Student organizations should schedule facility use requests with the director of student activities at least three academic calendar days in advance of an event whenever possible. [Order 71-11, § 132L-20-140, filed 2/17/71.]

WAC 132L-20-150 Noncollege speaker policy. The trustees, the administration, and the faculty of Centralia College subscribe to the proposition that an important aspect of the education of college students is the opportunity to listen to speakers representing a wide variety of opinions and beliefs on important public issues. In conformity with the American tradition of free speech and free inquiry, the following policies are established governing the appearance on campus of speakers not themselves members of the college community:

(1) Any recognized ASCC student organization with the written sanction of its advisor, may ask individuals to speak on campus subject to normal restraints imposed by considerations of common decency and the state law.

(2) The appearance of a speaker on the campus does not involve an endorsement, either implicit or explicit, of his views by Centralia College, its students, its faculty, its administration, or its board of trustees.

(3) The scheduling of facilities for hearing invited speakers shall be made through the office of the director of student activities.

(4) The director of student activities or his designee will be notified at least three academic calendar days prior to the appearance of an invited speaker, at which time a form (available in the student activities office) must be completed with such particulars as name of speaker, speech or discussion topic, time of appearance(s) and sponsoring organization. The form must bear the signature of the sponsoring organization's

advisor. Exceptions to the three day ruling may be made by the director of student activities with the approval of the dean of students.

(5) The dean of students may require views other than those of the invited speaker to be presented at the meeting, or at a subsequent meeting. The president may, at his discretion, assign a faculty member to preside over any meeting where a speaker has been invited. [Order 71-11, § 132L-20-150, filed 2/17/71.]

WAC 132L-20-160 Violations. Any student shall be subject to immediate disciplinary action provided for in Code Procedures and Summary Suspension Rules who, either as a principal actor or aider or abettor;

(1) materially and substantially interferes with the personal rights or privileges of others or the educational process of the college;

(2) violates any provision of the Code of Student Rights and Responsibilities;

(3) commits any of the following acts which are hereby prohibited:

(a) All forms of dishonesty including cheating, plagiarism, knowingly furnishing false information to the college, and forgery, alteration or use of college documents or instruments of identification with intent to defraud.

(b) Failure to comply with directions of college officials acting in performance of their duties.

(c) Conduct which intentionally and substantially obstructs or disrupts freedom of movement, teaching, research administration, disciplinary proceedings or other lawful activities on the college campus.

(d) Physical abuse of any person or conduct which is intended unlawfully to threaten imminent bodily harm or to endanger the health or safety of any person on college-owned or controlled property or at college-sponsored or supervised functions.

(e) Malicious damage to or malicious misuse of college property, or the property of any person where such property is located on the college campus.

(f) Refusal to comply with any lawful order to leave the college campus or any portion thereof.

(g) Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities of the college campus, except for authorized college purposes; unless prior written approval has been obtained from the dean of students, or any other person designated by the president.

(h) Intentionally inciting others to engage immediately in any of the conduct prohibited herein, which incitement leads directly to such conduct. (Inciting is that advocacy which prepares the group addressed for imminent action and steels it to the conduct prohibited herein.)

(i) Possessing, consuming or furnishing of alcoholic beverages on college-owned or controlled property or at college-sponsored or supervised functions.

(j) Disorderly conduct, including disorderly conduct resulting from drunkenness.

(k) Engaging in lewd, indecent, or obscene behavior on college-owned or controlled property or at college-sponsored or supervised functions.

(l) Using, possessing, furnishing, or selling any narcotic or dangerous drug as those terms are used in Washington statutes, except when the use or possession of a drug is specifically prescribed as medication by an authorized medical doctor or dentist.

(m) Falsely setting off or otherwise tampering with any emergency safety equipment, alarm, or other device established for the safety of individuals and/or college facilities.

(n) Theft or conversion of college property or private property.

(o) Entering any administrative office or any locked or otherwise closed college facility in any manner, at any time, without permission of the college employee or agent in charge thereof. [Order 71-11, § 132L-20-160, filed 2/17/71.]

WAC 132L-20-170 Emergency procedures. In the event of activities which interfere with the orderly operation of the college as defined in WAC 132L-20-070, Freedom of Expression, the dean of students or the president or their designees shall determine the course of action which appears to offer the best possibility for resolution of the problem. The emergency procedures outlined below will be followed if deemed essential:

(1) Inform those involved in such activities that they are in violation of college and/or civil regulations.

(2) Inform them that they should cease and desist. Indicate an area on campus where they are able to conduct their activities without interfering with the operation of the college, if such an area is available.

(3) If they do not respond within a reasonable time, call the civil authorities. [Order 71-11, § 132L-20-170, filed 2/17/71.]

Chapter 132L-22 WAC CODE PROCEDURES

WAC

132L-22-010	Purpose of disciplinary actions.
132L-22-020	Initial proceedings.
132L-22-030	Appeals.
132L-22-040	Student hearing committee.
132L-22-050	Final decision regarding disciplinary sanction.
132L-22-060	Disciplinary sanctions.
132L-22-070	Readmission after suspension.
132L-22-080	Reestablishment of academic standing.

WAC 132L-22-010 Purpose of disciplinary actions. The college may apply sanctions or take other appropriate action when student conduct materially and substantially interferes with the college's (1) primary educational responsibility of ensuring the opportunity of all students of the college community to attain their educational objectives, or (2) subsidiary responsibilities of protecting the health and safety of persons in the college community, maintaining and protecting property, keeping records, other services, and sponsoring nonclassroom activities such as lectures, concerts, athletic events, and social functions. Disciplinary action proceedings shall

determine whether and under what conditions the violator may continue as a student at the college. [Order 71-11, § 132L-22-010, filed 2/17/71.]

WAC 132L-22-020 Initial proceedings. (1) Initiation of Prosecution. Students, faculty members, administrators and other employees of the district shall have concurrent authority to report violations which will be acted upon by the dean of students. All disciplinary proceedings will be initiated by the dean of students or his designated representative.

(2) Notice Requirements. Any student charged in a report filed pursuant to WAC 132L-22-020, subsection (1), with a violation of the Code of Student Rights and Responsibilities shall be notified by the dean of students or his designated representative within two academic calendar days after the filing of such a report, if possible. The notice shall not be ineffective if presented later due to the student's absence. Such notice shall:

(a) inform the student that a report has been filed alleging that the student violated specific provisions of the code and the date of the violation; and

(b) set forth those provisions allegedly violated; and

(c) specify the exact time and date the student is required to meet with the dean of students; and

(d) specify the exact time, date, and location of the formal hearing, if one is required; and

(e) inform the student that he may question witnesses, that he may have anyone appear in his behalf to defend him, that he may have a maximum of three character witnesses appear in his behalf; and

(f) inform the student that failure to appear at either of the appointed times at the dean of student's office or at the hearing may subject him to suspension from the institution for a stated or indefinite period of time.

(3) Meeting with the Dean of Students.

(a) At the meeting with the dean of students the student shall be informed of provisions of the Code of Student Rights and Responsibilities that are involved, that he may appeal any sanction imposed by the dean of students and that if a hearing is required, he may have that hearing open to the public. If the student requests a formal hearing, the dean of students shall take no action nor make any determination in the matter other than to inform the student again of the time, date, and location of the formal hearing.

(b) After considering the evidence in the case and interviewing the student or students involved, the dean of students may take any of the following actions:

(i) Terminate the proceedings exonerating the student or students; or

(ii) Dismiss the case after whatever counseling and advice may be appropriate; or

(iii) Impose minor sanctions directly (warning, reprimand, fine, restitution, disciplinary probation) subject to the student's right of appeal described below; or

(iv) Refer the matter to the student hearing committee for a recommendation to the president as to appropriate action; or

(v) Recommend to the president that the student be suspended. The student shall immediately be notified in

writing of such recommendation and his right to a hearing before the student hearing committee prior to the president's final decision.

(c) A student accused of violating any provision of the Code of Student Rights and Responsibilities shall be given immediate notification of any disciplinary action taken by the dean of students or his designated representative. In case of an unemancipated minor notification of the disciplinary action taken by the dean of students or his designated representative shall also be sent to the parents or guardians of the student.

(d) No disciplinary action taken by or at the recommendation of the dean of students or his designated representative is final unless the student fails to exercise his right of appeal as provided for in these rules. The president or his designated representative after reviewing the case, including any statement the student may file with the president, shall either give written approval of the action taken by or at the recommendation of the dean of students, or give written direction as to what lesser disciplinary action, if any, is to be taken. [Order 71-11, § 132L-22-020, filed 2/17/71.]

WAC 132L-22-030 Appeals. (1) Appeals contesting recommendations of disciplinary action(s) shall be taken in the following order:

(a) disciplinary action taken by or at the recommendation of the dean of students or his designated representative may be appealed to the student hearing committee;

(b) disciplinary recommendations made by the student hearing committee may be appealed by the student to the president;

(c) disciplinary action taken by the president and resulting in suspension exceeding in duration one college quarter may be appealed by the student to the board of trustees and their decision shall be final.

(2) All appeals by a student must be made in writing to the committee, president or board of trustees and presented to the committee, president or chairman of the board of trustees within seven days after the student has been notified of the action from which he has a right of appeal. [Order 71-11, § 132L-22-030, filed 2/17/71.]

WAC 132L-22-040 Student hearing committee. (1) Composition. Centralia College shall have a standing committee composed of nine members, who shall be chosen and appointed no later than October 15 of each year to serve as a standing committee until their successors are appointed. The membership of the standing committee shall consist of three members of the administration, excepting the dean of students, chosen by the president; three faculty members chosen by the faculty organization; and three students chosen by the ASCC student council. Any student entitled to a hearing before a student hearing committee shall choose, in writing, five members of the standing committee to hear and decide his appeal, provided, he must choose at least one student, one faculty member and one member of the administration from the nine member standing committee. The balance of the student hearing committee, two members, may be chosen from the remainder of the

standing committee, provided, that both shall not be from the same classification. In the event that unforeseen circumstances prevent a previously selected committee member from attending the hearing, the student must choose a replacement from among the balance of the standing committee.

(2) Procedures for Hearing.

(a) Five members of the student hearing committee will hear, de novo, and make recommendations to the president on all disciplinary cases appealed to the committee by the student or referred to it by the dean of students or his designated representative.

(b) The student hearing committee shall elect from among its five members a chairman for the purpose of presiding at the disciplinary hearing.

(c) Hearings generally will be held in closed session, except when a student requests that persons other than those directly involved be invited to attend. If at any time during the conduct of a hearing any person is disruptive of the proceedings, the chairman of the student hearing committee may exclude such person from the hearing room.

(d) The student has a right to a fair and impartial hearing before the committee on any charge of violating a provision or provisions of the Code of Student Rights and Responsibilities. The student's failure to cooperate with the hearing procedures hereinafter outlined, however, shall not preclude the committee from making its findings of fact, conclusions and recommendations as provided below. Failure by the student to cooperate may be taken into consideration by the committee in recommending to the president the appropriate disciplinary action.

(e) The student shall be given written notice of the time and place of his hearing before the committee. Said notice shall contain:

(i) A statement of the date, time, place and nature of the disciplinary proceedings;

(ii) A statement of the specific charges against him including reference to the particular sections of the Code of Student Rights and Responsibilities involved;

(iii) To the extent known, a list of witnesses who will appear and a summary description of any documentary or other physical evidence that will be presented by the college at the hearing.

(f) The student shall be entitled to hear and examine the evidence against him and be informed of the identity of its source; he shall be entitled to present evidence in his own behalf and cross-examine witnesses testifying against him as to factual matters. The student shall have all authority possessed by the college to obtain information he specifically describes, in writing, and tenders to the dean of students no later than three days prior to the hearings or to request the presence of witnesses or the production of other evidence relevant to the hearings.

(g) The student may be represented by counsel of his choice at the disciplinary hearings. If the student elects to choose a duly licensed attorney admitted to practice in any state in the United States as his counsel, he must tender three days notice thereof to the dean of students.

(h) In all disciplinary proceedings the college may be represented by the dean of students or his designee; he

may then present the college's case against the student accused of violating the Code of Student Right and Responsibilities, provided, that in those cases in which the student elects to be represented by a licensed attorney, the dean of students may elect to have the college represented by an assistant attorney general.

(i) The proceedings of the hearing shall be recorded. A copy thereof shall be on file at the office of the dean of students.

(j) The time of the hearing may be advanced by the committee at the request of the student or continued for good cause.

(3) Admissible Evidence.

(a) Only those matters presented at the hearing in the presence of the accused student, will be considered in determining whether the student hearing committee has sufficient cause to believe that the accused student is guilty of violating the rules he is charged with having violated.

(b) In determining whether sufficient cause, as stated in the preceding paragraph (a), does exist, members of the student hearing committee shall give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent men in the conduct of their affairs.

(c) The chairman of the student hearing committee shall, in the course of presiding at the disciplinary hearing, give effect to the rules of privilege recognized by law and exclude incompetent, irrelevant, immaterial and unduly repetitious evidence.

(4) Interference with Proceedings. Any student interfering with the proceedings of the meeting with the dean of students or the formal hearing or any subsequent hearing shall be in contempt of the proceedings and may be summarily suspended from the college by the dean of students or the student hearing committee or the president or the board of trustees at the time the interference takes place and shall be subject to suspension or any lesser sanction as may be determined by the student hearing committee or president or the board of trustees at the time the interference takes place or within fifteen academic calendar days thereafter.

(5) Decision by the Committee.

(a) Upon conclusion of the disciplinary hearing, the student hearing committee shall consider all the evidence therein presented and decide by majority vote whether to recommend to the president any of the following actions:

(i) That the college terminate the proceedings and exonerate the student or students;

(ii) That the college impose minor sanctions directly, such as a warning, reprimand, fine, restitution, or disciplinary probation;

(iii) That the student be suspended from college including a recommendation of the duration of such suspension.

(b) The student shall be provided with a copy of the committee's findings of fact and conclusions regarding whether the student did violate any rule or rules of the Code of Student Rights and Responsibilities and the committee's recommendation to the president. The committee shall also advise the student in writing of his rights to present, within seven calendar days, a written

statement to the president appealing the recommendation of the committee. [Order 71-11, § 132L-22-040, filed 2/17/71.]

WAC 132L-22-050 Final decision regarding disciplinary sanction. (1) The president or his designee (except the dean of students) shall, after reviewing the record of the case prepared by the student hearing committee together with any statement filed by the student, include therein either his written acceptance of the recommendations of the committee, or his written directions as to what lesser disciplinary sanction shall be taken.

(2) If the president or his designee decides that discipline is to be imposed after the review provided by the preceding paragraph, subsection (1), he shall notify the student in writing of the discipline imposed. In case of an unemancipated minor written notice of any action involving disciplinary action shall also be sent to the parents or guardians of the student.

(3) In all cases of disciplinary action, the decision of the president or his designee shall be final except for those cases involving suspension for a duration exceeding one college quarter if the suspension has been appealed to the board. [Order 71-11, § 132L-22-050, filed 2/17/71.]

WAC 132L-22-060 Disciplinary sanctions. The following definitions of disciplinary terms have been established and shall be the sanctions imposed upon violators of the Code of Student Rights and Responsibilities:

(1) Warning. Notice to a student, either verbally or in writing, that he has been in violation of college rules or regulations or has otherwise failed to meet the college's standards of conduct. Such warnings will include the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

(2) Reprimand. Formal action censuring a student for violation of the college rules or regulations or for failure to meet the college's standards of conduct. Reprimands shall be made in writing to the student by the officer or agency taking action, with copies filed in the office of the dean of students. A reprimand will include the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

(3) Fines. The dean of students and the student hearing committee may assess monetary fines up to a maximum of twenty-five dollars against individual students for violation of college rules and regulations or for failure to meet the college's standards of conduct. Failure to pay such fines within thirty days will result in suspension for an indefinite period of time as set forth in subsection (6) below provided that a student may be reinstated upon payment of the fine.

(4) Restitution. An individual student may be required to make restitution for damage or loss to college or other property and for injury to persons. Failure to

make restitution within thirty days will result in suspension for an indefinite period of time as set forth in subsection (6) below provided that a student may be reinstated upon payment.

(5) **Disciplinary Probation.** Formal action placing conditions upon the student's continued attendance for violation of college rules or regulations or other failure to meet the college standards of conduct. The office or agency placing the student on disciplinary probation will specify, in writing, the period of probation and the conditions, such as limiting the student's participation in extra-curricular activities. Disciplinary probation warns the student that any further misconduct will automatically raise the question of suspension from the college. Disciplinary probation may be for a specified term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college.

(6) **Suspension.** Temporary or indefinite dismissal from the college and termination of the student status of a student for violation of college rules or regulations or for failure to meet the college standards of conduct. The notification suspending a student will indicate, in writing, the term of the suspension and any special conditions which must be met before readmission.

In the case of an unemancipated minor who is suspended, a copy of the notification of suspension will be sent to the parents or the guardians of the student. There is no refund of fees for the quarter in which the action is taken, but fees paid in advance for a subsequent quarter are to be refunded.

Students suspended on the basis of conduct which disrupted the orderly operation of the campus or any facility of the district, may be denied access to all or any part of the campus or other facility. [Order 71-11, § 132L-22-060, filed 2/17/71.]

WAC 132L-22-070 Readmission after suspension. Any student suspended from the college for disciplinary reasons may be readmitted upon expiration of the time period for which his suspension was issued. If the student has been suspended for an indefinite period, or if he feels that circumstances warrant reconsideration of his temporary suspension prior to its expiration, he may be readmitted following approval of a written petition submitted to the dean of students. Such petitions must state reasons which support a reconsideration of the matter. Before readmission may be granted, such petitions must be reviewed and approved by the president, or by the board in those cases in which it made the final disciplinary action decision. [Order 71-11, § 132L-22-070, filed 2/17/71.]

WAC 132L-22-080 Reestablishment of academic standing. Students who have been suspended pursuant to disciplinary procedures set forth in Code Procedures or Summary Suspension Rules, and who suspension upon appeal is found to have been unwarranted shall be provided the opportunity to reestablish their academic and student standing to the extent possible within the abilities of the college, including an opportunity to retake examinations or otherwise complete course offerings

missed by reason of such action. [Order 71-11, § 132L-22-080, filed 2/17/71.]

Chapter 132L-24 WAC SUMMARY SUSPENSION RULES

WAC

132L-24-010	Initiation of summary suspension proceedings.
132L-24-020	Permission to enter or remain on campus.
132L-24-030	Notice of summary suspension proceedings.
132L-24-040	Procedures of summary suspension hearing.
132L-24-050	Decision by the dean of students.
132L-24-060	Notice of suspension.
132L-24-070	Suspension for failure to appear.
132L-24-080	Appeal.
132L-24-090	Summary suspension proceedings not duplicitous.

WAC 132L-24-010 Initiation of summary suspension proceedings. The president or his designee may suspend any student of the College for not more than ten (10) academic calendar days pending investigation, action or prosecution on charges of an alleged Code of Student Rights and Responsibilities violation or violations, and if the president or his designee has reason to believe the student's physical or emotional safety and well-being, or the safety and well-being of the other College community members, or the safety and well-being of the College property command such suspension. [Order 71-11, § 132L-24-010, filed 2/17/71.]

WAC 132L-24-020 Permission to enter or remain on campus. During the period of summary suspension, the student shall not enter any campus of District No. 12 other than to meet with the dean of students or to attend the hearing. However, the dean of students may grant the student special permission to enter a campus for the express purpose of meeting with faculty, staff, or students in preparation for the hearing. [Order 71-11, § 132L-24-020, filed 2/17/71.]

WAC 132L-24-030 Notice of summary suspension proceedings. (1) If the president or his designee desires to exercise the authority to summarily suspend a student, he shall cause notice thereof to be served upon that student by registered or certified mail at the student's last known address, or by causing personal service of such notice upon that student.

(2) The notice shall be entitled "Notice of Summary Suspension Proceedings" and shall state:

(a) The charges against the student including reference to the provisions of the Code of Student Rights and Responsibilities involved; and

(b) That the student charged must appear before the dean of students at a time specified in the notice. [Order 71-11, § 132L-24-030, filed 2/17/71.]

WAC 132L-24-040 Procedures of summary suspension hearing. (1) At the summary suspension hearing, the student against whom the violation or violations are alleged shall have the opportunity of proving to the dean of students that there is no cause to believe that the violation stated on the notice of summary suspension proceedings did occur, and that immediate suspension is not

necessary nor justifiable pursuant to chapter 132L-24 WAC, Summary Suspension Rules.

(2) The student may offer oral testimony of himself or of any person, submit any statement or affidavit on his own behalf, examine any affidavit or cross-examine any witness who may appear against him, and submit any matter in extenuation or mitigation of the violation or violations charged.

(3) The dean of students shall at the time of the summary suspension proceedings determine whether there is probable cause to believe that a violation of law or of provisions of the Code of Student Rights and Responsibilities has occurred, and whether there is reason to believe that immediate suspension is necessary. In the course of making such a decision, the dean may consider the sworn affidavits or oral testimonies of persons who have alleged that the student charged has committed a violation of law or of provisions of the Code of Student Rights and Responsibilities and the oral testimony and affidavits submitted by the student charged. [Order 71-11, § 132L-24-040, filed 2/17/71.]

WAC 132L-24-050 Decision by the dean of students. If the dean of students, following the conclusion of the summary suspension proceedings, finds that there is probable cause to believe that:

(1) The student against whom specific violations of law or of provisions of the Code of Student Rights and Responsibilities are alleged has committed one or more of such violations upon any College facility; and

(2) That summary suspension of said student is necessary under the provisions of WAC 132L-24-010, Summary Suspension Rules; and

(3) Such violation or violations of the law or of provisions of the Code of Student Rights and Responsibilities constitute grounds for disciplinary action, then the dean of students may, with the written approval of the president, suspend such student from College. [Order 71-11, § 132L-24-050, filed 2/17/71.]

WAC 132L-24-060 Notice of suspension. (1) If a student is suspended pursuant to the above rules, he shall be provided with a written copy of the dean of students' findings of fact and conclusions, as expressly concurred in by the president, which constituted probable cause to believe that the conditions for summary suspension existed.

(2) The student suspended pursuant to the authority of this rule shall be served a copy of the notice of suspension by personal service or by registered mail. Notice by mail shall be sent to said student's last known address. The suspension shall be effective from the day the notice of suspension is mailed or personal service accomplished, whichever shall occur first. [Order 71-11, § 132L-24-060, filed 2/17/71.]

WAC 132L-24-070 Suspension for failure to appear. If the student against whom specific violations of provisions of the Code of Student Rights and Responsibilities have been alleged has been served pursuant to the notice required and then fails to appear at the time designated for the summary suspension proceedings, the

dean of students may, with the written concurrence of the president, suspend the student from College. [Order 71-11, § 132L-24-070, filed 2/17/71.]

WAC 132L-24-080 Appeal. (1) Any student aggrieved by an order issued at the summary suspension proceedings may appeal the same to the board of trustees. No such appeal shall be entertained, however, unless written notice of the appeal, specifically describing alleged errors in the proceedings of findings of the dean of students and the president, is tendered at the office of the president within seventy-two (72) hours following the date notice of summary suspension was served or mailed to the student, whichever occurred first.

(2) The board of trustees shall, as soon as reasonably possible, examine the allegations contained within the notice of appeal, along with the findings of the dean and president, the record of the summary suspension proceedings, and determine therefrom whether the summary suspension order is justified. Following such examination, the board may, at its discretion, stay the summary suspension pending determination of the merits of the disciplinary proceedings pursuant to the provisions of the Code Procedures.

(3) The board shall notify the appealing student within forty-eight (48) hours following its consideration of the notice of appeal, as to whether the summary suspension shall be maintained or stayed pending disposition of the disciplinary proceedings pursuant to the provisions of the Code Procedures. [Order 71-11, § 132L-24-080, filed 2/17/71.]

WAC 132L-24-090 Summary suspension proceedings not duplicitous. (1) The summary suspension proceedings shall in no way substitute for the disciplinary proceedings provided for in provisions of the Code Procedures. At the end of the suspension, the student shall be reinstated to his full rights and privileges as a student, subject to whatever sanctions may have been or may be in the future imposed for violation of the Code of Student Rights and Responsibilities.

(2) Any disciplinary proceeding initiated against the student because of violations alleged against any student in the course of the summary suspension proceedings provided for herein shall be heard de novo, provided, that the records made and evidence presented during the course of any facet of the summary suspension proceedings brought against the student shall be available for the use of the student and of the College in the disciplinary proceeding initiated under the provisions of the Code Procedures. [Order 71-11, § 132L-24-090, filed 2/17/71.]

Chapter 132L-26 WAC EMERGENCY PROCEDURES

WAC

132L-26-010	Authority to suspend operations.
132L-26-020	Remuneration for classified employees.
132L-26-025	Authority to staff campus—Limitations.
132L-26-030	Employee notification—Time.
132L-26-035	Return to work.

132L-26-040	Voluntary staffing.
132L-26-050	Mandatory staffing.
132L-26-055	Temporary duties.
132L-26-060	Suspended operation procedures after twenty-one days.
132L-26-065	Layoffs—Conditions.
132L-26-070	Closure notification plan—Recall plan.
132L-26-075	Option to recover time loss.
132L-26-080	Suspended operations—Not a lock-out.

WAC 132L-26-010 Authority to suspend operations. The president of District 12 is authorized to suspend the operation of any or all campuses in the district if, in his opinion, an emergency condition beyond his control makes this closure advisable. (Such as, but not limited to: Riot, civil disturbance, mechanical failure, severe weather conditions, strike or work stoppage.)

In accordance with WAC 251-22-240, as amended by the higher education personnel board December 22, 1975, Community College District 12 adopts the following suspended operation rules. [Order 77-30, § 132L-26-010, filed 9/1/77.]

WAC 132L-26-020 Remuneration for classified employees. All compensation paid classified employees during a period of suspended operations shall be in accordance with the provisions of WAC 251-22-240, higher education personnel board rules. [Order 77-30, § 132L-26-020, filed 9/1/77.]

WAC 132L-26-025 Authority to staff campus—Limitations. In the event of suspended operation, the president or his designee shall have the option to staff any campus or any portion thereof in any manner during the first five days of suspended operation. [Order 77-30, § 132L-26-025, filed 9/1/77.]

WAC 132L-26-030 Employee notification—Time. If the president declares a condition of suspended operations in accordance with WAC 132L-26-010 and provides notification of this closure to employees by radio transmission through the local stations at least one hour prior to the reporting time of an employee, and by telephone or by personal contact prior to the time the individual employee would depart home for work, the provisions of WAC 251-22-240 would not apply. Employees not notified prior to their usual departure time from home would be covered by the provision of WAC 251-22-240. [Order 77-30, § 132L-26-030, filed 9/1/77.]

WAC 132L-26-035 Return to work. If operations are suspended, employees are directed to contact the district dean of administration's office or other designated office prior to returning to work on the following day to determine whether the institution will be reopened or if partial staffing is required. Teaching personnel will contact the dean/director of the appropriate division for this purpose. [Order 77-30, § 132L-26-035, filed 9/1/77.]

WAC 132L-26-040 Voluntary staffing. When the period of suspended operation is expected to exceed five working days, but less than twenty-one, staffing shall be

on a volunteer basis. Employees qualified to perform the task with the most layoff seniority shall be given the first option to work. [Order 77-30, § 132L-26-040, filed 9/1/77.]

WAC 132L-26-050 Mandatory staffing. If sufficient volunteers cannot be found, the president shall have the authority to require employees to work. If the employees who are requested to work withhold their services (except for illness or prearranged leave not related to or precipitated by the suspended operation) they shall not be allowed to use compensatory time or annual leave. Employees will be called in reverse seniority. [Order 77-30, § 132L-26-050, filed 9/1/77.]

WAC 132L-26-055 Temporary duties. During periods of suspended operations, employees may be required to temporarily perform tasks above or below their assigned categories. [Order 77-30, § 132L-26-055, filed 9/1/77.]

WAC 132L-26-060 Suspended operation procedures after twenty-one days. If the period of suspended operation is expected to exceed twenty-one days, the full classified personnel layoff provisions shall apply. [Order 77-30, § 132L-26-060, filed 9/1/77.]

WAC 132L-26-065 Layoffs—Conditions. Layoffs necessitated by conditions causing suspended operations shall be accomplished in accordance with WAC 251-10-030. [Order 77-30, § 132L-26-065, filed 9/1/77.]

WAC 132L-26-070 Closure notification plan—Recall plan. The district will provide all employees with a copy of the Closure Notification Plan and the Recall Plan. [Order 77-30, § 132L-26-070, filed 9/1/77.]

WAC 132L-26-075 Option to recover time loss. The district shall have the option to make up lost time due to suspended operations by extending the calendar. [Order 77-30, § 132L-26-075, filed 9/1/77.]

WAC 132L-26-080 Suspended operations—Not a lock-out. Suspended operations shall not be interpreted as a lock-out by District 12. [Order 77-30, § 132L-26-080, filed 9/1/77.]

Chapter 132L-112 WAC PERSONNEL RULES

WAC

RULES AND PROCEDURES CONCERNING WORK LOAD REQUIREMENTS OF FULL-TIME FACULTY

132L-112-010	Definition.
132L-112-020	Instructional work load.
132L-112-030	Other than instructional work load.
132L-112-040	The hours of duty.

LEAVE POLICIES FOR PROFESSIONAL EMPLOYEES

132L-112-200	Leave with pay.
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132L-112-210	Illness, injury, bereavement and emergency.
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- 132L-112-230 Procedures of obtaining leaves with pay.
 132L-112-240 Leaves without pay.
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 132L-112-270 Notification of leave entitlement.

PROCEDURES FOR ADMINISTERING THE PROFESSIONAL NEGOTIATIONS LAW

- 132L-112-900 Purpose—Elections and recognition.
 132L-112-901 Definitions.
 132L-112-902 Request for election—Canvass of academic employees by independent and neutral person or association.
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 132L-112-904 Contents of notice of election—Designation of chief election officer—Duties.
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 132L-112-907 Ballots.
 132L-112-908 Record of vote—Signature—Challenge.
 132L-112-909 Incorrectly marked ballot.
 132L-112-910 Privacy for voter—Equipment.
 132L-112-911 Folding ballot—Ballot box.
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 132L-112-913 Employees present entitled to vote—Sealing ballot box—Unused ballots.
 132L-112-914 Election inspectors duties after voting has terminated.
 132L-112-915 Disposition of challenged ballots—Tally sheets—Investigation by chief election officer.
 132L-112-916 Counting of ballots—Procedure—Certification of results of election—Retention of ballots—Signed voting lists.
 132L-112-917 Electioneering within the polls forbidden.
 132L-112-918 Contest of election—Time for filing objections—Investigation of objections.
 132L-112-919 Persons eligible to vote—Definition of "academic employee".
 132L-112-920 Election determined by majority of valid votes cast—Run-off election.
 132L-112-921 Time lapse for new election.
 132L-112-922 Recognition of the employee organization.
 132L-112-923 Effect of Board/Academic Employee Agreement.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 132L-112-100 Granted leave for institutions and conferences. [Order 74-54, § 132L-112-100, filed 10/16/74 and 10/21/74; Order 72-1, § 132L-112-100, filed 1/19/72.] Repealed by Order 76-66, filed 3/22/77. Later promulgation, see WAC 132L-112-200.
 132L-112-110 Earned leave for disability, family emergency, and bereavement. [Order 74-54, § 132L-112-110, filed 10/16/74 and 10/21/74; Order 72-1, § 132L-112-110, filed 1/19/72.] Repealed by Order 76-66, filed 3/22/77. Later promulgation, see WAC 132L-112-210.
 132L-112-120 Procedures for obtaining disability, family emergency, bereavement, or other leaves. [Order 74-54, § 132L-112-120, filed 10/16/74 and 10/21/74; Order 72-1, § 132L-112-120, filed 1/19/72.] Repealed by Order 76-66, filed 3/22/77. Later promulgation, see WAC 312L-112-230.
 132L-112-130 Leave without pay. [Order 74-54, § 132L-112-130, filed 10/16/74 and 10/21/74.] Repealed by Order 76-66, filed 3/22/77. Later promulgation, see WAC 132L-112-240.
 132L-112-140 Part-time faculty leave. [Order 74-54, § 132L-112-140, filed 10/16/74 and 10/21/74.] Repealed by Order 76-66, filed 3/22/77.
 132L-112-150 Attendance at institutions of higher learning. [Order 74-54, § 132L-112-150, filed 10/16/74 and 10/21/74.] Repealed by Order 76-66, filed 3/22/77. Later promulgation, see WAC 132L-112-240.
 132L-112-160 Jury duty. [Order 74-54, § 132L-112-160, filed 10/16/74 and 10/21/74.] Repealed by Order 76-66,

filed 3/22/77. Later promulgation, see WAC 132L-112-220.

132L-112-170 Other leave. [Order 74-54, § 132L-112-170, filed 10/16/74 and 10/21/74.] Repealed by Order 76-66, filed 3/22/77.

132L-112-180 Notification of leave entitlement. [Order 74-54, § 132L-112-180, filed 10/16/74 and 10/21/74.] Repealed by Order 76-66, filed 3/22/77. Later promulgation, see WAC 132L-112-270.

RULES AND PROCEDURES CONCERNING WORK LOAD REQUIREMENTS OF FULL-TIME FACULTY

WAC 132L-112-010 Definition. The work load of a full-time contracted faculty member whose activities are covered by the Board policies on tenure, leave, salary, and fringe benefits (in contrast to a faculty member employed on an hourly basis) consists of (1) scheduled hours of instruction in classroom and laboratory situations and (2) those duties and obligations related to the instructional program of the college which shall include student advisement, divisional meetings, faculty meetings, curriculum committee meetings, and such other professionally related activities as may be administratively endorsed for inclusion within the contracted period of employment. [Order 72-1, § 132L-112-010, filed 1/19/72.]

WAC 132L-112-020 Instructional work load. The main criteria for full-time faculty work load is credit hours, contact hours, or a combination of both. Generally, a minimum instructional work load with classes of adequate enrollment is a minimum of 15 credit hours per quarter or a minimum of 20 instructor contact hours per week. In lieu of adequately researched and adopted local credit/contact hour equivalencies, the guidelines established by the State Board in preparation of state-wide course effort reporting are used and are as follows: One credit hour for an instructor during a quarter equals (a) one lecture hour per week, or (b) two continually supervised laboratory, shop, or studio hours per week, or (c) three intermittently supervised clinical hours per week, or (d) five more or less instructor structured hours of student work experience hours per week. [Order 72-1, § 132L-112-020, filed 1/19/72.]

WAC 132L-112-030 Other than instructional work load. Duties, in addition to instruction, are referred to in the lead paragraph above and also in the job description for an instructor. The instructional work load may be adjusted to compensate for assignments other than instruction in which the demands on time are significantly beyond contractual expectations and for which there is no extra pay. Extra assignments compensated with extra pay are listed in the salary schedule and are above and beyond a normal work load in instructional and related duties.

The Division Chairman has the first responsibility to distribute the work loads evenly within his division and within the intent of state legislation and District 12 policy or regulations.

The Dean of Instruction is responsible for assisting the Division Chairman in this responsibility and, in addition, assuring equity between divisions insofar as teaching load and student load can be placed on a comparable basis. [Order 72-1, § 132L-112-030, filed 1/19/72.]

WAC 132L-112-040 The hours of duty. The instructor's basic contract is for 180 days. Only through the effective scheduling of daily time can the instructional staff meet the goals of the college. The instructor's daily time should be carefully scheduled to allow for classroom preparation, presentations, laboratory or related instructional activities, scheduled and kept office hours for student consultation or advisement, necessary work with library services, administrative services, student services, meetings, committee work, and all other assignments deemed necessary by the college for its improved effectiveness.

It is fully recognized that the professional instructor freely spends considerably more time on his duties; his posted schedule (see Office Hours and Schedules) shall identify a basic thirty-five class hours weekly of scheduled and available periods. He should so schedule his time that he will be available on campus or other instructional stations, when students, colleagues, or administrators are most likely to need him. If for specific reasons he must deviate from his schedule, he should first get approval from his division chairman, who should also be informed of where the instructor can be reached in case of an emergency and when he expects to return to the campus. [Order 72-1, § 132L-112-040, filed 1/19/72.]

LEAVE POLICIES FOR PROFESSIONAL EMPLOYEES

WAC 132L-112-200 Leave with pay. Full-time faculty members shall be granted fifteen (15) days upon the first day on which their initial assignment begins. After three (3) quarters of employment, full-time faculty members shall accumulate such leave at a rate of five (5) days per quarter for each quarter of full-time employment up to a maximum of one hundred eighty (180) days. Such leave may be taken at any time subject to the following conditions and in compliance with the approval procedures set forth. [Order 76-66, § 132L-112-200, filed 3/22/77. Formerly WAC 132L-112-100.]

WAC 132L-112-205 Part-time faculty leave. Faculty members employed on part-time and/or quarterly contracts shall be granted one (1) day of sick leave per quarter, nonaccumulative. For purposes of this section, a day shall be defined as a class or classes on the day missed because of illness. Part-time faculty members who have accumulated sick leave prior to Fall quarter 1975 shall retain such accumulated leave and will be granted in addition one (1) day per quarter, nonaccumulative, as provided above. [Order 76-66, § 132L-112-205, filed 3/22/77.]

WAC 132L-112-210 Illness, injury, bereavement and emergency. (1) The Employer reserves the right to request reasonable proof in the event of leaves for illness or injury.

(2) Bereavement leave, up to a maximum of five (5) days per bereavement, shall be granted in the event of a death in the faculty member's immediate family. Leave time to pay last respects to very close deceased friends may be granted for a partial day without loss of pay.

(3) Emergency leave, not to exceed two days per year, shall be granted in the event a faculty member must meet legal, personal or business obligations which unexpectedly arise and cannot be fulfilled outside of the normally posted schedule. Such leave shall exclude attendance at state legislative meetings; lobbying, Association or Union activities or business, fund raising, or other activities of a political nature; leaves for the purpose of seeking prospective employment with another employer; and leaves for recreational purposes.

(4) In the event the spouse, child or immediate family of a full-time faculty member is seriously ill or injured and the presence of the employee is required at the place of emergency as a direct result, the faculty member may be granted leave with full pay for not more than three (3) days per contract year.

(5) Leaves for emergencies not covered by (3) and (4) above or exceeding the limits established in (2), (3), and (4) above may be granted upon recommendation by the appropriate dean/director and approval by the District President. [Order 76-66, § 132L-112-210, filed 3/22/77. Formerly 132L-112-110.]

WAC 132L-112-220 Other leaves with pay. (1) Jury Duty - Faculty members may receive time off for required appearances in court or hearings resulting from a call to jury duty or subpoena to appear to testify where the faculty member is not personally involved in the action as the plaintiff, the defendant or the object of the investigation. Any remuneration, excluding expenses, received for such appearances shall be endorsed to the Employer in the event that the leave with pay is granted.

(2) Professional Meetings and Conferences - Faculty members may be granted leave for attendance at official institutes, conferences, and/or professional meetings. The purpose of such leave must be to add to the professional capabilities in the field in which the faculty member is hired and working. Neither students nor the faculty member's regular duties shall suffer unduly or disproportionately to the benefits anticipated from the leave activity. [Order 76-66, § 132L-112-220, filed 3/22/77. Formerly WAC 132L-112-160.]

WAC 132L-112-230 Procedures of obtaining leaves with pay. (1) Illness, Injury and Bereavement - The faculty member shall notify the appropriate dean/director or designee at the earliest possible time prior to departure of the necessity for the leave. Such notification shall include: (a) The nature of the leave; (b) The most appropriate coverage of the faculty member's assigned duties; (c) The estimated leave time; (d) When feasible, where the faculty member may be reached during such leave.

(2) Emergency and Other Leaves (Jury, Professional Meetings);

(a) Except for emergencies of a catastrophic nature, the requests should be submitted for emergency and other leaves well in advance of desired leave (preferably at least seven (7) days). The faculty member shall reduce to writing a request for such leave stating the purpose for which leave is sought and the most appropriate coverage of assigned duties.

(b) If applicable, requests for leaves involving travel reimbursement and/or per diem shall be submitted in accordance with administrative rules for travel approval on each campus as shown in the Faculty Handbook.

(c) The appropriate dean/director shall review all such requests and grant approval or denial prior to taking the requested leave. Reasons for denial shall be provided in writing.

(d) For emergencies of a catastrophic nature, the most expeditious means available for notifying the dean/director should be utilized. Upon return to the campus, the faculty member shall provide the necessary information to the dean/director to justify its inclusion in this category for payroll purposes.

(3) Exceptions:

(a) "Quarter Ends Day" on each campus calendar is one of the 180 contract days for each individual contract. The attendance requirement is modified so that attendance on campus is required on that day only until all duties assigned to the employee have been fully completed.

(b) Deviations from posted schedules may be approved by the division chairman and consists of performing the employee's regular contractual duties but in a location different than that which is posted and for which the division chairman has had ample time to arrange for any needed coverage during the absence. Deviation from schedule does not include an absence from any scheduled classes. [Order 76-66, § 132L-112-230, filed 3/22/77. Formerly WAC 132L-112-120.]

WAC 132L-112-240 Leaves without pay. (1) Attendance at institutions of Higher Learning – Upon approval of the Board of Trustees, leave of absence without pay up to one (1) year may be granted any full-time faculty members upon application to the Board for the purpose of attending an institution of higher learning. The application for leave shall contain a statement of the plan of study and the institution the faculty member plans to attend. Such application must be filed by April 1 for leaves requested to start the next academic year. Such leaves shall not count as service for purposes of salary advancement or the accrual of benefits or seniority.

(2) Other Leaves Without Pay – Leaves for other reasons may be granted to full-time faculty members upon mutual consent for up to one year. Terms and conditions of such leaves shall be reduced to writing. [Order 76-66, § 132L-112-240, filed 3/22/77. Formerly WAC 132L-112-130 and 132L-112-150.]

WAC 132L-112-250 Unauthorized absences. Unauthorized absence, approved leave without pay, or leave

taken without following the procedures described herein shall result in a salary reduction on one of the following bases: (for these purposes "absence" or "leave" shall be defined as absence from the campus during scheduled hours of instruction or related services to students, or absence from regularly scheduled meetings of organizations or groups which the individual is expected to attend.)

(1) 1/180 of the instructor's basic nine-month contract for each full day of absence, or

(2) 1/7 of a day's pay for each hour when leave is taken for a fraction of a day.

(3) Extenuating circumstances will be considered as a basis for modifying above items 1 and 2 by joint action of the District President, Division Chairman, and the appropriate dean/director. [Order 76-66, § 132L-112-250, filed 3/22/77.]

WAC 132L-112-270 Notification of leave entitlement. At the end of each school year, each faculty member shall be notified of the amount of leave charged against each applicable category and the remaining accumulation. [Order 76-66, § 132L-112-270, filed 3/22/77. Formerly 132L-112-180.]

PROCEDURES FOR ADMINISTERING THE PROFESSIONAL NEGOTIATIONS LAW

WAC 132L-112-900 Purpose—Elections and recognition. The Board of Trustees of Community College District No. 12 proposes the adoption of policies for the administration of chapter 196, Laws of 1971, 1st ex. sess. [chapter 28B.52 RCW] which has as its purpose the 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. 12 adopts reasonable rules and regulations for the administration of employer-employee relations under this chapter. [Order 72-27, § 132L-112-900, filed 4/19/72.]

WAC 132L-112-901 Definitions. "Employee organization" means any organization which includes as members the academic employees of Community College District No. 12 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. 12, with the exception of the chief administrative officer of the community college district. [Order 72-27, § 132L-112-901, filed 4/19/72.]

WAC 132L-112-902 Request for election—Caucus of academic employees by independent and neutral person or association. Any organization, which includes as members academic employees of Community College District No. 12, desiring to be recognized as the majority organization representing such employees pursuant to

chapter 196, Laws of Washington, 1971 1st ex. sess. [chapter 28B.52 RCW] shall request in writing to the Board of Trustees of Community College District No. 12 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. 12 will request some independent and neutral person or association (for example, the Industrial Relations Division of the Department of Labor and Industries) to determine whether thirty percent or more of the academic employees of Community College District No. 12 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. [Order 72-27, § 132L-112-902, filed 4/19/72.]

WAC 132L-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. 12 have indicated that they desire to be represented by that organization for such purposes, the Board of Trustees of Community College District No. 12 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. 12 desire the requesting organization or any other organization to represent them for the purposes of chapter 196, Laws of Washington, 1971 1st ex. sess. [chapter 28B.52 RCW]. 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. 12, 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. [Order 72-27, § 132L-112-903, filed 4/19/72.]

WAC 132L-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. 12 pursuant to WAC 132L-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 (for example the Department of Labor and Industries) 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. [Order 72-27, § 132L-112-904, filed 4/19/72.]

WAC 132L-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. [Order 72-27, § 132L-112-905, filed 4/19/72.]

WAC 132L-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. [Order 72-27, § 132L-112-906, filed 4/19/72.]

WAC 132L-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 1st ex. sess. [chapter 28B.52 RCW], a majority organization to represent academic employees of Community College District No. 12.

Vote for one
 Organization X
 Organization Y
 No Organization

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 chief election officer's inspector.

[Order 72-27, § 132L-112-907, filed 4/19/72.]

WAC 132L-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, in order to receive a ballot, the employee shall place his signature beside his name on the list. This shall serve as evidence the person has voted, and shall automatically constitute grounds for challenge to his

right to cast another ballot in an election. [Order 72-27, § 132L-112-908, filed 4/19/72.]

WAC 132L-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. [Order 72-27, § 132L-112-909, filed 4/19/72.]

WAC 132L-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. [Order 72-27, § 132L-112-910, filed 4/19/72.]

WAC 132L-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. [Order 72-27, § 132L-112-911, filed 4/19/72.]

WAC 132L-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. [Order 72-27, § 132L-112-912, filed 4/19/72.]

WAC 132L-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. [Order 72-27, § 132L-112-913, filed 4/19/72.]

WAC 132L-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) box containing all ballots cast. [Order 72-27, § 132L-112-914, filed 4/19/72.]

WAC 132L-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. [Order 72-27, § 132L-112-915, filed 4/19/72.]

WAC 132L-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. [Order 72-27, § 132L-112-916, filed 4/19/72.]

WAC 132L-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. [Order 72-27, § 132L-112-917, filed 4/19/72.]

WAC 132L-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 132L-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. [Order 72-27, § 132L-112-918, filed 4/19/72.]

WAC 132L-112-919 Persons eligible to vote—
Definition of "academic employee". An employee of Community College District No. 12 will be determined eligible to vote in the election as designated in section 2, chapter 196, Laws of Washington, 1971 1st ex. sess. [RCW 28B.52.020] if the employee has a consistent and significant employment record as evidenced by the following criteria:

(1) Is contracted for employment on a full-time basis for the full quarter in which the election is held; or

(2) Is contracted for employment on a part-time basis for the full quarter in which the election is held; and

(a) Is scheduled to teach five or more credits during that quarter; or

(b) Has taught and is scheduled to teach a combined total of ten or more credits during that quarter and the two preceding quarters, excluding the summer quarter; or

(c) Is scheduled to perform non-teaching professional duties for more than one-third time during that quarter.

For the purposes of this part, 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. 12 with the exception of the chief administrative officer of the district. [Order 72-27, § 132L-112-919, filed 4/19/72.]

WAC 132L-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. 12 pursuant to chapter 196, Laws of Washington, 1971 1st ex. sess. [chapter 28B.52 RCW]. 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. [Order 72-27, § 132L-112-920, filed 4/19/72.]

WAC 132L-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. [Order 72-27, § 132L-112-921, filed 4/19/72.]

WAC 132L-112-922 Recognition of the employee organization. Pursuant to the results of the election as certified by the chief election officer or the agency so designated, the Board of Trustees shall formally extend recognition to said employee organization receiving a majority of votes cast in accordance with WAC 132L-112-900 - WAC 132L-112-921 and shall deny recognition to those organizations receiving less than a majority. [Order 72-27, § 132L-112-922, filed 4/19/72.]

WAC 132L-112-923 Effect of Board/Academic Employee Agreement. Where there exists a valid Board/Academic Employee Agreement in effect with the recognized employee organization, no question of academic employee representation or request for an election may be raised except during the period not more than ninety (90) or less than sixty (60) days prior to the expiration date of the agreement. [Order 74-48, § 132L-112-923, filed 8/9/74 and 10/23/74.]

Chapter 132L-116 WAC
RULES AND PROCEDURES FOR
ADMINISTRATIVE LEAVE IN COMMUNITY
COLLEGE DISTRICT NO. 12

WAC

132L-116-010 Leave policies for administrative employees.

132L-116-020 Accrual type leave—Paid.

132L-116-030 Sick leave—Accrual, accumulation, usage and reporting.

132L-116-040 Nonaccrual type leave—Paid.

132L-116-050 Nonaccrual type leave—Unpaid.

WAC 132L-116-010 Leave policies for administrative employees. (1) These policies are effective as of July 1, 1976.

(2) All types of leave shall be requested and documented by use of the appropriate forms.

(3) Records of all types of leave accumulation and usage shall be kept by the District Treasurer. A yearly report of leave accumulation and usage will be placed in the administrator's personnel file. Each dean/director's office shall keep records of leave requests on a monthly basis for submission to the Treasurer's Office.

(4) Any accrual type leave shall continue to accrue during usage of any accrual type leave. [Order 77-2, § 132L-116-010, filed 3/30/77.]

WAC 132L-116-020 Accrual type leave—Paid.

(1) Annual Vacation Leave - Accrual: Administrators on 12 month contract will accrue annual leave at the rate of 22 days per year. The manner of accrual shall be two days per month, with the exception of January and July, which shall accrue one day per month.

(2) Annual Vacation Leave - Accumulation: Administrators are encouraged to take at least 10 days of annual vacation leave each year. Unused annual vacation leave may be accumulated up to a total of 60 days, except that if an employee's request for leave is deferred

by the employing official or his designee, then the maximum of 60 days will be extended to avoid loss of excess annual vacation leave credit. Such deferral shall be reported to the District Treasurer and noted in the employee's personnel file.

(3) Annual Vacation Leave – Cash Payment: Cash payment in lieu of accumulated annual vacation leave may be made under the following conditions:

- (a) Upon resignation; or
- (b) Upon death, retirement, layoff, or dismissal.

(4) Annual Vacation Leave – Usage: All requests for annual vacation leave must be approved by the employing official or his designee in advance of the effective date. Annual vacation leave shall be scheduled at a time convenient to the district, the determination of which shall rest with the employing official. 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. [Order 77-2, § 132L-116-020, filed 3/30/77.]

WAC 132L-116-030 Sick leave—Accrual, accumulation, usage and reporting. (1) Administrators under contract for nine (9) months or more shall earn 15 days of sick leave, commencing with the first day on which work is to be performed. Sick leave entitlement for such administrators will be accumulated after the first nine months at a rate of five days per quarter *Provided*, That sick leave for the fourth and all subsequent quarters of employment shall be credited as earned, pro-rating the credit over the period of the quarter at the rate of at least one leave day for every eighteen calendar days of employment up to a maximum of five leave days per quarter. Sick leave shall accrue during the summer quarter for full-time administrators.

(2) Sick leave – Accumulation: Sick leave may be accumulated up to a total of 180 days.

(3) Sick Leave – Usage: Sick leave shall be allowed an administrator up to the amount of earned credits under the following conditions:

(a) Because of and during illness, disability or injury which has incapacitated the administrator from performing required duties;

(b) By reason of exposure of the administrator to a contagious disease during such period as attendance on duty would jeopardize the health of fellow employees or the public, and the condition is verified by appropriate health officials;

(c) Because of emergencies caused by serious illness or death in the immediate family of the administrator that require the assistance of the administrator in circumstances arising from the care of the patient or arrangements for the deceased up to a total of 3 days per year. This limit may be exceeded upon approval of the District President.

(d) For the purpose of medical, dental or optical appointments, if arranged in advance with the employing official or his designee.

(4) Sick Leave – Reporting: The administrator shall notify the immediate supervisor at the earliest appropriate time after determining the necessity of sick leave usage. If unable to contact the appropriate supervisor at

that time, arrangements shall be made for the next best appropriate means of communicating to the supervisor the reason sick leave is necessary and any information relating to coverage of assigned duties, the estimated leave time, where and when contact may be made during such leave, and any other information necessary. Attempts shall be made to minimize the disruption or inconvenience to the institution that might result from the administrator's absence. [Order 77-2, § 132L-116-030, filed 3/30/77.]

WAC 132L-116-040 Nonaccrual type leave—Paid. (1) Bereavement Leave – Upon approval of the District President, leave with full pay, not to exceed five days per bereavement, may be granted a full-time administrator in the event of the death of a member of his immediate family. Leave time to pay last respects to very close deceased friends will be granted for part-day absence without loss of pay.

(2) Civil Duty Leave – Leave of absence with pay shall be granted administrators to serve on jury duty, as trial witnesses, or to exercise other subpoenaed civil duties. Administrators shall reimburse the institution for all compensation received for such civil duty, exclusive of expenses incurred.

(3) Professional Meetings/Conferences – Upon approval of the District President, administrators may be granted leave for attendance at official institutes, conferences, and/or professional meetings. The purpose of such leave must be to add to the professional capabilities in the administrator's field. The administrator's regular duties shall not suffer unduly or disproportionately to the benefits anticipated from the leave activity. [Order 77-2, § 132L-116-040, filed 3/30/77.]

WAC 132L-116-050 Nonaccrual type leave—Unpaid. (1) Educational Leave – Upon approval by the Board of Trustees, leave of absence without pay may be granted any full-time administrator for the purpose of attending an institution of higher learning. The application for such leave shall contain a statement of the plan of study and name of the institution the administrator plans to attend. Such applications should be filed by April 1 for leave scheduled to start the next academic year. Upon being granted such leave, the administrator shall be eligible to maintain State Employees Insurance Board approved insurance programs at the administrator's own expense throughout the leave period.

(2) Personal Leave – A leave without pay for compelling personal reasons may be granted to a full-time administrator for up to one year upon approval of the District President and the Board of Trustees.

(3) Other Leave Without Pay – Leave of absence without pay may be allowed for any of the following reasons:

(a) Conditions applicable for leave with pay;

(b) Maternity Leave;

(c) Educational Leave; and

(d) Leave for government service in the public interest EXCEPT THAT administrators shall receive normal pay for military leave of absence taken pursuant to RCW 38.40.060.

Leave of absence without pay extends from the time an employee's leave commences until he returns to continuous service.

Annual vacation leave and sick leave credits will not accrue during any month in which a leave of absence without pay exceeds ten working days. [Order 77-2, § 132L-116-050, filed 3/30/77.]

Chapter 132L-120 WAC

CENTRALIA COLLEGE—STUDENT CONDUCT CODE—POLICY.

WAC

132L-120-010 Student attendance policy.
132L-120-020 Implementation.

WAC 132L-120-010 Student attendance policy. Students are expected to attend all classes for which they enroll during the particular quarter. Nonattendance by a student may cause him to forfeit his right to continue in any class. He may be subject to withdrawal from the class roll and be assigned a grade of "W" by his instructor should he, without prior arrangement or without early report to the college, be absent the first four calendar days after his class begins, be absent during the quarter for four consecutive class days in a course of 3 credits or more, or for two consecutive days in a course of 2 credits or less, or be absent in a consistent manner during the quarter.

Integral components of this policy which faculty members should give consideration are:

(1) Unavoidable absence due to emergencies, such as illness or bereavement. These should be reported, by the student, to the Registrar by letter or telephone so that arrangements with the student's instructors for the necessary extension of absence can be made.

(2) Hardships beyond the student's control which cause him to miss class. The instructor may approve alternative methods for the student to satisfy the attendance requirements of the course.

(3) Courses oriented more toward student proficiency and achieved competency than they are toward exposing subject matter to the students. Prior to or during the first week of the quarter the instructor shall set forth the conditions under which competency or proficiency may be considered in lieu of student class attendance.

(4) The student who has received eight hours or one-half of his class load or more of "W" in his preceding quarter. The administration will request his instructors to keep an account of his attendance pursuant to *Academic Standards* more fully described under that heading in the Handbook.

(5) Students whose tuition fees are paid by a state or federal agency. These students may have their attendance records reported at the request of their benefactor. [Order 72-1, § 132L-120-010, filed 1/19/72.]

WAC 132L-120-020 Implementation. The success in implementing both this policy and its exceptions rests heavily on communications between the instructor and his students. As the student has fewer instructors than the instructor has students, the burden of initiating the

communication relating to exceptions in reality becomes that of the student. [Order 72-1, § 132L-120-020, filed 1/19/72.]

Chapter 132L-128 WAC

FACULTY TENURE AND PROBATIONARY EMPLOYMENT IN COMMUNITY COLLEGE DISTRICT NO. 12

WAC

132L-128-010 Purpose.
132L-128-025 Definitions.
132L-128-030 Duties and responsibilities of probationary review committees.
132L-128-040 Policy relating to the dismissal of tenured and probationary faculty members.
132L-128-050 Duties and responsibilities of the dismissal review committee.
132L-128-060 Procedure relating to the dismissal of a tenured or probationary faculty member.
132L-128-070 Designation of administrative appointments.
132L-128-080 Confidentiality of reports.
132L-128-090 Policy relating to the terms of employment and tenured faculty members.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132L-128-020 Definitions. [Order 74-47, § 132L-128-020, filed 8/9/74 and 10/3/74.] Repealed by Order 76-65, filed 3/30/77.

WAC 132L-128-010 Purpose. Consistent with RCW 28B.50.850 - 28B.50.869, the Board of Trustees of Community College District No. 12 hereby establishes the following rules and procedures on faculty tenure and probationary employment, the purpose of which is threefold:

(1) To protect faculty appointment rights and faculty involvement in the establishment and protection of those rights at Centralia Community College/Olympia Technical Community College (OTCC) and all subsequent community college campuses hereafter established within Community College District No. 12; and

(2) To define a reasonable and orderly process for appointment of faculty members to tenure status and the dismissal of the tenured faculty member; and

(3) To assure that tenure is granted to faculty members of such character and instructional ability that the district, so far as its resources permit, can justifiably undertake to employ them for the rest of their academic careers. [Order 76-65, § 132L-128-010, filed 3/30/77; Order 74-47, § 132L-128-010, filed 8/9/74 and 10/3/74.]

WAC 132L-128-025 Definitions. As used in this chapter, the following terms and definitions shall mean:

(1) "Appointing authority" shall mean the Board of Trustees of Community College District No. 12.

(2) "Tenure" shall mean a faculty appointment for an indefinite period of time which may be revoked only for sufficient cause and by due process.

(3) "Faculty appointment" shall mean full-time 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. Faculty appointment shall also mean department heads, division heads and administrators to the extent that such department heads, division heads and administrators have had or do have status as a teacher, counselor, or librarian. The term faculty appointment shall not apply to soft money positions governed by chapter 112, Laws of 1975 first ex. sess. (RCW 28B.50.851) or WAC 131.16.400 [131-16-400] as now enacted or hereinafter amended.

(4) "Probationary faculty appointment" shall mean a full-time faculty appointment for a designated period of time which may be terminated without cause upon expiration of the probationer's terms of employment.

(5) "Probationer" shall mean any individual holding a probationary faculty appointment.

(6) "Administrative appointment" shall mean employment in a specific administrative position as determined by the appointing authority.

(7) "Regular college year" shall mean a faculty appointment inclusive of consecutive fall, winter, and spring quarters.

(8) "President" shall mean the president of Community College District No. 12, or in the president's absence, the acting president.

(9) "College" shall mean Centralia Community College or OTCC located within Community College District No. 12.

(10) "Review committee" shall mean a committee composed of three faculty members who hold faculty appointments, one student representative, who shall be a full-time student chosen by the student association of the particular college, and one member with administrative responsibilities.

(a) A separate probationary review committee shall be established for each full-time probationer which shall serve as a standing committee until such time as the probationer is either granted tenure or his employment in a probationary faculty appointment is terminated. Each probationary review committee shall be composed of five persons, three of whom shall be tenured faculty members selected by a majority of the tenured and probationary faculty members and faculty department heads acting in a body within 30 days of the probationer's first full-time appointment. The president shall appoint one administrative officer of the college as the fourth member of the committee who shall serve as chairman. The fifth member shall be a full-time student chosen by the student association of the particular college. If a vacancy occurs on the committee, the same process for selecting a replacement should be followed as applied in the selection of the original member. Furthermore, the composition of the committees for probationary faculty members appointed prior to the effective date of this policy will be made within 30 days following its adoption.

(b) A separate dismissal review committee shall be established for each tenured faculty member for whom dismissal procedures are being initiated or for each probationary faculty member whose appointment may be

terminated prior to the terms of the written contract. Each dismissal review committee shall be composed of five persons, three of whom shall be tenured faculty members selected by a majority of the tenured and probationary faculty members and faculty department heads acting in a body, one administrative officer appointed by the president, and one full-time student chosen by the student association of the particular college. Appointments shall be made within ten calendar days of receipt of letter pursuant to article (2), WAC 132L-128-060.

The division chairman or the immediate administrative superior or the faculty member under dismissal review should not be a member of his dismissal review committee. The committee should elect its own chairman from its membership. If a vacancy on the committee occurs, the same process for selecting a replacement should be followed as applied in the selection of the original members.

(11) "Full-time" shall mean an appointment which requires the appointee's presence at the college for the entire normal working day during the entire regular college year. [Order 76-65, § 132L-128-025, filed 3/30/77.]

WAC 132L-128-030 Duties and responsibilities of probationary review committees. (1) The general duty and responsibility of the probationary review committee shall be to assess and advise the probationer of his professional strengths and weaknesses and to make reasonable efforts to encourage and aid him to overcome his deficiencies.

(2) The probationary review committee shall meet at the call of the chairman, when in his discretion the need for such a meeting arises, provided that the committee shall meet with the probationer at least twice during each of the first two quarters of employment and once during all other quarters and, additionally within 10 days of the receipt of a written request setting forth good cause to meet as directed to the chairman by the probationer.

(3) The first order of business for each probationary review committee shall be to establish the procedure it will follow in evaluating the performance and professional competence of the full-time probationer assigned thereto. The committee's evaluation of the probationer shall be directed toward and result in the determination of whether or not the probationer possesses the necessary personal characteristics and professional competence to perform effectively in his appointment. A probationary review committee's evaluation procedures should include the following:

(a) Classroom observations by members of the probationary review committee;

(b) Student evaluation administered by the director of counseling;

(c) Assessment of the probationer's participation in professional activities both on and off campus;

(d) Self-evaluation; and

(e) The probationer shall have the right to determine one of the above or an additional method or procedure of evaluation.

(4) Each probationary review committee shall be required to conduct an on-going evaluation of the full-time probationer assigned thereto and render the following written reports to the probationer, the president, and the appointing authority on or before the designated times during each regular college year such appointee is on probationary status; or, as is also required, within fifteen days of the president's written request therefore:

(a) A written progress report after fall quarter outlining the probationer's strengths and weaknesses. This report should also include a list of steps that can be taken by the probationer to improve his deficiencies.

(b) A written evaluation of each full-time probationer's performance including the degree to which the probationer has overcome stated deficiencies on or before February 15. The review committee shall obtain the probationer's written acknowledgement of receipt of the written evaluation. The probationer shall have the right to answer the evaluation report in writing and attach his answer to the report.

(c) A written recommendation that the appointing authority award or not award tenure, such written recommendations to be submitted at times during the regular college year deemed appropriate by each probationary review committee, provided, that during such probationer's third regular college year of appointment, the probationary review committee shall, prior to February 15 of such regular college year, make a written recommendation as to the award or nonaward of tenure.

Failure of any review committee to make such written recommendation by February 15 of a probationer's third consecutive regular college year shall be deemed a recommendation neither for nor against the awarding of tenure and the appointing authority may award or deny tenure based upon this type of recommendation by the committee.

(5) The final decision to award or withhold tenure shall rest with the appointing authority after it has given reasonable consideration to the recommendations of the probationary review committee.

(6) All written evaluations and recommendations prepared and submitted by a probationary review committee pursuant to these rules shall include the committee's findings and supportive data and analysis.

(7) On or before the last day of the winter quarter of a probationer's third consecutive regular college year of appointment, the appointing authority shall notify him of the decision to either grant him tenure or not renew his appointment for the ensuing year.

(8) This appointment to tenure is effective until the faculty member is either dismissed for "sufficient cause," (as defined in WAC 132L-128-040,) or until the age of 65 years whereupon contract renewal is at the annual option of the appointing authority. [Order 76-65, § 132L-128-030, filed 3/30/77; Order 74-47, § 132L-128-030, filed 8/9/74 and 10/3/74.]

WAC 132L-128-040 Policy relating to the dismissal of tenured and probationary faculty members. When reason arises to question the fitness of a tenured or probationary faculty member, it shall be the policy to attempt

to resolve the matter without instituting the formal dismissal procedures. Furthermore, it shall be the policy that a tenured faculty member shall not be dismissed except for "sufficient cause," nor shall a faculty member who holds a probationary faculty appointment be dismissed prior to the written terms of the appointment except for "sufficient cause". "Sufficient cause" shall include but is not limited to:

- (1) Aiding and abetting or participating in:
 - (a) Any unlawful act of violence.
 - (b) Any unlawful act resulting in destruction of community college property.
 - (c) Any unlawful interference with the orderly conduct of the educational process.
- (2) Incompetency.
- (3) Neglect of duty.
- (4) Insubordination.
- (5) Conduct unbecoming a member of the faculty and which is detrimental to the educational objectives of the college, provided that no such charge shall be sustained that constitutes interference with academic freedom of the person charged.
- (6) Physical or mental inability to perform duties and responsibilities as specified in the contract.

(7) Criteria relative to the prudent financial operation of the institution:

(a) The college is financially unable to justify the faculty position for which the member is employed and the position is being dropped.

(b) Student enrollment in the course or courses taught by the instructor is at a level where continuance of the course or courses is no longer justified.

(c) In the event of either (a) or (b) the president shall determine whether the individual tenured faculty member is qualified for another faculty position within Community College District No.12; if such tenured faculty member is not qualified for another position, the president, if the tenured faculty member so desires, shall use his best efforts in attempting to procure similar employment for such tenured faculty member in another community college district within the State of Washington. [Order 76-65, § 132L-128-040, filed 3/30/77; Order 74-47, § 132L-128-040, filed 8/9/74 and 10/3/74.]

WAC 132L-128-050 Duties and responsibilities of the dismissal review committee. (1) The general duty of the dismissal review committee shall be to determine if a "sufficient cause" criteria as stated by the president in article (1), WAC 132L-128-060 shall be sustained by the committee.

(2) At the time the academic employee requests a hearing before the dismissal review committee, the dismissal review committee shall immediately notify the Board of Trustees of the Washington State Community College District No.12 of such pending hearing. Upon receipt of said notice, the Board of Trustees shall appoint a hearing officer to assist the dismissal review committee in the conduct of the hearing. Such hearing officer shall not be a voting member of the dismissal review committee and shall have the following responsibilities:

- (a) Preside over the hearing;

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

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

(d) Appoint and effect payment of 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 the hearings, and record any other matters related to the hearing as directed by the hearing officer.

(e) Prepare and forward to the Board of Trustees within a reasonable time of the conclusion of the hearing a complete record which shall include: (a) all pleadings, motions and rulings; (b) all evidence received or considered; (c) all questions and offers of proof, objections and rulings thereon; (d) proposed findings and exceptions; (e) a copy of the recommendations of the dismissal review committee.

(f) The hearing officer appointed shall not be a full-time administrative employee of any community college district within the State of Washington. The hearing officer shall also not be on the Board of Trustees of any community college district within the State of Washington.

(g) In the case of a hearing concerning the alteration in employment status of more than one academic employee, the hearing officer may consolidate all matters into a single hearing.

(h) Within ten calendar days of the conclusion of the hearings, the dismissal review committee shall present the academic employee, the district president, and the Board of Trustees of Community College District No. 12 with its recommendation concerning the particular academic employee involved in said hearing. The dismissal review committee's recommendations shall be advisory only and not binding in fact or law upon the Board of Trustees.

(3) Failure of any dismissal committee to make written recommendations regarding dismissal within the prescribed time set forth in WAC 132L-128-060 shall be deemed a recommendation neither for nor against dismissal and the appointing authority may proceed with the dismissal or continue the appointment of the faculty member based upon this type of recommendation from the committee. [Order 76-65, § 132L-128-050, filed 3/30/77; Order 74-47, § 132L-128-050, filed 8/9/74 and 10/3/74.]

WAC 132L-128-060 Procedure relating to the dismissal of a tenured or probationary faculty member. When reason arises to question the fitness of a tenured faculty member or of a probationary faculty member whose appointment may be terminated prior to the terms of the written contract, then the appropriate administrative officer shall discuss the matter with him in personal conference. The matter may be terminated by mutual consent at this point, but if an adjustment does not result, the case shall be referred to the president. If the

president deems that the case warrants dismissal, the dismissal process shall be governed by the following procedure:

(1) It shall be the responsibility of the president, or his designee, to formulate a statement with reasonable particularity of the grounds proposed for the dismissal.

(2) Formal proceedings shall commence by a letter addressed to the faculty member from the president. The letter shall include (a) a copy of the statement of particulars proposed for dismissal, and (b) the fact that the case will be referred to the review committee as required by law.

(3) The president shall refer the case to the dismissal review committee, in writing, with a request that the committee review the matter and make recommendations to the Board of Trustees as required by law. A copy of this communication, with any accompanying documents, shall be sent to the members of the Board of Trustees and to the faculty member under review for their information.

(4) Except under emergency conditions, as determined by the president, the dismissal proceedings described above shall be instituted prior to February 15.

(5) Within five calendar days after the establishment of the dismissal review committee, the committee shall set a date for a review hearing, and inform in writing, the faculty member under review and the president of the date, time and place of the hearing.

(6) The date set for the dismissal review committee hearing shall provide sufficient time, but not to exceed twenty calendar days, for the faculty member whose case is being reviewed to prepare his defense against the charges filed against him.

(7) The dismissal review committee hearing shall:

(a) Include testimony from all interested parties including, but not limited to, other faculty members and students.

(b) The faculty member whose case is being reviewed shall be afforded the right of cross-examination and the opportunity to defend himself.

(8) The review committee shall complete the hearing and prepare recommendations within ten calendar days on the action they propose be taken and submit such recommendations to the appointing authority: Except, the appointing authority may grant an extension of time should evidence be presented to it from which the Board of Trustees determines that an extension of time is justified. These recommendations, in writing, shall be accompanied by a copy of the written record of proceedings described above.

(9) The appointing authority shall be the final authority in cases of faculty dismissal. Before taking final action, the appointing authority shall give reasonable consideration to the recommendations of the review committee. In addition, the Board of Trustees may give consideration to other evidence and recommendations which they deem appropriate or necessary.

(10) As soon as possible thereafter, the appointing authority shall inform the faculty member by letter of their decision regarding the case. In the letter the appointing authority shall state the basis for their decision.

(11) A dismissed tenured faculty member or a probationary faculty member whose appointment is terminated prior to the terms of the written contract shall have a right to appeal the final decision of the appointing authority in accordance with RCW 28B.19.150 as now or hereafter amended.

(12) Suspension of the faculty member whose case is being reviewed during proceedings involving him may be imposed by the president if immediate harm to the faculty member or to others is threatened by his continuance. Salary payments during the period of suspension may be withheld. If the appointing authority retains the faculty member in his previous employment status, withheld salary payments shall be paid to the faculty member. [Order 76-65, § 132L-128-060, filed 3/30/77; Order 74-47, § 132L-128-060, filed 8/9/74 and 10/3/74.]

WAC 132L-128-070 Designation of administrative appointments. A tenured faculty member, upon appointment to an administrative appointment, except that of president, shall be allowed to retain his tenure as a faculty member. However, persons assigned administrative responsibility and authority will occupy positions for which the privileges of tenure cannot be extended. The recognized administrative positions which are specifically exempt from provisions of tenure as described herein include the following full-time and part-time positions: The president, assistant to the president, dean of instruction, dean of students, dean of administration, director of continuing and occupational education, head librarian, director of student activities, director of financial aids, division chairmen, registrar, and other directors, coaches, or supervisors for which extra pay and/or released time is given for activities other than the regular duties for which the employee's certification and basic contract indicate, and other administrators specified in Board Resolution No. 73-58 dated October 11, 1973. [Order 76-65, § 132L-128-070, filed 3/30/77; Order 74-47, § 132L-128-070, filed 8/9/74 and 10/3/74.]

WAC 132L-128-080 Confidentiality of reports. All reports prepared and/or provided pursuant to this chapter by a review committee shall be held in confidence by the committee, the president, and appointing authority except where otherwise required by law. [Order 76-65, § 132L-128-080, filed 3/30/77; Order 74-47, § 132L-128-080, filed 8/9/74 and 10/3/74.]

WAC 132L-128-090 Policy relating to the terms of employment and tenured faculty members. The appointing authority shall provide each tenured and probationary faculty member, immediately upon employment, with a written agreement which delineates the terms of employment including all conditions and responsibilities attached thereto. [Order 76-65, § 132L-128-090, filed 3/30/77; Order 74-47, § 132L-128-090, filed 8/9/74 and 10/3/74.]

Chapter 132L-136 WAC USE OF DISTRICT FACILITIES

WAC

SMOKING POLICY

132L-136-010 Definitions.

GENERAL POLICY

132L-136-020 General policy.
132L-136-030 Administrative control.
132L-136-040 Trespass regulations.
132L-136-050 Scheduling.
132L-136-060 Users.
132L-136-070 Limitations of use.
132L-136-080 Fees.

SMOKING POLICY

WAC 132L-136-010 Definition. Because of the fire hazard and as a courtesy to nonsmokers, smoking is prohibited in classrooms and laboratories during scheduled classes and in other areas where posted. [Order 72-1, § 132L-136-010, filed 1/19/72.]

GENERAL POLICY

WAC 132L-136-020 General policy. Community College District #12 is an educational institution provided and maintained by the people of the State. Its campuses, buildings, properties and facilities shall be reserved at all times for those activities which are related to its broad educational objectives and goals. However, the facilities, when not required for scheduled District use, are available for rental by the public in accordance with specified fee schedules and other regulations and procedures for such use. [Order 74-18, § 132L-136-020, filed 3/19/74.]

WAC 132L-136-030 Administrative control. The Board of Trustees delegates to the president authority to establish procedures for proper review and approval of the use of the District's facilities; to establish, within the framework of these policies, regulations governing such use; and to establish and revise fee schedules consistent with WAC 132L-136-080. [Order 74-18, § 132L-136-030, filed 3/19/74.]

WAC 132L-136-040 Trespass regulations. (1) Individuals who are not students or members of the faculty or staff, whose actions are in violation of trespass regulations, WAC 132L-20-040 - Authority to Prohibit Trespass, will be advised by the president, or his designee, of the specific nature of the violation, and if the individuals persist in the violation, they will be requested to leave the District property. Failure to comply with such a request will subject such individuals to arrest under provisions of chapter 9.83 RCW.

(2) Members of the District community (students, faculty, or staff) who do not comply with these regulations will be reported to the appropriate District office for action in accord with established District policies. [Order 74-18, § 132L-136-040, filed 3/19/74.]

Reviser's note: Chapter 9.83 RCW was repealed by section 9A.92-.010, chapter 260, Laws of 1975 1st ex. sess., effective July 1, 1976. For later enactment, see chapter 9A.52 RCW.

WAC 132L-136-050 Scheduling. The administrative regulations and procedures, schedule of fees, and application forms for use may be obtained at the office of the Dean of Administration on the Centralia College campus and at the office of the Assistant Director for Administration on the Olympia Vocational Technical Institute campus. The scheduling of facilities by groups or organizations will be through these offices for the specific campus. [Order 74-18, § 132L-136-050, filed 3/19/74.]

WAC 132L-136-060 Users. In order to assure appropriate scheduling of Community College District #12 facilities, the following priorities will serve as guidelines:

1. Community College District #12 scheduled programs and activities.
2. Community College District #12 related activities, recognized college organizations, and those public or private agencies, whose purpose relate to the advancement of District #12 programs, and/or sponsored activities.
3. Nonprofit organizations that are nonsectarian, non-political, and noncommercial:
 - a. Public education groups that would be engaging in activities serving public education goals and objectives, and
 - b. Other than public education groups or organizations,
 - (1) That would be engaging in activities that serve governmentally supported objectives, or
 - (2) That would be engaging in activities related to community improvement objectives, or
 - (3) That would be engaging in activities related to the organization's goals and objectives.
4. Private organizations and those organizations of a religious or sectarian, political or commercial nature requesting facilities on an emergency basis.
5. Other organizations or groups. [Order 74-18, § 132L-136-060, filed 3/19/74.]

WAC 132L-136-070 Limitations of use. 1. District facilities may not be used in ways which interfere with or are detrimental to the District's own instructional and educational programs.

2. District facilities may not be used for commercial sales, advertising, or promotional activities except when such activities serve educational purposes of the District and are conducted under the sponsorship of a District department of office.

3. Each group or organization which uses District facilities must abide by the regulations and procedure of use as determined by the Board of Trustees and/or the District president and shall be subject to revocation of their privilege to use the facilities for failing to do so.

4. The administration reserves the right to deny or cancel the use of facilities when such use or meeting may in any way be prejudicial to the best interests of the District. [Order 74-18, § 132L-136-070, filed 3/19/74.]

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WAC 132L-136-080 Fees. Fees, when applicable, will be determined by the following categories and assessed accordingly:

1. Direct Charges: will include charges for utilities (heat, light, etc.) and custodial services.
2. Special Charges: will include charges for use of audio-visual or television equipment and operator; for law enforcement services, and/or any other similar kind of expenses incurred.
3. Rental Charges: will include charges (depreciation, overhead costs, amortization, etc.) for use of facilities.
4. Damage Charges: will include charges to defray any expense for the repair or replacement of damaged property or equipment incurred as a result of a rental agreement. [Order 74-18, § 132L-136-080, filed 3/19/74.]

Chapter 132L-140 WAC ENVIRONMENTAL PROTECTION

WAC

- 132L-140-010 Environmental protection policy.
132L-140-020 Responsible officer.
132L-140-030 SEPA Information Center.

WAC 132L-140-010 Environmental protection policy. It shall be the policy of Community College District 12 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, WAC Guidelines for SEPA Implementation; and WAC 131-24-030, SEPA Implementation Rules of the State Board for Community College Education. [Order 77-3, § 132L-140-010, filed 3/30/77.]

WAC 132L-140-020 Responsible officer. In compliance with WAC 197-10-820, the Assistant to the President is designated to be the "responsible official" for carrying out this policy. [Order 77-3, § 132L-140-020, filed 3/30/77.]

WAC 132L-140-030 SEPA Information Center. (1) In compliance with WAC 197-10-830, a SEPA Public Information Center will be maintained which will be the repository for all required documents. This office shall, upon written request, make these documents available to the public. A reasonable charge shall be made for copying and for the cost of mailing such documents.

(2) In the event a regional SEPA Public Information Office is established in Lewis County, the District 12 SEPA Public Information Office may be discontinued and all documents and registers forwarded to that regional office in accordance with WAC 197-10-835. [Order 77-3, § 132L-140-030, filed 3/30/77.]

Chapter 132L-276 WAC PUBLIC RECORDS

WAC

- 132L-276-010 Purpose.

132L-276-020	Definitions.
132L-276-030	Description of central and field organization of Community College District No. 12.
132L-276-040	Operations and procedures.
132L-276-050	Public records available.
132L-276-060	Public records officer.
132L-276-070	Office hours.
132L-276-080	Requests for public records.
132L-276-090	Copying.
132L-276-100	Exemptions.
132L-276-110	Review of denials of public records requests.
132L-276-120	Protection of public records.
132L-276-130	Records index.
132L-276-140	Adoption of form.
132L-276-900	Appendix "A"—Request for public record to Community College District No. 12.

WAC 132L-276-010 Purpose. The purpose of this chapter shall be to ensure compliance by the Community College District No. 12 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 73-20, § 132L-276-010, filed 5/18/73.]

WAC 132L-276-020 Definitions. (1) Public records. "Public record" includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

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

(3) Community College District No. 12. The Community College District No. 12 is an agency organized by statute pursuant to RCW 28B.50.040. The Community College District No. 12 shall hereinafter be referred to as the "district" and including the two institutions known as Centralia College and Olympia Vocational Technical Institute. Where appropriate, the term district also refers to the staff, the board of trustees, and the employees of the district on both campuses. [Order 73-20, § 132L-276-020, filed 5/18/73.]

WAC 132L-276-030 Description of central and field organization of Community College District No. 12. District No. 12 is a community college district organized under RCW 28B.50.040. The District Administrative Office and its staff are located at Centralia College, Locust and Oak, Centralia, Washington, 98531. The Centralia College Administrative Offices are located at the same address and the Olympia Vocational Technical Institute Administrative Offices are located at 2011 Mottman Road, S.W., Olympia, Washington, 98502. [Order 73-20, § 132L-276-030, filed 5/18/73.]

WAC 132L-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 second Thursday of each month on either the Centralia College or Olympia Vocational Technical Institute campus in accordance with public notice and hold such special meetings as are announced by public notice. At such time the trustees exercise the powers and duties granted it under RCW 28B.50.140. [Order 73-20, § 132L-276-040, filed 5/18/73.]

WAC 132L-276-050 Public records available. All public records of the district, as defined in WAC 132L-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 132L-276-100. [Order 73-20, § 132L-276-050, filed 5/18/73.]

WAC 132L-276-060 Public records officer. The district's public records shall be in the charge of the Public Records Officer designated by the district president. The person so designated shall in turn designate persons in the administrative office on each campus to implement this section. The Public Records Officer and his designees 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 73-20, § 132L-276-060, filed 5/18/73.]

WAC 132L-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 73-20, § 132L-276-070, filed 5/18/73.]

WAC 132L-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 on the appropriate campus. The form shall be presented to the public records officer and/or his designees, at the administrative office on the appropriate campus 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 and/or his designees, to assist the member of the public in appropriately identifying the public record requested.

(3) The Public Records Officer and/or his designee to whom the request is presented shall, by the close of that business day, if the request is presented before noon, or noon the following business day if the request is presented in the afternoon,

(a) make the requested document available, or

(b) state that such a document does not exist, or

(c) ask for clarification of the document requested, or

(d) deny access because the document is exempt from public inspection under WAC 132L-276-050. [Order 73-20, § 132L-276-080, filed 5/18/73.]

WAC 132L-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 73-20, § 132L-276-090, filed 5/18/73.]

WAC 132L-276-100 Exemptions. (1) The district reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132L-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 and/or his designee will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld. [Order 73-20, § 132L-276-100, filed 5/18/73.]

WAC 132L-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 and/or his designees 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 and/or his designee denying the request shall refer it to the district president. The district 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 73-20, § 132L-276-110, filed 5/18/73.]

WAC 132L-276-120 Protection of public records. Requests for public records shall be to the Public Records Officer and/or his designees in the appropriate locations on both or either campuses in the district. Public records and a facility for their inspection will be provided by the Public Records Officer and/or his designees. Such records shall not be removed from the place designated for their inspection. Copies shall be made at Centralia 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 132L-276-090. [Order 73-20, § 132L-276-120, filed 5/18/73.]

WAC 132L-276-130 Records index. (1) Index. The Public Records Officer and/or his designees have available to all persons a current index which provides identifying information as to those records adopted or promulgated and indexed since June 30, 1972, in the following areas:

(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;

(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;

- (g) financial records and budgets; and
(h) board of trustees' minutes and reports.

(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.

WAC 132L-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 hereto as Appendix A, entitled "Request for Public Record".

WAC 132L-276-900 Appendix "A" - Request for public record to Community College District No. 12.

Appendix "A"
Request for public record to
Community College District No. 12

(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. 12 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. 12's Current Index

Request: Approved Date By Public Records Officer and/or his designee

Denied Date

Reasons for Denial:

Referred to Date By Public Records Officer and/or his designee

[Order 73-20, Appendix A (codified as WAC 132L-276-900), filed 5/18/73.]

Chapter 132L-520 WAC
STUDENT RIGHTS AND RESPONSIBILITIES

WAC

- 132L-520-010 Preamble.
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132L-520-070 Freedom of expression.
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132L-520-150 Noncollege speaker policy.
132L-520-160 Violations.
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WAC 132L-520-010 Preamble. Olympia Technical Community College is dedicated not only to learning and the advancement of knowledge but also to the development of ethically sensitive and responsible persons. It seeks to achieve these goals through a sound education program and policies concerning conduct that encourages independence and maturity while strengthening the spirit of mutual cooperation and responsibility shared by all members of the college community.

The student is, first of all, a member of the community at large, and as such, is entitled to the rights and responsibilities of any citizen of comparable age and maturity. In addition, students, as members of the college community are in the unique position of being citizens of two communities, subject to the regulations imposed by both and accountable to both.

Olympia Technical Community College expects that students will respect the laws of the greater society. As an agency of the state of Washington, the college must respect and adhere to the regulations established by local, state, and federal authorities. As an educational institution, it has the added responsibility for assisting students in gaining an understanding of the law and its function, and the responsibilities imposed upon each individual in a democratic society to respect and support the legal structure which protects the individual and the society.

Admission to the college carries with it the expectation that students will conduct themselves as responsible members of the college community, that they will comply with the rules and regulations of the college, maintain high standards of integrity and honesty, respect the rights, privileges and property of other members of the college community and will not interfere with legitimate college affairs.

An atmosphere of learning and self-development is created by appropriate conditions in the college community. The rights and responsibilities in this document are

critical ingredients in the free, creative, and spirited educational environment to which the students, faculty and staff of Olympia Technical Community College are committed. [Order 77-29, § 132L-520-010, filed 9/1/77.]

WAC 132L-520-020 Definitions. As used in this Code of Student Rights and Responsibilities the following words and phrases shall mean:

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

(2) "ASOTCC Student Senate" means the representative governing body for students at OTCC recognized by the District Board of Trustees.

(3) "Board" means the board of trustees of Community College District 12, state of Washington.

(4) "College" means Olympia Technical Community College (OTCC), located within Community College District 12, state of Washington.

(5) "College facilities" means and includes any or all real and personal property owned or operated by the college and shall include all buildings and appurtenances affixed thereon or attached thereto.

(6) "College personnel" refers to any person employed by Community College District 12, on a full time or part time basis, except those who are faculty members.

(7) "Disciplinary action" means and includes suspension or any lesser sanction of any student by the director of student services, the student hearing committee, executive director, district president, or the board of trustees for the violation of any of the provisions of the Code of Student Rights and Responsibilities for which such sanctions may be imposed.

(8) "District" means Community College District 12, state of Washington.

(9) "District President" means the duly appointed chief executive officer of Community College District 12, state of Washington, or in his/her absence, the acting chief executive officer.

(10) "Executive director" means the duly appointed chief executive officer of Olympia Technical Community College, Community College District 12, state of Washington, or in his/her absence, the acting chief executive officer.

(11) "Faculty members" means any employee of Olympia Technical Community College who is employed on a full time or part time basis 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) "Recognized student organization" means and includes any group or organization composed of students which is formally recognized by the student government of the college.

(13) A "sponsored event or activity" means any activity that is scheduled by the college and is supervised and controlled by the college's faculty members or college personnel. Such "sponsorship" shall continue only as

long as the event is supervised and controlled by the college faculty member or college personnel. When the sponsored event or activity is of prolonged nature, and free time periods are permitted to the students participating in the event, any activity taking place during such a free time period outside of the supervision and control of the college's faculty member or college personnel responsible for the event or activity shall be deemed to be a nonsponsored activity.

(14) "Student", unless otherwise qualified, means and includes any person who is enrolled for classes or formally in the process of applying for admission to the college. [Order 77-29, § 132L-520-020, filed 9/1/77.]

WAC 132L-520-030 Jurisdiction. (1) All rules herein adopted shall apply to every student whenever said student is present upon or in any college facility and whenever said student is present at or engaged in any college sponsored activity or function which is held on or in noncollege facilities not open to attendance by the general public.

(2) Faculty members, other college employees, and members of the public who breach or aid or abet another in the breach of any provision of this chapter shall be subject to possible prosecution under the state criminal trespass law and/or any other possible civil or criminal remedies available to the public and/or appropriate disciplinary action pursuant to the state of Washington higher education personnel board rules or the district's tenure rules and regulations. [Order 77-29, § 132L-520-030, filed 9/1/77.]

WAC 132L-520-040 Authority to prohibit trespass.

(1) The executive director is authorized in the instance of any event that the executive director deems impedes the movement of persons or vehicles or which the executive director deems to disrupt or threatens to disrupt the ingress and/or egress of persons from college facilities, and the executive director acting through the director of student services, or such other designated person shall have authority and power to:

(a) Prohibit the entry of, withdraw the license or privilege of a person or persons or any group of persons to enter onto or remain upon any portion of a college facility; or

(b) Give notice against trespass to any person, persons, or group of persons against whom the license or privilege has been withdrawn or who have been prohibited from, entering onto or remaining upon all or any portion of a college facility; or

(c) Order any person, persons or group of persons to leave or vacate all or any portion of a college facility.

(2) Any student who shall disobey a lawful order given by the executive director or designee pursuant to the requirements of subsection (1) of this rule shall be subject to disciplinary action. [Order 77-29, § 132L-520-040, filed 9/1/77.]

WAC 132L-520-050 Right to demand identification. (1) For the purpose of determining identity of a person as a student any faculty member or other college

personnel authorized by the executive director may demand that any person on college facilities produce evidence of student enrollment at the college. Tender of the student identification card will satisfy this requirement.

(2) Refusal by a student to produce identification as required shall subject the student to disciplinary action. [Order 77-29, § 132L-520-050, filed 9/1/77.]

WAC 132L-520-060 Freedom of access to higher education. Students are free to pursue their educational goals; appropriate opportunities for learning in the classroom and on the campus shall be provided by the district. Olympia Technical Community College shall maintain an open-door policy, to the end that no students will be denied admission because of the location of the student's residence, or because of the student's educational background or ability; that, insofar as is practical in the judgment of the college board, curriculum offerings shall be provided to meet the educational and training needs of the community generally and the students thereof; and that all students, regardless of their differing courses of study, will be considered, known and recognized equally as members of the student body: *Provided*, That the administrative officers of Olympia Technical Community College may deny admission to a prospective student or attendance to an enrolled student if, in their judgment, the student would not be competent to profit from the curriculum offerings of the community college, or would, by the student's presence or conduct, create a disruptive atmosphere within the community college inconsistent with the purpose of the institution. [Order 77-29, § 132L-520-060, filed 9/1/77.]

WAC 132L-520-070 Freedom of expression. Fundamental to the democratic process are the rights of free speech and peaceful assembly. Students and other members of the college community shall always be free to express their views or support causes by orderly means which do not disrupt the regular and essential operation of the college.

Concomitantly, while supporting the rights of students and other members of the college community, Olympia Technical Community College recognizes the responsibility to maintain an atmosphere on campus conducive to a sound educational endeavor.

To insure the reconciliation of such rights and responsibilities, while respecting the private rights of all individuals, campus demonstrations may be conducted only in areas which are generally available to the public provided such demonstrations are conducted in an orderly manner, do not interfere with vehicular or pedestrian traffic, do not interfere with processes of the college and are not held in or on facilities where college functions are in progress. [Order 77-29, § 132L-520-070, filed 9/1/77.]

WAC 132L-520-080 Freedom of association and organization. Students bring to the campus a variety of interests previously acquired and develop many new interests as members of the college community. They are

free to organize and join associations to promote any legal purpose, whether it be religious, political, educational, recreational, or social.

Student organizations must be granted a charter by the Olympia Technical Community College student government before they may be officially recognized. Prior to becoming chartered, a student organization must submit to the student government a statement of purpose, criteria for membership, a statement of operating rules or procedures, and the name of a faculty member who has agreed to serve as advisor. All student organizations must also submit to the student government a list of officers and keep that list updated when changes occur. In order to qualify for issuance of a charter, a student organization must be open to all students without respect to race, sex, creed or national origin, except for religious qualification which may be required by organizations whose aims are primarily sectarian, or for other reasonable justifications which are directly related to the purposes of the organization. Affiliation with a noncampus organization shall not be grounds for denial of charter provided that other conditions for charter issuance have been met. [Order 77-29, § 132L-520-080, filed 9/1/77.]

WAC 132L-520-090 Student participation in college governance. As members of the college community, students will be free, individually and collectively, to express their views on college policy, and on matters of general interests to the student body. The ASOTCC constitution and the college's administrative procedures provide clear channels for student participation in the formulation and application of institutional policies regarding academic and student affairs. Individuals affected by a policy shall have a representative voice in the formulation of that policy. [Order 77-29, § 132L-520-090, filed 9/1/77.]

WAC 132L-520-100 Student records. In compliance with the Family Educational Rights and Privacy Act, this policy has been created to insure continued confidentiality of student records at Olympia Technical Community College and govern the release of personally identifiable information contained within.

(1) **Education Records.** Education records are defined as those records, files, and documents containing information directly pertaining to a student. At Olympia Technical Community College these are: (a) Records pertaining to admission, advisement, registration, grading, and progress to a degree that are maintained by the registrar; (b) testing information used for advisement purposes by the counseling center; (c) information concerning payment of fees as maintained by the treasurer; (d) financial aid information as collected by the financial aid office; (e) information regarding students participating in student government or athletics that is maintained by the student programs office.

(2) **Access to Education Records.** Students who are or have attended Olympia Technical Community College have the right to examine or review their personal records, as defined above, by submitting to the registrar a

written request indicating education records to which access is desired.

Charges for reproduced copies of education records are found in the current catalog.

(3) **Directory Information.** The following information is considered "Directory Information" and thus may be disclosed without consent of the student, unless otherwise directed by the student, at any time, to the registrar in writing: The student's name, address, telephone number, date and place of birth, major field of study, eligibility for and participation in officially recognized activities, organizations, and sports, weight and height of members of athletic teams, dates of attendance, honor roll, degrees and awards received, and the most recent previous educational agency or institution attended by the student.

(4) **Disclosures from Education Records.** In addition to directory information the college will, at its discretion, make disclosures from education records of students with the student's prior written consent or to the following listed parties:

(a) College officials including college administrative and clerical staff, faculty, and students where officially elected or appointed to the student senate or employed by the college. Access or release of records to the above is permissible only when the information is required for advisement, counseling, record keeping, reporting, or other legitimate educational interest consonant with their specific duties and responsibilities.

(b) To officials of another school in which the student seeks or intends to enroll.

(c) To authorized federal, state, or local officials as required by law.

(d) In connection with financial aid for which the student has applied or received.

(e) To accrediting organization, or organizations conducting studies for or on behalf of the institution.

(f) To appropriate parties in a health or safety emergency.

(g) To parents of a dependent student, as defined in section 152 of the Internal Revenue Code of 1954, upon receipt of a written affidavit stating that the student is a dependent for income tax purposes. This, however, will not affect the other rights of the student.

In cases where consent of the student is required for release of education records, the student shall in writing, signed and dated by the student, specify: The records to be disclosed, the purpose or purposes of the disclosure, and the name of the party or parties to whom the disclosure can be made.

When personally identifiable information is released without prior consent of the student, other than directory information and information released to college officials or the student, the college official in charge of these records will record the names of the parties who have requested information from educational records and the nature of the interest in that information.

Education records released to third parties shall be accompanied by a statement indicating that the information can not be subsequently released in a personally identifiable form to other parties without obtaining the consent of the student. The college is not precluded from

permitting third party disclosures to other parties listed in (a) through (g) above.

(5) **Challenge of Education Records.** Students who believe that information contained in their education records is inaccurate, misleading or violates the privacy or other rights of the student may request in writing to the appropriate college official that the college amend their record(s). The college official(s) will make every effort to settle disputes through informal meetings and discussion with the student.

In instances where disputes regarding contents of education records can not be resolved by the parties concerned, the college official involved shall advise the student of the right to a hearing by the Academic Standards Committee through a written request to the registrar. Should the Academic Standards Committee deem that the education records in question are inaccurate or misleading, the committee can ask that the records be amended by the appropriate college official. If the education records are held to be accurate, the student shall be granted the opportunity to place within those records a personal statement commenting upon the information contained within.

Each eligible student is afforded the right to file a complaint concerning alleged failures by the college to comply with the requirements of the act. The address of the office designated to investigate, process, and review violations and complaints which are filed is:

The Family Educational Rights and Privacy Act Office (FERPA),

Department of Health, Education, and Welfare; 330 Independence Avenue, S.W.; Washington, D.C. 20201.

Copies of the Federal Register pertaining to the Family Education Rights and Privacy Act may be obtained from:

Superintendent of Documents; U.S. Government Printing Office; Washington, D.C. 20402. [Order 77-29, § 132L-520-100, filed 9/1/77.]

WAC 132L-520-110 Student publications. Olympia Technical Community College recognizes the fact that student publications are a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. They are a means of bringing student concerns to the attention of the faculty and institutional authorities and of formulating opinion on various issues on the campus and in the college community at large. They may serve as a means of journalistic and/or creative expression.

Olympia Technical Community College, as the publisher of student publications, must bear the legal responsibility for the contents of the publications. For this reason it has approved a student publications policy and created a student publications board charged with the enforcement of that policy.

The student publications policy protects the student's freedom to deal with any ideas and to express any opinions in the student publications without fear of their censorship. Editors and managers of student publications are protected from arbitrary suspension and removal. Only for proper and stated causes, as outlined in the statement of purpose or philosophy adopted for each

student publication, should editors and managers be subject to removal and then by orderly and prescribed procedures.

At the same time, the student publications policy has charged the student editors and managers [managers] with corollary responsibilities to be governed by the canons of responsible journalism, including the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo. [Order 77-29, § 132L-520-110, filed 9/1/77.]

WAC 132L-520-120 Distribution and posting of materials. The Olympia Technical Community College encourages free expression. Use of college facilities as provided herein, however, does not accord users immunity from legal action.

Permission for posting of literature in the various restricted areas provided therefore [therefor], shall be obtained from the following college officials:

(1) The student programs officer for posting on the restricted posting areas of the student center and those areas located on the campus outside of college buildings.

(2) Directors for posting on the restricted posting areas provided in the appropriate college facility.

ASOTCC campaign rules govern special poster and sign locations for ASOTCC elections. Information on these special policies and regulations is available in the ASOTCC office.

Posting of posters, signs, and other publicity or promotional materials is permitted only in the locations specified above. All material sought to be posted in restricted posting areas must have the identity of its sponsorship appearing on its face.

The dissemination or distribution of materials by persons on the public streets, walks and ways of the campus, shall be subject to the laws of the city of Olympia, Thurston county, state of Washington and the United States.

Permission for the dissemination or distribution of materials in other areas of the college campus, buildings and facilities shall be obtained from the student programs officer. Persons distributing materials without permission shall be subject to provisions of the Code of Student Rights and Responsibilities. [Order 77-29, § 132L-520-120, filed 9/1/77.]

WAC 132L-520-130 Commercial and promotional activities. College facilities may not be used for commercial solicitation, advertising, or promotional activities except when such activities clearly serve educational objectives (as in display of books or technical equipment of interest to the academic community), and when they are conducted under the sponsorship or at the request of a college department or the associated students, and so long as such use does not interfere with or operate to the detriment of the conduct of college affairs. [Order 77-29, § 132L-520-130, filed 9/1/77.]

WAC 132L-520-140 Use of college facilities. Any recognized ASOTCC organization may request approval from the student programs officer to utilize available college facilities for authorized activities as provided for

in official ASOTCC documents. Facilities will be provided free of charge to the organization except when such use necessitates staffing and services beyond regular college requirements. Standard college fees will be charged in these cases.

Use of facilities for purposes other than those approved or in an irresponsible manner may result in withdrawal of this privilege for an organization.

Student organizations should schedule facility use requests with the student programs officer at least three academic calendar days in advance of an event whenever possible. [Order 77-29, § 132L-520-140, filed 9/1/77.]

WAC 132L-520-150 Noncollege speaker policy. The trustees, the administration, and the faculty of Olympia Technical Community College subscribe to the proposition that an important aspect of the education of college students is the opportunity to listen to speakers representing a wide variety of opinions and beliefs on important public issues. In conformity with the American tradition of free speech and free inquiry, the following policies are established governing the appearance on campus of speakers not themselves members of the college community:

(1) Any recognized ASOTCC student organization with the written sanction of its advisor, may ask individuals to speak on campus subject to normal restraints imposed by considerations of common decency and the state law.

(2) The appearance of a speaker on the campus does not involve an endorsement either implicit or explicit, of the persons views by Olympia Technical Community College, its students, its faculty, its administration, or its board of trustees.

(3) The scheduling of facilities for hearing invited speakers shall be made through the office of the student programs officer.

(4) The student programs officer or designee will be notified at least three academic calendar days prior to the appearance of an invited speaker, at which time a form (available in the student activities office) must be completed with such particulars as name of speaker speech or discussion topic, time of appearance(s) and sponsoring organization. The form must bear the signature of the sponsoring organization's advisor. Exceptions to the three day ruling may be made by the student programs officer with the approval of the director of student services.

(5) The director of student services may require views other than those of the invited speaker to be presented at the meeting, or at a subsequent meeting. The executive director may assign a faculty member to preside over any meeting where a speaker has been invited. [Order 77-29, § 132L-520-150, filed 9/1/77.]

WAC 132L-520-160 Violations. Any student shall be subject to immediate disciplinary action provided for in Code Procedures and Summary Suspension Rules who, either as a principal actor or aider or abetter:

(1) Materially and substantially interferes with the personal rights or privileges of others, or the educational process of the college;

(2) Violates any provision of the Code of Student Rights and Responsibilities;

(3) Commits any of the following acts which are hereby prohibited:

(a) All forms of dishonesty including cheating, plagiarism, knowingly furnishing false information to the college, and forgery, alteration or use of college documents or instruments of identification with intent to defraud;

(b) Failure to comply with lawful directions of faculty, administrators and other regularly employed personnel acting in performance of their lawful duties;

(c) Conduct which intentionally and substantially obstructs or disrupts freedom of movement, teaching, research, administration, disciplinary proceedings or other lawful activities on the college campus;

(d) Physical abuse of any person or conduct which is intended unlawfully to threaten imminent bodily harm or to endanger the health or safety of any person on college-owned or controlled property or at college-sponsored or supervised functions;

(e) Malicious damage to or malicious misuse of college property, or the property of any person where such property is located on the college campus;

(f) Refusal to comply with any lawful order to leave the college campus or any portion thereof;

(g) Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities on the college campus, except for authorized college purposes; unless prior written approval has been obtained from the director of student services, or any other person designated by the executive director;

(h) Intentionally inciting others to engage immediately in any of the conduct prohibited herein, which incitement leads directly to such conduct. (Inciting is that advocacy which prepares the group addressed for imminent action and steels it to the conduct prohibited herein);

(i) Possessing, consuming or furnishing of alcoholic beverages on college-owned or controlled property or at college-sponsored or supervised functions where prohibited by law;

(j) Disorderly conduct, including disorderly conduct resulting from drunkenness;

(k) Engaging in lewd, indecent, or obscene behavior on college-owned or controlled property or at college-sponsored or supervised functions;

(l) Using, possessing, furnishing, or selling any narcotic or dangerous drug as those terms are used in Washington statutes, except when the use or possession of a drug is specifically prescribed as medication by an authorized medical doctor or dentist;

(m) Falsely setting off or otherwise tampering with any emergency safety equipment, alarm, or other device established for the safety of individuals and/or college facilities;

(n) Theft or conversion of college property or private property;

(o) Entering an administrative office or any locked or otherwise closed college facility in any manner, at any time, without permission of the college employee or

agent in charge thereof. [Order 77-29, § 132L-520-160, filed 9/1/77.]

WAC 132L-520-170 Emergency procedures. In the event of activities which interfere with the orderly operation of the college as defined in WAC 132L-520-070, Freedom of Expression, the director of student services or the executive director or their designees shall determine the course of action which appears to offer the best possibility of resolution of the problem. The emergency procedures outlined below will be followed if deemed essential:

(1) Inform those involved in such activities that they are in violation of college and/or civil regulations.

(2) Inform them that they should cease and desist. Indicate an area on campus where they are able to conduct their activities without interfering with the operation of the college, if such an area is available.

(3) If they do not respond within a reasonable time, call the civil authorities. [Order 77-29, § 132L-520-170, filed 9/1/77.]

Chapter 132L-522 WAC CODE PROCEDURES

WAC

- 132L-522-010 Purpose of disciplinary actions.
- 132L-522-020 Initial proceedings.
- 132L-522-030 Appeals.
- 132L-522-040 Student hearing committee.
- 132L-522-050 Final decision regarding disciplinary sanction.
- 132L-522-060 Disciplinary sanctions.
- 132L-522-070 Readmission after suspension.
- 132L-522-080 Reestablishment of academic standing.

WAC 132L-522-010 Purpose of disciplinary actions. (1) The college may apply sanctions or take other appropriate action when student conduct materially and substantially interferes with the college's (a) primary educational responsibility of ensuring the opportunity for all students of the college community to attain their educational objectives, or (b) subsidiary responsibilities of protection and maintaining property, keeping records, other services, and sponsoring nonclassroom activities such as lectures, concerts, athletic events, and social functions. Disciplinary action proceedings shall determine whether and under what conditions the violator may continue as a student at the college.

(2) Nothing herein shall prevent faculty members from taking reasonable summary action as may be reasonably necessary to maintain order when they have reason to believe that such action is necessary for the physical safety and well-being of the student, or the safety and protection of other students or of college property or where the student's conduct materially and substantially disrupts the educational process.

(3) Such summary action in the form of removal from the classroom shall be effective for a period not to exceed two scheduled classroom days.

(4) Faculty shall maintain a written record of any summary action and a copy be on file with the director of student services within two scheduled classroom days.

(5) Any summary action may be appealed to the director of student services for an informal hearing. [Order 77-29, § 132L-522-010, filed 9/1/77.]

WAC 132L-522-020 Initial proceedings. (1) **Initiation of Prosecution.** Students, faculty members, administrators and other employees of the district shall have concurrent authority to report violations which will be acted upon by the director of student services. All disciplinary proceedings will be initiated by the director of student services or designated representative.

(2) **Notice Requirements.** Any student charged in a report filed pursuant to WAC 132L-522-020(1), with a violation of the Code of Student Rights and Responsibilities shall be notified by the director of student services or designated representative within two academic calendar days after the filing of such a report, if possible. The notice shall not be ineffective if presented later due to the student's absence. Such notice shall:

(a) Inform the student that a report has been filed alleging that the student violated specific provisions of the Code and the date of the violation; and

(b) Set forth those provisions allegedly violated; and

(c) Specify the exact time and date the student is required to meet with the director of student services; and

(d) Specify the exact time, date, and location of the formal hearing, if one is required; and

(e) Inform the student that he/she may question witnesses, that he/she may have anyone appear in his/her behalf to defend him/her, that he/she may have a maximum of three character witnesses appear in his/her behalf; and

(f) Inform the student that failure to appear at either of the appointed times at the director of student services office or at the hearing may subject the student to suspension from the institution for a stated or indefinite period of time.

(3) **Meeting with the Director of Student Services.**

(a) At the meeting with the director of student services the student shall be informed of provisions of the Code of Student Rights and Responsibilities that are involved, that the student may appeal any sanction imposed by the director of student services and that if a hearing is required, the student may have the hearing open to the public. If the student requests a formal hearing, the director of student services shall take no action nor make any determination in the matter other than to inform the student again of the time, date, and location of the formal hearing.

(b) After considering the evidence in the case and interviewing the student or students involved, the director of student services may take any of the following actions:

(i) Terminate the proceedings exonerating the student or students; or

(ii) Dismiss the case after whatever counseling and advice may be appropriate; or

(iii) Impose minor sanctions directly (warning, reprimand, fine, restitution, disciplinary probation) subject to the student's right of appeal described below; or

(iv) Refer the matter to the student hearing committee for a recommendation to the executive director as to appropriate action; or

(v) Recommend through the executive director to the district president that the student be suspended. The student shall immediately be notified in writing of such recommendation and of the right to a hearing before the student hearing committee prior to the district president's final decision.

(c) A student accused of violating any provision of the Code of Student Rights and Responsibilities shall be given immediate notification of any disciplinary action taken by the director of student services or designated representative.

(d) No disciplinary action taken by or at the recommendation of the director of student services or designated representative is final unless the student fails to exercise the right of appeal as provided for in these rules. The executive director, district president or designated representative after reviewing the case, including any statement the student may file with the executive director or district president, shall either give written approval of the action taken by or at the recommendation of the director of student services, or give written direction as to what lesser disciplinary action, if any, is to be taken. [Order 77-29, § 132L-522-020, filed 9/1/77.]

WAC 132L-522-030 Appeals. (1) Appeals contesting recommendation of disciplinary action(s) shall be taken in the following order:

(a) Disciplinary action taken by or at the recommendation of the director of student services or designated representative may be appealed to the student hearing committee;

(b) Disciplinary recommendations made by the student hearing committee may be appealed by the student to the executive director; in the case of a recommendation for suspension it may be appealed to the district president;

(c) Disciplinary action taken by the district president and resulting in suspension may be appealed by the student to the board of trustees and their decision shall be final.

(2) All appeals by a student must be made in writing to the committee, executive director, district president or board of trustees and presented to the committee, executive director, district president or chairman of the board of trustees within ten calendar days after the student has been notified of the action from which there is a right of appeal. [Order 77-29, § 132L-522-030, filed 9/1/77.]

WAC 132L-522-040 Student hearing committee.

(1) **Composition.** Olympia Technical Community College shall have a standing committee composed of nine members, who shall be chosen and appointed no later than October 15, of each year to serve as standing committee until their successors are appointed. The membership of the standing committee shall consist of three members of the administration, excepting the director of student services, chosen by the executive director; three

faculty members chosen by the faculty organization; and three students chosen by the ASOTCC student senate. Any student entitled to a hearing before a student hearing committee shall choose, in writing, five members of the standing committee to hear and decide the appeal: *Provided*, That the student must choose at least one student, one faculty member, and one member of the administration from the nine member standing committee. The balance of the student hearing committee, two members, may be chosen from the remainder of the standing committee, except that both shall not be from the same classification. In the event that unforeseen circumstances prevent a previously selected committee member from attending the hearing, the student must choose a replacement from among the balance of the standing committee.

(2) Procedures for Hearing.

(a) Five members of the student hearing committee will hear, de novo, and make recommendations to the executive director on all disciplinary cases appealed to the committee by the student or referred to it by the director of student services or designated representative. Recommendations involving suspension will be referred to the district president.

(b) The student hearing committee shall elect from among its five members a chairman for the purpose of presiding at the disciplinary hearing.

(c) Hearings generally will be held in closed session, except when a student requests that persons other than those directly involved be invited to attend. If at any time during the conduct of a hearing any person is disruptive of the proceedings, the chairman of the student hearing committee may exclude such person from the hearing room.

(d) The student has a right to a fair and impartial hearing before the committee on any charge of violating a provision or provisions of the Code of Student Rights and Responsibilities. The student's failure to cooperate with the hearing procedures hereinafter outlined, however, shall not preclude the committee from making its findings of fact, conclusions and recommendations as provided below. Failure by the student to cooperate may be taken into consideration by the committee in recommending to the executive director or the district president the appropriate disciplinary action.

(e) The student shall be given written notice of the time and place of the hearing before the committee. Said notice shall contain:

(i) A statement of the date, time, place and nature of the disciplinary proceedings.

(ii) A statement of the specific charges against the student including references to the particular sections of the Code of Student Rights and Responsibilities involved.

(iii) To the extent known, a list of witnesses who will appear and a summary description of any documentary or other physical evidence that will be presented by the college at the hearing.

(f) The student shall be entitled to hear and examine the evidence against him/her and be informed of the identity of its source; the student shall be entitled to

present evidence in his/her own behalf and cross-examine witnesses testifying against him/her as to factual matters. The student shall have all authority possessed by the college to obtain information that the student specifically describes, in writing, and tenders to the director of student services no later than three days prior to the hearings or to request the presence of witnesses or the production of other evidence relevant to the hearings.

(g) The student may be represented by counsel of his/her choice at the disciplinary hearings. If the student elects to choose a duly licensed attorney admitted to practice in any state in the United States as counsel, the student must tender three days notice thereof to the director of student services.

(h) In all disciplinary proceedings the college may be represented by the director of student services or designee; the director of student services may then present the college's case against the student accused of violating the Code of Student Rights and Responsibilities, except that in those cases in which the student elects to be represented by a licensed attorney, the director of student services may elect to have the college represented by an assistant attorney general.

(i) The proceedings of the hearing shall be recorded. A copy thereof shall be on file at the office of the director of student services.

(j) The time of the hearing may be advanced by the committee at the request of the student or continued for good cause.

(3) Admissible Evidence.

(a) Only those matters presented at the hearing, in the presence of the accused student, will be considered in determining whether the student hearing committee has sufficient cause to believe that the accused student is guilty of violating the rules that the student is charged with having violated.

(b) In determining whether sufficient cause, as stated in the preceding paragraph (a), does exist, members of the student hearing committee shall give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent persons in the conduct of their affairs.

(c) The chairman of the student hearing committee shall, in the course of presiding at the disciplinary hearing, give effect to the rules of privilege recognized by law and exclude incompetent, irrelevant, immaterial and unduly repetitious evidence.

(4) **Interference with Proceedings.** Any student interfering with the proceedings of the meeting with the director of student services or the formal hearing or any subsequent hearings shall be in contempt of the proceedings and may be summarily suspended from the college by the director of student services, or the student hearing committee, or the executive director, or the district president, or the board of trustees at the time the interference takes place and shall be subject to suspension or any lesser sanction as may be determined by the student hearing committee, or executive director, or district president, or the board of trustees at the time the interference takes place or within fifteen academic calendar days thereafter.

(5) Decision by the Committee.

(a) Upon conclusion of the disciplinary hearing, the student hearing committee shall consider all the evidence therein presented and decide by majority vote whether to recommend to the executive director or district president any of the following actions:

(i) That the college terminate the proceedings and exonerate the student or students;

(ii) That the college impose minor sanctions directly, such as a warning, reprimand, fine, restitution, or disciplinary probation;

(iii) That the student be suspended from the college including a recommendation of the duration of such suspension.

(b) The student shall be provided with a copy of the committee's findings of fact and conclusions regarding whether the student did violate any rule or rules of the Code of Student Rights and Responsibilities and the committee's recommendation to the executive director or district president. The committee shall also advise the student in writing of the right to present, within ten calendar days, a written statement to the executive director or district president appealing the recommendation of the committee. [Order 77-29, § 132L-522-040, filed 9/1/77.]

WAC 132L-522-050 Final decision regarding disciplinary sanction. (1) The executive director or district president or designee (except the director of student services) shall after reviewing the record of the case prepared by the student hearing committee together with any statement filed by the student, include therein a written acceptance of the recommendation of the committee, or written directions as to what lesser disciplinary sanction shall be taken.

(2) If the executive director or district president or designee decides that discipline is to be imposed after the review provided by subsection (1) of this section, the executive director or district president shall notify the student in writing of the discipline imposed.

(3) In all cases of disciplinary action, the decision of the executive director or district president or designee shall be final except for these cases involving suspension if the suspension has been appealed to the board. [Order 77-29, § 132L-522-050, filed 9/1/77.]

WAC 132L-522-060 Disciplinary sanctions. The following definitions of disciplinary terms have been established and shall be the sanctions imposed upon violators of the Code of Student Rights and Responsibilities:

(1) **Warning.** Notice to a student, either verbally or in writing, that the student has been in violation of college rules or regulations or has otherwise failed to meet the college's standards of conduct. Such warnings will include the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

(2) **Reprimand.** Formal action censuring a student for violation of the college rules or regulations or for failure to meet the college's standards of conduct. Reprimands shall be made in writing to the student by the director of

student services. A reprimand will include the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

(3) **Fines.** The director of student services and/or the student hearing committee may assess monetary fines up to a maximum of twenty-five dollars against individual students for violation of college rules and regulations or for the failure to meet the college's standards of conduct. Failure to pay such fines within thirty days will result in suspension for an indefinite period of time as set forth in subsection (6) of this section, but a student may be reinstated upon payment of the fine.

(4) **Restitution.** An individual student may be required to make restitution for damage or loss to the college or other property and for injury to persons. Failure to make restitution with thirty days will result in suspension for an indefinite period of time as set forth in subsection (6) of this section, but a student may be reinstated upon payment.

(5) **Disciplinary Probation.** Formal action placing conditions upon the student's continued attendance for violation of college rules or regulations or other failure to meet the college's standards of conduct. The office or agency placing the student on disciplinary probation will specify, in writing, the period of probation and the conditions, such as limiting the student's participation in extracurricular activities. Disciplinary probation warns the student that any further misconduct will automatically raise the question of suspension from the college. Disciplinary probation may be for a specified term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college.

(6) **Suspension.** Temporary or indefinite dismissal from the college and termination of the student status of a student for violation of college rules or regulations or for failure to meet the college's standards of conduct. The notification suspending a student will indicate, in writing, the term of the suspension and any special conditions which must be met before readmission.

There is no refund of fees for the quarter in which the action is taken, but fees paid in advance for a subsequent quarter are to be refunded.

Students suspended on the basis of conduct which disrupted the orderly operation of the campus or any facility of the district, may be denied access to all or any part of the campus or other facility. [Order 77-29, § 132L-522-060, filed 9/1/77.]

WAC 132L-522-070 Readmission after suspension. Any student suspended from the college for disciplinary reasons may be readmitted upon expiration of the time period for which the suspension was issued. If the student has been suspended for an indefinite period, or feels that circumstances warrant reconsideration of the temporary suspension prior to its expiration, the student may be readmitted following approval of a written petition submitted to the director of student services. Such petitions must state reasons which support a reconsideration of the matter. Before readmission may be granted, such petitions must be reviewed and approved by the

district president, or by the board in those cases in which it made the final disciplinary action decision. [Order 77-29, § 132L-522-070, filed 9/1/77.]

WAC 132L-522-080 Reestablishment of academic standing. Students who have been suspended pursuant to disciplinary procedures set forth in Code Procedures of Summary Suspension Rules, and whose suspension upon appeal is found to have been unwarranted shall be provided the opportunity to reestablish their academic and student standing to the extent possible within the abilities of the college, including an opportunity to retake examinations or otherwise complete course offerings missed by reason of such action. [Order 77-29, § 132L-522-080, filed 9/1/77.]

Chapter 132L-524 WAC SUMMARY SUSPENSION RULES

WAC

132L-524-010	Initiation of summary suspension proceedings.
132L-524-020	Permission to enter or remain on campus.
132L-524-030	Notice of summary suspension proceedings.
132L-524-040	Procedures of summary suspension hearing.
132L-524-050	Decision by the director of student services.
132L-524-060	Notice of suspension.
132L-524-070	Suspension for failure to appear.
132L-524-080	Appeal.
132L-524-090	Summary suspension proceedings not duplicitous.

WAC 132L-524-010 Initiation of summary suspension proceedings. The executive director or designee may suspend any student of the college for not more than ten academic calendar days pending investigation, action or prosecution on charges of alleged Code of Student Rights and Responsibilities violation or violations, and if the executive director or designee has reason to believe the student's physical or emotional safety and well-being, or the safety and well-being of the college property command such suspension. [Order 77-29, § 132L-524-010, filed 9/1/77.]

WAC 132L-524-020 Permission to enter or remain on campus. During the period of summary suspension, the student shall not enter any campus of District 12 other than to meet with the director of student services or to attend the hearing. However, the director of student services may grant the student special permission to enter a campus for the express purpose of meeting with faculty, staff, or students in preparation for the hearing. [Order 77-29, § 132L-524-020, filed 9/1/77.]

WAC 132L-524-030 Notice of summary suspension proceedings. (1) If the executive director or designee desires to exercise the authority to summarily suspend a student, the executive director shall cause notice thereof to be served upon that student by registered or certified mail at the student's last known address, or by causing personal service of such notice upon that student.

(2) The notice shall be entitled "Notice of Summary Suspension Proceedings" and shall state:

(a) The charges against the student including reference to the provisions of the Code of Student Rights and Responsibilities involved; and

(b) That the student charged must appear before the director of student services at a time specified in the notice. [Order 77-29, § 132L-524-030, filed 9/1/77.]

WAC 132L-524-040 Procedures of summary suspension hearing. (1) At the summary suspension hearing, the student against whom the violation or violations are alleged shall have the opportunity of proving to the director of student services that there is no cause to believe that the violation stated on the notice of summary suspension proceedings did occur, and that immediate suspension is not necessary nor justifiable pursuant to chapter 132L-524 WAC, Summary Suspension Rules.

(2) The student may offer personal oral testimony or that of any person, submit any statement or affidavit, examine any affidavit or cross-examine any witness, and submit any matter in extenuation or mitigation of the violation or violations charged.

(3) The director of student services shall at the time of the summary suspension proceedings determine whether there is probable cause to believe that a violation of law or of provisions of the Code of Student Rights and Responsibilities has occurred, and whether there is reason to believe that immediate suspension is necessary. In the course of making such a decision, the director of student services may consider the sworn affidavits or oral testimonies of persons who have alleged that the student charged has committed a violation of law or of provisions of the Code of Student Rights and Responsibilities and the oral testimony and affidavits submitted by the student charged. [Order 77-29, § 132L-524-040, filed 9/1/77.]

WAC 132L-524-050 Decision by the director of student services. If the director of student services, following the conclusion of the summary suspension proceedings, finds that there is probable cause to believe that:

(1) The student against whom specific violations of law or of provisions of the Code of Student Rights and Responsibilities are alleged has committed one or more of such violations upon any college facility; and

(2) That summary suspension of said student is necessary under the provisions of WAC 132L-524-010, Summary Suspension Rules; and

(3) Such violation or violations of the law or of provisions of the Code of Student Rights and Responsibilities constitute grounds for disciplinary action, then the director of student services may, with the written approval of the executive director, suspend such student from the college. [Order 77-29, § 132L-524-050, filed 9/1/77.]

WAC 132L-524-060 Notice of suspension. (1) If a student is suspended pursuant to the above rules, the student shall be provided with a written copy of the director of student services' findings of fact and conclusions, as expressly concurred in by the executive director which constituted probable cause to believe that the conditions for summary suspension existed.

(2) The student suspended pursuant to the authority of this rule shall be served a copy of the notice of suspension by personal service or by registered mail. Notice of mail shall be sent to said student's last known address. The suspension shall be effective from the day the notice of suspension is mailed or personal service accomplished, whichever shall occur first. [Order 77-29, § 132L-524-060, filed 9/1/77.]

WAC 132L-524-070 Suspension for failure to appear. If the student against whom specific violations of provisions of the Code of Student Rights and Responsibilities have been alleged has been served pursuant to the notice required and then fails to appear at the time designated for the summary suspension proceedings, the director of student services may, with the written concurrence of the district president, suspend the student from the college. [Order 77-29, § 132L-524-070, filed 9/1/77.]

WAC 132L-524-080 Appeal. (1) Any student aggrieved by an order issued at the summary suspension proceedings may appeal the same to the district president. No such appeal shall be entertained, however, unless written notice of the appeal, specifically describing alleged errors in the proceedings of findings of the director of student services and the executive director is tendered at the office of the executive director within seventy-two hours following the date notice of summary suspension was served or mailed to the student, whichever occurred first.

(2) The district president shall, as soon as reasonably possible, examine the allegations contained within the notice of appeal, along with the findings of the director of student services and executive director, the record of the summary suspension proceedings, and determine therefrom whether the summary suspension order is justified. Following such examination the district president may, at his/her discretion, stay the summary suspension pending determination of the merits of the disciplinary proceedings pursuant to the provisions of the Code Procedures.

(3) The district president shall notify the appealing student within forty-eight hours following his/her consideration of the notice of appeal, as to whether the summary suspension shall be maintained or stayed pending disposition of the disciplinary proceedings pursuant to the provisions of the Code Procedures. [Order 77-29, § 132L-524-080, filed 9/1/77.]

WAC 132L-524-090 Summary suspension proceedings not duplicious. (1) The summary suspension proceedings shall in no way substitute for the disciplinary proceedings provided for in provisions of the Code Procedures. At the end of the suspension, the student shall be reinstated to full rights and privileges as a student, subject to whatever sanctions may have been or may be in the future imposed for violation of the Code of Student Rights and Responsibilities.

(2) Any disciplinary proceedings initiated against the student because of violations alleged against any student in the course of the summary suspension proceedings

provided for herein shall be heard de novo. The records made and evidence presented during the course of any facet of the summary suspension proceedings brought against the student shall be available for the use of the student and of the college in the disciplinary proceedings initiated under the provisions of the Code Procedures. [Order 77-29, § 132L-524-090, filed 9/1/77.]