

Title 132R WAC

COMMUNITY COLLEGES--BIG BEND COMMUNITY COLLEGE

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Chapter 132R-16 TENURE REGULATIONS

132R-16-010, 132R-16-020, 132R-16-030, 132R-16-040, 132R-16-050, 132R-16-060, 132R-16-065, 132R-16-070, 132R-16-080, and 132R-16-090. [Order 70-8, filed 6/8/70.] Repealed by Order 74-3, filed 3/18/74.

Chapter 132R-04 WAC RULES OF CONDUCT AND PROCEDURES OF ENFORCEMENT

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WAC 132R-04-010 Definitions. As used in this chapter 132R-04 WAC, the following words and phrases shall mean:

(1) "Board" shall mean the Board of Trustees of Community College District No. 18, state of Washington.

(2) "College" shall mean Big Bend Community College, or any additional community college hereafter established within Community College District No. 18, state of Washington.

(3) "Liquor" shall mean the definition of liquor as contained within RCW 66.04.010(16) as now law or hereafter amended.

(4) "Drugs" shall mean and include any narcotic drug as defined in RCW 69.33.230(14) as now law or hereafter amended and shall include any dangerous drug as defined in RCW 69.40.060 as now law or hereinafter amended and shall include any dangerous drug as defined in RCW 69.40.060 as now law or hereinafter amended.

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

(6) "Demonstration" shall mean any overt activity engaged in by one 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.

(7) "Disciplinary action" shall mean and include the expulsion, suspension or reprimand of any student by the college president pursuant to WAC 132R-04-150 for the violation of any designated rule or regulation of the rules of student conduct for which a student is subject to disciplinary action.

(8) "Student" shall mean and include any person who is regularly enrolled at the college.

(9) "President" shall mean the president appointed by the board or in such president's absence, the acting president.

(10) "Rules of Student Conduct" shall mean the rules contained within chapter 132R-04 WAC as now exist or which may be hereafter amended, the violation of which subject a student to disciplinary action.

(11) "Disciplinary Committee" shall mean the hearing committee as denominated in WAC 132R-04-120. [Order 69-4, § 132R-04-010, filed 12/5/69.]

WAC 132R-04-020 Liquor. The possession, consumption or being demonstrably under the influence of any form of liquor by any student on college facilities or at college related activities shall be cause for disciplinary action. [Order 69-4, § 132R-04-020, filed 12/5/69.]

WAC 132R-04-030 Drugs. Any student who shall use, possess or sell any drug as defined in WAC 132R-04-010 on college facilities or at college related activities shall be subject to disciplinary action except when the use or possession of a drug is specifically prescribed as medication by an authorized medical doctor or dentist. For purposes of this regulation, "sell" shall include the statutory meaning defined in RCW 69.04.005. [Order 69-4, § 132R-04-030, filed 12/5/69.]

WAC 132R-04-035 Damaging property. Any student who shall willfully attempt to damage or destroy or who in fact does willfully damage or destroy any property owned, controlled or operated by the college, shall be subject to disciplinary action. [Order 69-4, § 132R-04-035, filed 12/5/69.]

WAC 132R-04-040 Demonstration rights. (1) Students and nonstudents may conduct or may participate in any demonstration as defined in WAC 132R-04-010 on college facilities which are generally available to the public provided such demonstrations:

- (a) Are conducted in an orderly manner; and
- (b) Do not unreasonably interfere with classes, scheduled meetings or ceremonies, or with the general educational processes of the college; or
- (c) Do not unreasonably interfere with vehicular or pedestrian traffic; or
- (d) Do not unreasonably interfere with regular college functions.

(2) A student who conducts or participates in a demonstration which violates any provision of this rule shall be subject to disciplinary action. A nonstudent who violates any provision of the rule will be referred to civilian authorities for criminal prosecution. [Order 69-4, § 132R-04-040, filed 12/5/69.]

WAC 132R-04-050 Criminal violations. (1) Any student who shall commit larceny of the property of another, as defined in RCW 9.54.010 upon college premises, shall be subject to disciplinary action.

(2) Any student who shall assault another in the manner prohibited by RCW 9.11.010, 9.11.020 or 9.11-.030 upon college premises, shall be subject to disciplinary action.

(3) Any student who engages in acts of forgery as defined by RCW 9.44.010 upon college premises, shall be subject to disciplinary action. [Order 69-4, § 132R-04-050, filed 12/5/69.]

WAC 132R-04-055 Classroom conduct. Any student who shall use abusive language toward a classroom instructor or who shall, by any act of misconduct, substantially disrupt a particular class, shall be subject to disciplinary action. Nothing contained within this rule shall preclude an instructor from undertaking summary disciplinary measures pursuant to WAC 132R-04-110(1)(b). [Order 69-4, § 132R-04-055, filed 12/5/69.]

WAC 132R-04-060 Commercial activities. (1) College facilities shall not be used for commercial solicitation, advertising or promotional activities except when such activities clearly serve educational objectives, including but not limited to, display of books of interest to the academic community or the display or demonstration of technical or research equipment, and when such commercial activities relate to educational objectives and are conducted under the sponsorship or at the request of a college department or office of the associated student body, provided that such solicitation does not interfere with or operate to the detriment of the conduct of the college affairs or the free flow of pedestrian or vehicular traffic.

(2) For the purpose of this section, the term "commercial activities" does not include handbills, leaflets, newspapers and similarly related materials as regulated in WAC 132R-04-090. [Order 69-4, § 132R-04-060, filed 12/5/69.]

WAC 132R-04-070 Outside speakers. (1) Any recognized ASB campus student organization may invite speakers on campus subject to the legal restraints imposed by the laws of the United States and the state of Washington.

(2) The appearance of an invited speaker on the campus does not represent an endorsement, either implicit or explicit, of his views by the college, its students, its faculty, its administration or its Board.

(3) The scheduling of facilities for hearing invited speakers shall be made through the office of the dean of instruction, by the inviting campus student organization.

(4) The dean of student personnel services will be notified at least three days prior to the appearance of an invited speaker, at which time a proper form (available in the office of the dean of student personnel services) must be completed with all particulars regarding speaker, time, place, etc., signed by the sponsoring organization advisor, and filed with the dean of student personnel services. Exceptions to the three day ruling may be made by the director of activities with the approval of the dean of student personnel services. [Order 69-4, § 132R-04-070, filed 12/5/69.]

WAC 132R-04-080 Trespass. (1) The president of the college, or, in such president's absence, the acting president, is authorized in the instance of any event that the president deems to be unreasonably disruptive of order or which the president deems impedes the movement of persons or vehicles or which the president seems to disrupt the ingress and/or egress of persons from facilities owned and/or operated by the college, then the president, acting through the dean of student personnel services or such other person designated by the president, shall have the power and authority subject to the students' right of demonstration as guaranteed pursuant to WAC 132R-04-040 to:

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

(b) To give notice against trespass by any manner specified in section 1(2), chapter 7, Laws of 1969 state of Washington to any person, persons, or group of persons against whom the license or privilege has been withdrawn or who have been prohibited from, entering onto or remaining upon all or any portion of a college facility, which college facility is owned and/or operated by the college; or

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

(2) The president or acting president may consult and confer with a special committee in the instance of any event which constitutes a continued and prolonged violation of said chapter 7, Laws of 1969. Said committee shall be composed of three faculty members selected by the college faculty association, one of whom shall serve as chairman, and two students selected by the student government of the college.

(3) Any student who shall disobey a lawful order given by the president or his designee pursuant to the requirements of Section 1 of this rule, shall in addition to violating criminal law also be subject to disciplinary action. [Order 69-4, § 132R-04-080, filed 12/5/69.]

WAC 132R-04-090 Distribution of materials. (1) Handbills, leaflets, newspaper and similar related matter may be sold or distributed free of charge by any student or students or by members of recognized student organizations or by college employees on or in college facilities at locations specifically designated by the director of activities; provided such distribution or sale does not interfere with the ingress and egress of persons, or interfere with the free flow of vehicle or pedestrian traffic.

(2) Such handbills, leaflets, newspapers and related matter must bear identification as to the publishing agency and distributing organization or individual.

(3) All nonstudents shall be required to register with the director of activities prior to the distribution of any handbill, leaflet, newspaper or related matter. Nonstudents shall not be allowed to sell handbills, leaflets, newspapers or related matter on or in college facilities. [Order 69-4, § 132R-04-090, filed 12/5/69.]

WAC 132R-04-100 Delegation of disciplinary authority. The board, acting pursuant to RCW 28.85.140(14), do by written order delegate to the president of the college authority to administer the disciplinary action prescribed in WAC 132R-04-150. All disciplinary actions in which there is a recommendation that a student be suspended or expelled, shall be acted upon by the president. The president shall have no authority to delegate this decision. [Order 69-4, § 132R-04-100, filed 12/5/69.]

WAC 132R-04-110 Disciplinary action. (1) The dean of student personnel services shall be the primary person responsible for the initiation of disciplinary action for conduct which is prohibited pursuant to the rules of student conduct and for the violation of other college rules except for those rules which are the responsibility of the divisions and instructors hereafter enumerated.

(a) The division chairman, and the faculty of each division, shall be responsible for the administration of discipline, for the infraction of any rule relating to such student's academic program; and

(b) The instructor of each course shall be responsible for the maintenance of order and proper student conduct in a classroom. Such instructor shall be authorized to take any summary steps as may be necessary to preserve order and to maintain effective cooperation of the class in fulfilling the objective of the course; and

(c) The classroom instructor may, for a serious violation of classroom decorum or order, refer such violation to the chairman of the division involved and such chairman through the dean of instruction may request the dean of student personnel services to initiate disciplinary action.

(2) Any student accused of violating any provision of the rules of student conduct will be called for an initial conference with the dean of student personnel services or his designated representative, and will be informed of what provision or provisions of the rules of student conduct he is charged with violating, and what appears to be the maximum penalties, if any, which might result from initiation of a disciplinary proceeding.

(3) After considering the evidence in the case and interviewing the student or students accused of violating the rules of student conduct, the dean of student personnel services or his designated representative may take any of the following actions:

(a) Terminate the proceeding, exonerating the student or students;

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

(c) Impose minor sanctions directly (warning or reprimand).

(d) If major sanctions are deemed necessary, the dean of student personnel services may recommend that the president impose disciplinary action pursuant to WAC 132R-04-150 after a hearing before the disciplinary committee as denominated in WAC 132R-04-120 unless the student waives the right to a hearing in writing, in which case the president shall interview the student and consider all evidence including the examination of any witnesses and impose disciplinary action pursuant to

WAC 132R-04-150. [Order 69-4, § 132R-04-110, filed 12/5/69.]

WAC 132R-04-120 Disciplinary committee. (1) The disciplinary committee shall be a standing committee established at the beginning of each year, no later than the end of the second week of regularly scheduled classes. Each member shall serve one year. The committee will be composed of four students selected by the student government of the college and four faculty members selected by the college faculty association. One faculty member shall be elected by the committee to serve as chairman, and who shall be entitled to vote in all proceedings. If disciplinary action is necessary prior to the selection of the standing committee, the executive council of both the associated student body of the college and the college faculty association shall serve as a disciplinary committee protem.

(2) If any member of the committee is unable to consider a particular disciplinary proceeding for any reason including a conflict of interest, such member shall be temporarily replaced by a student or faculty member as appropriate pursuant to the procedures established in this section.

(3) The disciplinary committee shall conduct such hearing within 25 days after disciplinary action has been referred to such committee and shall give the student charged with violation of the rules of student conduct a minimum of 20 days notice as specified within WAC 132R-04-130. [Order 69-4, § 132R-04-120, filed 12/5/69.]

WAC 132R-04-130 Disciplinary committee procedures. (1) The hearing panel will hear, de novo, and make recommendations to the president of the college on all disciplinary cases referred to it by the dean of student personnel services.

(2) The student has a right to a fair and impartial hearing before the disciplinary committee on any charge of violating the rules of student conduct. The student's failure to cooperate with the hearing procedures hereinafter outlined, however, shall not preclude the disciplinary committee from making its findings of fact, conclusions and recommendations as provided herein.

(3) The student shall be given written notice of the time and place of the hearing before the disciplinary committee by personal service or registered mail and be afforded not less than 20 days notice thereof. Said notice shall contain:

(a) A statement of the time, place and nature of the disciplinary proceeding.

(b) A statement of the charges against him including reference to the particular sections of the rules of student conduct involved.

(4) 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.

(5) 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 student personnel services.

(6) In all disciplinary proceedings, the college may be represented by a designee appointed by the dean of student personnel services; said designee may then present the college's case against the student accused of violating the rules of student conduct, provided that in those cases in which the student elects to be represented by a licensed attorney, the dean of student personnel services may elect to have the college represented by an assistant attorney general.

(7) If at the conclusion of the hearing, the committee finds that the student has committed one or more violations, and that such violations are in fact violations of a rule or rules of student conduct, the committee shall make such a finding and recommend such disciplinary action as they shall deem appropriate against the student.

(8) An adequate summary of all the evidence and facts presented to the disciplinary committee during the course of the proceeding will be taken. A copy thereof shall be available at the office of the dean of student personnel services. [Order 69-4, § 132R-04-130, filed 12/5/69.]

WAC 132R-04-140 Disciplinary committee decision. (1) Upon conclusion of the disciplinary hearing, the disciplinary committee shall consider all the evidence therein presented and decide by majority vote as to the specific findings and conclusions required pursuant to WAC 132R-04-130, and whether to recommend to the president any of the following actions:

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

(b) That the president impose any of the disciplinary action as provided in WAC 132R-04-150.

(2) The student will be provided with a copy of the committee's findings of fact and conclusions regarding whether the student did violate any rules of student conduct, and such student shall also be provided with a copy of the recommendations of disciplinary action. [Order 69-4, § 132R-04-140, filed 12/5/69.]

WAC 132R-04-150 Imposition of discipline. (1) The college president shall review all actions for which the disciplinary committee has recommended disciplinary action and determine whether or not disciplinary action shall be imposed against the said student. The college president shall have no authority to impose any disciplinary action on a student unless disciplinary action has been recommended by the disciplinary committee against such student or unless such student has waived his right to a hearing before such disciplinary committee. The disciplinary action imposed by the president shall not be more severe than that recommended by the disciplinary committee.

(2) In determining whether or not to impose disciplinary action against a student, the president shall review the summary of the evidence and facts presented to the disciplinary committee, the findings and conclusions of the disciplinary committee, and the recommendation of the disciplinary committee and the college president

shall then determine whether or not to impose disciplinary action in any form.

(3) If the college president determines to impose disciplinary action for a violation of the rules of conduct for which disciplinary action has been recommended by the disciplinary committee unless the said student waives his right to such hearing, the college president shall have authority to:

(a) Expel such student permanently from the college; or

(b) Suspend the right of such student to attend the college for a maximum of three consecutive academic quarters; or

(c) Reprimand such student in writing and forward a copy of such reprimand to the guardian or parents of such student. [Order 69-4, § 132R-04-150, filed 12/5/69.]

WAC 132R-04-160 Student appeal. Any student feeling aggrieved by the findings or conclusions of the disciplinary committee or the order of the college president imposing disciplinary action may appeal the same in writing by directing an appeal to the chairman of the board within 15 days following receipt of the order of the president imposing disciplinary action. The board may, at their discretion, suspend any disciplinary action pending determination of the merits of the findings, conclusions and disciplinary action imposed. [Order 69-4, § 132R-04-160, filed 12/5/69.]

WAC 132R-04-170 Civilian prosecution. The board acting through the college president may refer any violations of the rules of student conduct which involve violations of federal or state law to civilian authorities for disposition. [Order 69-4, § 132R-04-170, filed 12/5/69.]

WAC 132R-04-180 Effective date. The rules contained within chapter 132R-04 WAC shall become effective upon the date the same are filed with the code revisor. [Order 69-4, § 132R-04-180, filed 12/5/69.]

WAC 132R-04-190 Prior rules. The rules contained within chapter 132R-04 WAC supercede all former rules for which a student was subject to disciplinary action as defined by WAC 132R-04-010. [Order 69-4, § 132R-04-190, filed 12/5/69.]

WAC 132R-04-200 Severability. If any provision of chapter 132R-04 WAC is adjudged by a court to be unconstitutional, the remaining provisions of chapter 132R-04 WAC shall continue in effect. [Order 69-4, § 132R-04-200, filed 12/5/69.]

Chapter 132R-08 WAC
REDUCTION-IN-FORCE OF CLASSIFIED
EMPLOYEES

WAC
132R-08-010 Purpose of rules.

132R-08-020	Definitions.
132R-08-030	Initial procedures for reduction-in-force.
132R-08-040	Initial order of layoff.
132R-08-050	Options in lieu of layoff.
132R-08-060	Procedure for establishing order of layoff and notice requirements.
132R-08-070	Distribution of layoff notice.
132R-08-080	Reemployment rights of laid off employees.

WAC 132R-08-010 Purpose of rules. Pursuant to the direction of the Higher Education Personnel Board of the State of Washington, the Board of Trustees for Washington State Community College District No. 18 hereby establishes the procedures for reduction-in-force for the layoff of classified employees when such reductions or layoffs are required by lack of funds or curtailment of programs. [Order 71-9, § 132R-08-010, filed 9/16/71.]

WAC 132R-08-020 Definitions. As used in this chapter, 132R-08, the following words and phrases are defined:

(1) "Appointing authority" shall mean the president of Big Bend Community College.

(2) All of the terms and phrases which describe any legal status a classified employee may have under the layoff procedures herein adopted shall have the meaning defined in WAC 251-04-020 and chapter 251-10 WAC. [Order 71-9, § 132R-08-020, filed 9/16/71.]

WAC 132R-08-030 Initial procedures for reduction-in-force. (1) When a reduction-in-force is required due to lack of funds or curtailment of programs, the appointing authority shall determine the number of positions, by classification, to be abolished.

(2) The order of layoff and optional retention rights of classified employees shall be determined on an institution-wide basis. The entire classified staff of the Big Bend Community College shall be considered as one layoff unit. [Order 71-9, § 132R-08-030, filed 9/16/71.]

WAC 132R-08-040 Initial order of layoff. The initial order of layoff shall be according to the appointment status of employees in the classifications of positions to be eliminated.

(1) Probationary, temporary, and hourly employees shall be laid off before permanent status employees in the same classification.

(2) Emergency, temporary, or intermittent employees shall be laid off before probationary and provisional status employees in the same classification. The order of layoff for probationary or provisional employees shall be inverse to their length of service. The employee having the least amount of such service shall be separated first and the employee having the greatest amount of service separated last.

(3) Permanent status employees shall be laid off in inverse order of the period of service in the classification. The employee having the least amount of such service shall be separated first and the employee having the greatest amount of service shall be separated last.

Length of service shall include all periods of probationary and permanent status employment in the classification and other classifications except as broken by termination of employment.

(4) Service shall not be considered broken during military or approved leaves of absence. The retention rights of veterans shall be determined in accordance with WAC 251-04-020(33) and WAC 251-10-050. [Order 71-9, § 132R-08-040, filed 9/16/71.]

WAC 132R-08-050 Options in lieu of layoff. (1) Options shall be offered in lieu of layoff to employees in accordance with the provisions of WAC 251-10-030. Permanent status employees who are qualified shall, according to length of service, be offered positions in other classifications, which are being filled by probationary, temporary, and hourly employees.

(2) An employee with permanent status in the next lower classification and with a greater total amount of service than another permanent employee in the lower classification, shall be offered a position filled by the employee with the least amount of service in that classification. If a position cannot be offered at this level, the procedure shall be repeated in the next lower classification. [Order 71-9, § 132R-08-050, filed 9/16/71.]

WAC 132R-08-060 Procedure for establishing order of layoff and notice requirements. (1) The appointing authority shall inform the personnel officer of the number of positions to be abolished, in writing.

(2) The personnel officer shall:

(a) Determine the employees to be laid off, determine their option rights, and notify the appointing authority in writing;

(b) Promptly discuss options with the employees concerned, who, in turn, shall inform him in writing as quickly as possible and within three working days, whether they wish to exercise their option rights;

(c) Promptly notify the appointing authority as to whether or not the employees have elected to use their option rights, and shall send a written notice of the reduction-in-force action to each employee to be laid off. This written notice shall be served on the person who is to be laid off at least 15 days prior to the effective date of the layoff. [Order 71-9, § 132R-08-060, filed 9/16/71.]

WAC 132R-08-070 Distribution of layoff notice. Copies of all layoff notices shall be distributed as follows:

The original to the employee,

One copy to the supervisor's department files,

One copy to the personnel office,

One copy to the employee's bargaining agent. [Order 71-9, § 132R-08-070, filed 9/16/71.]

WAC 132R-08-080 Reemployment rights of laid off employees. (1) Reduction of force registers will be established by classification and maintained by the personnel office. The names of permanent and probationary employees who have been laid off shall be placed on the eligible list for those classes in which they have held

permanent status or probationary or trial service appointments, and in addition, those lists for all lower classifications in the same class series for which the employee is qualified. Layoff lists shall be institution-wide with eligibles ranked according to layoff seniority as defined in WAC 251-04-020(33) of the Higher Education Personnel Board Rules. Eligibles certified from such lists shall be reemployed in preference to all other eligibles.

(2) The personnel officer may reduce, extend, or reestablish registers as long as it does not jeopardize the reemployment of the employees separated by reduction-in-force. Institution-wide layoff lists shall have a duration of two (2) years. Prior to the expiration date of the eligible, he shall be notified of the expiration date and given the opportunity to extend his eligibility for one (1) additional year by written request to the personnel officer.

(3) Institution-wide layoff lists shall be made in accordance with WAC 251-10-040 and WAC 251-18-180. [Order 71-9, § 132R-08-080, filed 9/16/71.]

Chapter 132R-12 WAC

DESIGNATING AUTHORITY—EXEMPTIONS FROM HIGHER EDUCATION PERSONNEL LAW

WAC

132R-12-010 Designation of appointing authority.

132R-12-020 Classified employee exemptions.

132R-12-030 Effective date.

WAC 132R-12-010 Designation of appointing authority. Pursuant to WAC 251-04-020(2), the position of "appointing authority" at Big Bend Community College is designated:

(1) The president or the person occupying the position of president at Big Bend Community College is designated as the "appointing authority" for purposes of chapter 28.75 RCW at Big Bend Community College.

(2) The president of Big Bend Community College is delegated authority by written order of the board of trustees to terminate, suspend, reduce or demote any classified employee at Big Bend Community College without the prior approval of the board of trustees. Additionally, the president of Big Bend Community College, as the appointing authority, is authorized to make such appointments of eligible persons to classified positions at Big Bend Community College. [Order 70-4, § 132R-12-010, filed 3/5/70.]

WAC 132R-12-020 Classified employee exemptions. Pursuant to RCW 28.75.040, the following positions at Big Bend Community College and in Community College District No. 18, State of Washington, are deemed exempt from the provisions of chapter 28.75 RCW:

(1) Members of the board of trustees.

(2) President.

(3) Major administrative officers:

(a) Dean of instruction.

(b) Associate dean for occupational education.

(c) Dean of student personnel services.

- (d) Administrative assistant for business or financial affairs.
- (4) All employees of Community College District No. 18 who are either probationary faculty appointees or tenured faculty appointees pursuant to RCW 28.85.850 through 28.85.869.
- (5) All directors and assistants to the president and major administrative officers analogous to vice presidents:
 - (a) Director of community services.
 - (b) Director of the upward bound program.
 - (c) Director of student activities.
 - (d) Director of federal programs.
 - (e) Executive secretary to the president.
 - (f) All other heads of major administrative or academic divisions.
- (6) Positions involved in research, counselling of students, and graphic arts and publications:
 - (a) Coordinator of financial aids and housing.
 - (b) Public information officer.
- (7) Professional consultants under contract and all student employees.

[Order 70-4, § 132R-12-020, filed 3/5/70.]

WAC 132R-12-030 Effective date. The effective date of this rule shall be March 5, 1970. [Order 70-4, § 132R-12-030, filed 3/5/70.]

Chapter 132R-17 WAC ELECTIONS

Wac

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132R-17-160	Counting of ballots—Procedure—Certification of results of election—Retention of ballots—Signed voting lists.
132R-17-170	Electioneering within the polls forbidden.
132R-17-180	Contest of election—Time for filing objections—Investigation of objections.
132R-17-190	Persons eligible to vote—Definition "certificated employee".
132R-17-200	Election determined by majority of valid votes cast—Run-off election.
132R-17-210	Time lapse for new election.

WAC 132R-17-010 Purpose. Pursuant to chapter 28B.52 RCW, *as amended*, Laws of 1973 1st ex. sess. chapter 205, the board of trustees of Community College District No. 18 establishes the following rules to strengthen methods of administering employer-employee relations through the establishment of orderly methods of communication between certificated employees of Big Bend Community College and the board of trustees of Community College District No. 18. [Order 73-12, § 132R-17-010, filed 9/11/73.]

WAC 132R-17-020 Request for election-canvass of certificated employees by independent and neutral person or association. Any organization of certificated employees of Community College District No. 18 desiring to be recognized as the majority organization representing such employees pursuant to chapter 28B.52 RCW, *as amended*, Laws of 1973 1st ex. sess. chapter 205, shall request in writing of the board of trustees of Community College District No. 18 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 and within 15 days of said receipt following the next regular meeting of the Board of Trustees, the board of trustees of Community College District No. 18 will request some independent and neutral person or association to determine whether thirty per cent or more of the certificated employees of Community College District No. 18 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 memberships, signed authorizations to represent, or other reliable and probative evidence, within 15 days of the receipt of such a charge. [Order 73-12, § 132R-17-020, filed 9/11/73.]

WAC 132R-17-030 Notice of election—Organizations 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 certificated employees of Community College District No. 18 have indicated that they desire to be represented by that organization for such purposes, the board of trustees of Community College District No. 18 will publish a notice that it will hold an election as soon as practical to determine whether the certificated employees of Community College District No. 18 desire the requesting organization or any other organization to represent them for the purpose of chapter 28B.52 RCW, *as amended*, Laws of 1973 1st ex. sess. chapter 205. Any other organization of certificated employees desiring to be designated as the majority organization representing such employees shall, within fifteen days after publication of such notice by the board of trustees of Community College District No. 18, 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 fifteen days after the publication of the notice that an

election will be held. [Order 73-12, § 132R-17-030, filed 9/11/73.]

WAC 132R-17-040 Contents of notice of election—Designation of chief election officer—Duties. The notice published by the board of trustees of Community College District No. 18, pursuant to WAC 132R-16-030 [codified WAC 132R-17-030], shall state the date, hours, and polling places for the election. The notice shall also designate a chief election officer of the election, who is mutually acceptable to all contesting parties and organizations, 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 73-12, § 132R-17-040, filed 9/11/73.]

WAC 132R-17-050 List of certificated employees—Posting of list. In any election conducted pursuant to these rules, lists of certificated employees eligible to vote shall be prepared by the board of trustees listing certificated 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 a certificated employee to vote in the election. [Order 73-12, § 132R-17-050, filed 9/11/73.]

WAC 132R-17-060 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 73-12, § 132R-17-060, filed 9/11/73.]

WAC 132R-17-070 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 28B.52 RCW, as amended, Laws of 1973 1st ex. sess. chapter 205 a Majority Organization to Represent Certificated Employees of Community College District No. 18.

Vote for one

ORGANIZATION X
 ORGANIZATION Y
 NO ORGANIZATION

Do not sign your name or put other identifying marks on this ballot.

[Order 73-12, § 132R-17-070, filed 9/11/73.]

WAC 132R-17-080 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 certificated employee may cast only one ballot in any election held pursuant to these rules, and the presence of a signature beside the name of an employee desiring to vote shall automatically constitute grounds for challenge to his right to cast a ballot in an election. [Order 73-12, § 132R-17-080, filed 9/11/73.]

WAC 132R-17-090 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 73-12, § 132R-17-090, filed 9/11/73.]

WAC 132R-17-100 Privacy for voter—Equipment. Voters casting ballots at a designated voting place 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 75-10, § 132R-17-100, filed 4/10/75.; Order 73-12, § 132R-17-100, filed 9/11/73.]

WAC 132R-17-110 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 ballot box provided at the designated voting place or place it in the mail as instructed by the chief election officer. [Order 75-10, § 132R-17-110, filed 4/10/75.; Order 73-12, § 132R-17-110, filed 9/11/73.]

WAC 132R-17-120 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 73-12, § 132R-17-120, filed 9/11/73.]

WAC 132R-17-130 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 73-12, § 132R-17-130, filed 9/11/73.]

WAC 132R-17-140 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 certificated employees, (2) all unused ballots, (3) all challenged ballots, (4) the sealed ballot box containing all ballots cast, and (5) the absentee ballots received before the established deadline. [Order 75-10, § 132R-17-140, filed 4/10/75.; Order 73-12, § 132R-17-140, filed 9/11/73.]

WAC 132R-17-150 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 ballot shall be counted as cast. [Order 73-12, § 132R-17-150, filed 9/11/73.]

WAC 132R-17-160 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 certificated employees shall be kept by the chief election officer or some person designated by him for one year after the election. [Order 73-12, § 132R-17-160, filed 9/11/73.]

WAC 132R-17-170 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 73-12, § 132R-17-170, filed 9/11/73.]

WAC 132R-17-180 Contest of election—Time for filing objections—Investigation of objections. Any organization, the name of which appears on the ballot, or any certificated 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 132R-16-040 [codified WAC 132R-17-040] 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 73-12, § 132R-17-180, filed 9/11/73.]

WAC 132R-17-190 Persons eligible to vote—Definition "certificated employee". An employee of Community College District No. 18 will be determined eligible to vote in the election as designated in Laws of 1973 1st ex. sess. chapter 205, paragraph 1, *amending*, RCW 28B.52.020. For the purposes of this part, the term "certificated employee" means any person currently employed by Community College District No. 18 as a teacher, counselor, librarian or administrator except for the president of the community college, and except that administrators are eligible to vote in an election to determine the representative of academic employees only if the provisions of Laws of 1973 1st ex. sess. chapter 205, section 1, *amending*, RCW 28B.52.020 have been satisfied. [Order 73-12, § 132R-17-190, filed 9/11/73.]

WAC 132R-17-200 Election determined by majority of valid votes cast—Run-off election. An organization of certificated 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 certificated employees of Community College District No. 18 pursuant to chapter 28B.52 RCW,

as amended, Laws of 1973 1st ex. sess., chapter 205. If more than one organization of certificated 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 73-12, § 132R-17-200, filed 9/11/73.]

WAC 132R-17-210 Time lapse for new election. If no organization of certificated 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 certificated employees is selected as bargaining 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. [Order 73-12, § 132R-17-210, filed 9/11/73.]

Chapter 132R-116 WAC

TRAFFIC AND PARKING REGULATIONS

WAC

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WAC 132R-116-010 Introduction. The rules and regulations provided in this chapter have been established by the Board of Trustees of Big Bend Community College acting on behalf of Big Bend Community College to govern vehicular traffic and parking upon all state lands devoted to the educational, recreational, and living activities of Big Bend Community College. [Order 73-4, § 132R-116-010, filed 3/23/73.]

WAC 132R-116-020 Purposes of regulations. The purposes of these regulations are:

- (1) To control parking on college owned parking lots.
- (2) To control parking and traffic on all streets bordered on at least one side by college owned or college leased property.
- (3) To assure access at all times for emergency equipment.
- (4) To expedite Big Bend Community College business, protect state property, and provide maximum safety and convenience.
- (5) To provide funds to obtain and maintain suitable campus parking and traffic facilities. [Order 73-4, § 132R-116-020, filed 3/23/73.]

WAC 132R-116-030 Applicable rules and regulations. The traffic and parking regulations which are applicable upon state lands devoted to the educational, recreational, and housing activities of Big Bend Community College are as follows:

- (1) The motor vehicle and other traffic laws of the state of Washington;
- (2) Special regulations set forth in this chapter. [Order 73-4, § 132R-116-030, filed 3/23/73.]

WAC 132R-116-040 Permits required to park on college property. Except as provided in subsections (1), (2) and (4) of this section, no student, faculty or staff member shall park upon the campus of Big Bend Community College without a permit issued by Big Bend Community College.

(1) Visitors to the campus may park in college parking lots in spaces provided for their use and marked accordingly. Visitors shall secure a guest parking permit from the office of the President, Vice-President, Dean of Administration, Dean of Students, Director of Student Activities, Supervisor of Adult and Occupational Education or their designee. These permits shall be issued without charge.

(2) Vehicles owned by the government of the United States of America, the state of Washington, or any of its political subdivisions, may be parked in any college parking lot without a permit, except that they may not be parked in reserved or handicapped parking spaces.

(3) No vehicle shall be parked on campus except in those areas set aside as parking places or areas.

(4) Any vehicles, parking in a college parking lot which requires cash payment to park or which has been set aside for free parking, is not required to display a college parking permit. [Order 76-8, § 132R-116-040, filed 3/9/76; Order 73-4, § 132R-116-040, filed 3/23/73.]

WAC 132R-116-050 Definition of valid parking permit. A parking permit is a certification of permission to park in designated lots on the Big Bend Community College campus.

(1) The parking permit shall consist of a decal denoting the academic year the vehicle is registered to park.

(2) A guest permit shall consist of a permit issued in accordance with WAC 132R-116-040(1).

(3) Any parking permit shall be issued subject to the rules and regulations stated herein and shall be displayed on the vehicle in accordance with such rules and regulations. [Order 76-8, § 132R-116-050, filed 3/9/76; Order 73-4, § 132R-116-050, filed 3/23/73.]

WAC 132R-116-060 Where to purchase permits. Permits will be sold at a place to be designated at the beginning of each quarter. Subsequent to the registration period, students and staff may acquire parking permits from the Registrar's Office during normal working hours. Such fees shall be as established from time to time by the Board of Trustees of Big Bend Community College. [Order 76-8, § 132R-116-060, filed 3/9/76; Order 73-4, § 132R-116-060, filed 3/23/73.]

WAC 132R-116-070 Display of permits. The parking permit shall be placed as directed. Expired permits shall be removed before the new permit is attached.

(1) Permits not displayed in accordance with the provisions of this section shall not be valid.

(2) Vehicles using straight-in or diagonal parking spaces shall park with the front of the vehicle headed in said spaces or toward the curb. [Order 73-4, § 132R-116-070, filed 3/23/73.]

WAC 132R-116-080 Responsibility of persons to whom permits are issued. The person to whom a permit is issued pursuant to these regulations shall be responsible for all violations of these regulations involving the vehicle for which the permit was issued and to which it was affixed, provided, however, that such responsibility shall not relieve other persons who violate these rules and regulations. [Order 73-4, § 132R-116-080, filed 3/23/73.]

WAC 132R-116-090 Faculty and staff permits. Any member of the faculty and any staff member shall be eligible for a faculty and staff parking permit.

(1) Faculty and staff members are restricted to parking in the assigned areas.

(2) Faculty and staff members owning more than one (1) vehicle and wishing to park more than one vehicle on campus will, at the time of original purchase and upon request, be issued more than one parking permit. [Order 73-4, § 132R-116-090, filed 3/23/73.]

WAC 132R-116-100 Student permits. Students who commute to campus and student[s] living in campus dormitories who wish to park their vehicles on campus must purchase a student permit. [Order 73-4, § 132R-116-100, filed 3/23/73.]

WAC 132R-116-110 Handicapped parking. Spaces or stalls shall be set aside in certain parking lots adjacent to campus buildings for the exclusive use of handicapped faculty members, administrative staff, and students whose physical condition makes it difficult to go to and from classes and buildings.

(1) Persons wishing to utilize handicapped parking spaces must register as a handicapped person at the time that the parking permit is issued. The applicant may be

required to secure a written statement from a qualified physician outlining the nature of the handicap and recommending preferred parking. Permission to use handicapped parking on a temporary basis shall be extended only for the period of the handicap, and shall be revoked when the person returns to normal health. [Order 76-8, 132R-116-110, filed 3/9/76; Order 73-4, § 132R-116-110, filed 3/23/73.]

WAC 132R-116-120 Visitors' permits. Guests, visitors, salesmen, servicemen, vendor representatives, and others doing business with the institution may be issued visitors' permits allowing them to park in designated lots on campus. Such permits are issued without charge in accordance with WAC 132R-116-040(1) upon request by the owner/operator of the parking vehicle.

(1) Parking on the campus will not be provided to persons intending to make personal solicitations from or personal sales to college employees or students.

(2) Visitors' permits shall not allow the user to park in reserved or handicapped spaces or stalls.

(3) Visitors' permits shall be in the form provided in WAC 132R-116-050(2). [Order 76-8, § 132R-116-120, filed 3/9/76; Order 73-4, § 132R-116-120, filed 3/23/73.]

WAC 132R-116-130 Permit revocations. Parking permits are the property of the college and may be recalled, revoked, or suspended for violation of any provision of these parking regulations and without right to prior notice or hearing for the following reasons:

(1) When the purpose for which the permit was issued changes or not longer exists, the permit may be revoked.

(2) When a permit is used on an unregistered vehicle or by an unauthorized individual, the permit may be revoked, and the vehicle and/or permit holder shall be subject to citation.

(3) Falsification on a parking permit application shall be grounds for permit revocation.

(4) Continued violations of parking regulations shall be grounds for permit revocation.

(5) Counterfeiting or altering of parking permits shall be grounds for permit revocation. [Order 73-4, § 132R-116-130, filed 3/23/73.]

WAC 132R-116-140 Hearing provided. Cancellation or revocation of any parking permit because of any of the causes stated in WAC 132R-116-130 through 132R-116-130(5) may be appealed to the traffic control board for a hearing within 10 days. The hearing shall conform to the due process requirements of the Big Bend Community College student code and the decision of the traffic control board shall be final. [Order 76-8, § 132R-116-140, filed 3/9/76; Order 73-4, § 132R-116-140, filed 3/23/73.]

WAC 132R-116-150 Activity parking. Persons attending scheduled activities at Big Bend Community College may park in college parking lots during the event, on a "space available" basis and subject to any posted limitations, but no vehicle so parked shall occupy a reserved or handicapped space or stall. [Order 76-8, §

132R-116-150, filed 3/9/76; Order 73-4, § 132R-116-150, filed 3/23/73.]

WAC 132R-116-160 Prohibited areas. No vehicle shall be parked in any driveway, emergency access, sidewalk, lawn, or any other area not designated as a parking lot. Unless otherwise provided for, no vehicle shall be parked within sixteen (16) feet of any building or structure on the Big Bend Community College campus or in any area where a "no parking" sign is posted. [Order 73-4, § 132R-116-160, filed 3/23/73.]

WAC 132R-116-170 Parking within designated spaces. No vehicle shall be parked so as to occupy any portion of more than one (1) parking space or stall as designated within the parking area. The fact that other vehicles may have been so parked as to require the vehicle parked to occupy a portion of more than one space or stall shall not constitute an excuse for a violation of this section. [Order 73-4, § 132R-116-170, filed 3/23/73.]

WAC 132R-116-180 Abandoned, disabled, and inoperative vehicles. No disabled or inoperative vehicle shall be parked on the campus for a period in excess of seventy-two (72) hours. Vehicles which have been parked for periods in excess of seventy-two (72) hours and which appear to be disabled or inoperative may be impounded and stored at the expense of either or both the owner and operator thereof. Neither the college nor its employees shall be liable for loss or damage of any kind resulting from such impounding and storage. [Order 73-4, § 132R-116-180, filed 3/23/73.]

WAC 132R-116-190 Impounding of illegally parked vehicles. The President or his designee(s) may order the impound and storage of any vehicle parked in areas where parking is not allowed, or parked in a space reserved for another vehicle, or illegally parked in a handicapped or visitors' space. The impounding and storage shall be at the expense of either or both the owner and operator of the impounded vehicle. Neither the college nor its employees shall be liable for loss or damage of any kind resulting from such impounding and storage. [Order 76-8, § 132R-116-190, filed 3/9/76; Order 73-4, § 132R-116-190, filed 3/23/73.]

WAC 132R-116-200 Liability of college. The college assumes no liability for vehicles parked on college properties. The college rents space to individuals desiring to park on the campus and who purchase a parking permit. However, no bailment is created by the purchase of a permit. [Order 73-4, § 132R-116-200, filed 3/23/73.]

WAC 132R-116-210 Parking violations. Parking violations may occur and may result in the issuance of a parking violation citation, impound, or both:

(1) Vehicles not registered and not displaying a valid permit and parked in a parking lot requiring said registration and permit on the Big Bend Community College campus shall be subject to citation.

(2) Vehicles which are registered in accordance with these rules and regulations but which are not displaying a valid parking permit in accordance with said rules and regulations shall be subject to citation.

(3) Vehicles parked in a space or stall reserved by a faculty or staff member shall be subject to citation unless that vehicle is registered for that space or stall.

(4) Vehicles parked in a space or stall reserved for handicapped students and not displaying a handicapped parking permit shall be subject to citation.

(5) Vehicles parked in such a manner as to occupy more than one (1) space or stall shall be subject to citation.

(6) Vehicles parked in an area not specifically posted for parking shall be subject to citation. Vehicles parked in service areas, driveways, loading zones, or areas with yellow curb shall be subject to citation, impound, or both.

(7) Student, faculty, or staff vehicles parked in a space or stall reserved for visitor parking shall be subject to citation.

(8) Vehicles in violation of one or more of these rules and regulations shall be subject to citation on one or more of the violations and may be given more than one citation. [Order 76-8, § 132R-116-210, filed 3/9/76; Order 73-4, § 132R-116-210, filed 3/23/73.]

WAC 132R-116-220 Regulatory signs. Drivers of vehicles shall obey regulatory signs and signs related to the collection of parking fees posted by the college. Drivers of vehicles shall also comply with directions given them by campus safety officers or other representatives of the office of campus safety in the control and regulations of traffic and parking. [Order 73-4, § 132R-116-220, filed 3/23/73.]

WAC 132R-116-230 Rules and regulations available. These rules and regulations shall be made available at appropriate locations on campus and shall be available in abbreviated form to all persons securing a parking permit at Big Bend Community College. Not being familiar with, or ignorance of one or more of these rules and regulations shall not constitute a defense for violation of a rule or regulation and shall not limit the culpability of a person to whom the violation citation is issued. [Order 73-4, § 132R-116-230, filed 3/23/73.]

WAC 132R-116-240 Special traffic and parking regulations and restrictions authorized. Upon special occasions causing additional heavy traffic, during emergencies, or during construction of campus facilities, the president of the college or his authorized designee, are authorized to impose additional traffic and parking regulations or modify the existing rules and regulations for achievement of the general objectives provided in WAC 132R-116-020. [Order 76-8, § 132R-116-240, filed 3/9/76; Order 73-4, § 132R-116-240, filed 3/23/73.]

WAC 132R-116-250 Effective hours of operation. The traffic and parking regulations shall be effective at all times. [Order 73-4, § 132R-116-250, filed 3/23/73.]

WAC 132R-116-260 Fees. All faculty, staff and student vehicles shall be issued parking permits upon payment of appropriate fees as established and approved by the Big Bend Community College Board of Trustees. [Order 76-8, § 132R-116-260, filed 3/9/76; Order 73-4, § 132R-116-260, filed 3/23/73.]

WAC 132R-116-270 Fines. Citations issued to faculty, staff, or students of Big Bend Community College shall be payable in accordance with posted rates. Failure to pay shall be grounds for disciplinary action. [Order 73-4, § 132R-116-270, filed 3/23/73.]

WAC 132R-116-280 Disposition of fees and fines. The cashier shall deposit all proceeds from fees and fines collected pursuant to these regulations in the general parking fund of the college. [Order 76-8, § 132R-116-280, filed 3/9/76; Order 73-4, § 132R-116-280, filed 3/23/73.]

WAC 132R-116-290 Bicycles. Bicycles shall be parked in areas so designated. They shall be covered by all applicable rules as listed in WAC 132R-116-010 through 132R-116-280; however, no fee shall be required for a bicycle nor shall a decal be required. [Order 76-8, § 132R-116-290, filed 3/9/76.]

Chapter 132R-118 WAC

TRAFFIC AND PARKING REGULATIONS FOR BICYCLES, MOTORCYCLES AND MOTORSCOOTERS

WAC

- 132R-118-010 Purpose.
- 132R-118-020 Bicycles, motorcycles, and motorscooters defined.
- 132R-118-030 Applicable rules and regulations.
- 132R-118-040 Operation of bicycles, motorcycles, and motorscooters.
- 132R-118-050 Parking regulations.
- 132R-118-060 Unauthorized use.

WAC 132R-118-010 Purpose. The primary objective of the rules and regulations set forth in this chapter is to provide safety, traffic, and parking controls for the use of bicycles, motorcycles, and motorscooters upon all state lands devoted to the educational, recreational, and living activities of Big Bend Community College. [Order 73-4, § 132R-118-010, filed 3/23/73.]

WAC 132R-118-020 Bicycles, motorcycles, and motorscooters defined. A bicycle shall be, for the purposes of this section, any vehicle with three (3) or less wheels and containing a saddle seat, and which is not motor driven. Any vehicle with three (3) or less wheels and containing a saddle seat, and which is motor driven is considered a motorcycle or motorscooter for the purposes of this section. [Order 73-4, § 132R-118-020, filed 3/23/73.]

WAC 132R-118-030 Applicable rules and regulations. The safety, traffic, and parking regulations for bicycles, motorcycles, and motorscooters which are

applicable upon the campus of Big Bend Community College are as follows:

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

(2) Special regulations set forth in this chapter. [Order 73-4, § 132R-118-030, filed 3/23/73.]

WAC 132R-118-040 Operation of bicycles, motorcycles, and motorscooters. (1) No bicycle, motorcycle, or motorscooter may be operated on sidewalks, walkways, lawns, or other property not set aside for such purposes on the Big Bend Community College campus; except that all bicycles, motorcycles, and motorscooters owned and operated by the college shall be exempt from this provision.

(2) Bicycles, motorcycles, and motorscooters may be operated any place where automobiles or other motor vehicles are permitted. [Order 73-4, § 132R-118-040, filed 3/23/73.]

WAC 132R-118-050 Parking regulations. Motorcycles and motorscooters may be parked, with permit, in any parking lot on the campus of the college.

(1) Bicycles must be parked in bicycle racks. At times, rack space may not be available and parking on the grass off the pavement will be permitted if all racks in the vicinity are full.

(2) Bicycles, motorcycles, and motorscooters may be parked in triangular spaces caused by angular parking in a lot.

(3) Bicycles, motorcycles, and motorscooters may not be parked on any lawn, sidewalk, walkway, driveway, service area, against any building, building entrances or exits, nor in a building on the college campus, except as provided in WAC 132R-118-050(1).

(4) Bicycles, motorcycles, and motorscooters not conforming to these regulations are subject to citation as are all other vehicles, and may be impounded as provided in WAC 132R-116-200.

(5) Bicycle, motorcycle, and motorscooter regulations will be in effect at all times. [Order 73-4, § 132R-118-050, filed 3/23/73.]

WAC 132R-118-060 Unauthorized use. The use of a bicycle, motorcycle, or motorscooter without the owner's permission, or moving a bicycle, motorcycle, or motorscooter to any unauthorized area is prohibited. [Order 73-4, § 132R-118-060, filed 3/23/73.]

Chapter 132R-128 WAC

REGULATIONS ON TENURE, NONRENEWAL OF FACULTY PROBATIONERS' CONTRACTS, AND FACULTY DISMISSALS

WAC

- 132R-128-010 Purpose.
- 132R-128-020 Definitions.
- 132R-128-030 Composition of review committees.
- 132R-128-040 Review committee evaluation procedures.
- 132R-128-050 Review committee evaluation standards.
- 132R-128-060 Communication of evaluation to probationers.
- 132R-128-070 Recommendations regarding tenure.

- 132R-128-080 Board decisions regarding tenure.
- 132R-128-090 Dismissals.
- 132R-128-100 Dismissal for sufficient cause.
- 132R-128-110 Nonrenewal of tenured faculty contracts.
- 132R-128-120 Tenure considerations.
- 132R-128-121 Summary suspension.
- 132R-128-122 Hearing.
- 132R-128-130 Severability.

WAC 132R-128-010 Purpose. The Board of Trustees of Washington State Community District No. 18 hereby promulgates rules on faculty tenure pursuant to sections 32 through 45 of chapter 283, Laws of 1969, 1st ex. sess. The purpose of this tenure policy shall be to improve the quality of instruction, protect the concepts of faculty employment rights in addition to the faculty employment rights already established and to assure faculty involvement in the protection of those rights at Big Bend Community College and subsequent community colleges which may hereafter be established within Washington State Community College District No. 18. [Order 73-10, § 132R-128-010, filed 6/18/73.]

WAC 132R-128-020 Definitions. As used in this chapter of 132R-128 WAC, the following terms and definitions shall mean:

(1) "Administrative appointment" shall mean employment in a specific administrative position as determined by the appointing authority. Only those persons paid on the basis of the administrative pay schedule are deemed administrators.

(2) "Appointing authority" shall mean the board of trustees of Community College District No. 18, State of Washington.

(3) "The district president" shall be the chief administrative officer for the board of trustees of Washington State Community College District No. 18, if and when appointed.

(4) "The college president" shall mean the chief executive officer of a specific community college within Washington State Community College District No. 18.

(5) "College" shall mean any community college administered by the board of trustees for Washington State Community College District No. 18.

(6) "Faculty appointment" shall mean a full-time appointment as an instructor, counselor, librarian, or other position for which the training, experience and responsibilities are comparable as determined by the appointing authority, except administrative appointments.

(7) "The association" shall mean the Faculty Association of Big Bend Community College, currently representing the present holders of full-time faculty appointments in Washington State Community College District No. 18 and any successor organization or organizations which may be certified as a bargaining agent for persons holding faculty appointments pursuant to the faculty tenure law, sections 32 through 45, chapter 283, Laws of 1969 1st ex. sess., as now enacted or hereinafter amended.

(8) "Full-time" shall mean faculty with the following assignment: Combination lecture-lab, 15 credit hours and 20 contacts, lecture only, 15 credits-15 contacts, composition classes 15 credits and shop classes, 25 contact hours.

(9) "Part-time" shall mean an appointment less than full time.

(10) "Probationer" shall mean a person holding a probationary faculty appointment, pursuant to chapter 283, Laws of 1969 1st ex. sess.

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

(12) "Review committee" shall mean a committee of three faculty peers, one student, and one administrative staff appointed pursuant to WAC 132R-128-030.

(13) "Hearing Review Committee" shall mean a committee comprised for the express purpose of hearing dismissal cases and/or nonrenewal cases as defined pursuant to WAC 132R-128-100. [Order 76-28, § 132R-128-020, filed 12/23/76; Order 75-6, § 132R-128-020, filed 3/6/75; Order 73-10, § 132R-128-020, filed 6/18/73.]

WAC 132R-128-030 Composition of review committees. (1) Review committees shall be established for each of the instructional divisions, library, and student services.

(2) Each review committee shall be comprised of five persons, three of whom shall consist of tenured faculty representatives of the disciplines for whom review committees have been established pursuant to (1) of this section; provided, however, that each faculty member so appointed shall have at least three years community college teaching experience at the time of his appointment. Said faculty appointees shall be chosen by majority vote at a special meeting of the faculty and division heads acting in a body prior to October 15 of the regular college year. The meeting will be jointly called by the president of the college and the president of the association. Where a discipline does not have the personnel to meet this test, the faculty acting as a body will select by majority vote three tenured faculty members at large. Additionally, each review committee shall consist of one administrative appointee designated by the college president no later than October 15 of a regular college year, and one student selected by the Associated Student Body. Each review committee shall choose its own chairman and meet at the call of the chairman when the need for such meeting arises.

(3) All five members of the review committee must be present at any review committee meeting.

(4) The duration of each appointment to the review committee shall be for a period of two calendar years except one of the initial faculty appointments shall be for a one-year appointment and thereafter his successor shall be for a two-year appointment. Student appointments shall be on an annual basis. The period of appointment shall commence on the 15th of October.

(5) If a vacancy arises upon any review committee prior to the expiration of the appointed term, the vacancy shall be filled pursuant to section (2) of this rule.

(6) Either faculty member or the administrative member of the committee can be replaced prior to the expiration of his term upon recommendation to the faculty or to the college president respectively by a majority of the committee. The procedure in No. (2) above shall be followed in filling the vacant position. No change can

be made during a hearing. [Order 75-6, § 132R-128-030, filed 3/6/75; Order 73-10, § 132R-128-030, filed 6/18/73.]

WAC 132R-128-040 Review committee evaluation procedures. (1) Each review committee shall be required to conduct an evaluation of each full-time probationary faculty appointee assigned to such review committee by the president and render reports required by this rule to the president, the probationary faculty appointee and to the appointing authority during the regular college year.

(2) The review committee and the probationer shall understand that the purpose of the evaluation is twofold; namely to guide the probationer so that his effectiveness in his faculty appointment shall be upgraded, and to provide a simple record of his performance during each quarter of his probationary appointment. [Order 73-10, § 132R-128-040, filed 6/18/73.]

WAC 132R-128-050 Review committee evaluation standards. Each review committee shall consider the following standards in the course of evaluating the effectiveness of each full-time probationer's effectiveness in his appointment:

(1) Initial employment is a first favorable indication that the probationer should be permanently employed.

(2) The probationer's instructional skills.

(3) The probationer's relationship with students.

(4) The probationer's relationship with the faculty.

(5) The probationer's relationship with the administration.

(6) The probationer's knowledge of the subject matter he is charged with teaching.

(7) The probationer's action toward professional improvement; e.g., in-service training, additional course work, reading, travel.

(8) The probationer's adherence to appropriate guides and general objectives. [Order 73-10, § 132R-128-050, filed 6/18/73.]

WAC 132R-128-060 Communication of evaluation to probationers. (1) During the course of each evaluation interview conducted by the appropriate review committee, the review committee shall, as part of its duty, note by written summary the probationer's progress in regard to the evaluation standards listed in WAC 132R-128-050.

(2) Upon completion of said evaluation report, it shall be signed by the probationer and distributed by the chairman of the review committee to the director of personnel (original), the appropriate dean, the division head, the probationer and chairman of the review committee.

(3) If the probationer has any disagreements in regard to matters noted by the review committee in its evaluation report, he may so note his disagreement in writing within fourteen (14) calendar days after receipt of his copy. Said writing to be attached to evaluation report copies by review committee chairman.

(4) If in the course of its evaluation report, the review committee states that the probationer is performing unsatisfactorily in whole or in part, it shall attempt to develop a program with the probationer that will be devised to improve such deficiencies. [Order 73-10, § 132R-128-060, filed 6/18/73.]

WAC 132R-128-070 Recommendations regarding tenure. (1) The review committee's recommendations shall be transmitted to the college president. Copies of the recommendations shall be sent to the probationer, his division chairman and the appropriate dean.

(2) Pursuant to RCW 28B.50.856, the probationary faculty appointment period shall be one of continuing evaluation of a probationer by the review committee. The evaluation process shall place primary importance upon the probationer's effectiveness in his appointment. The review committee shall periodically advise each probationer, in writing, of his progress during the probationary period and receive the probationer's written knowledge thereof. The review committee shall, as per subsection (3) below, make appropriate recommendations to the appointing authority through the president.

(3) If at any time prior to February 1 of the regular college year, the review committee recommends nonrenewal of the probationer's contract, or if before February 1 during the probationer's third year of his appointment, his review committee recommends that tenure not be awarded said probationer, written notice thereof shall be transmitted to the president of the college, who in turn shall forward the same to the appointing authority and to the probationer. [Order 73-10, § 132R-128-070, filed 6/18/73.]

WAC 132R-128-080 Board decisions regarding tenure. (1) Upon receiving the various recommendations regarding the award or nonaward of tenure or the nonrenewal of a contract of the evaluated probationers, the board of trustees shall, before its regular March meeting, examine the records of the probationer or probationers so referred to them and give reasonable consideration to the recommendation of the review committee as to the award or nonaward of tenure on the nonrenewal of a contract to said probationer or probationers.

(2) All board decisions regarding the award or nonaward of tenure to probationers considered pursuant to this section, shall be accomplished by no later than the last board meeting of the winter quarter. Written notice of such award or nonaward shall be transmitted by the board to the probationer by no later than the last day of the winter quarter. [Order 73-10, § 132R-128-080, filed 6/18/73.]

WAC 132R-128-090 Dismissals. (1) Tenured faculty members shall not be dismissed except for sufficient cause nor shall a probationer be dismissed prior to the written terms of his appointment except for sufficient cause.

(2) Sufficient cause shall include but not be limited to the following enumerated grounds:

(a) Aiding and abetting or participating in:

- (i) Any unlawful act of violence or incitement to violence.
- (ii) Any unlawful act resulting in the destruction of community college property.
- (iii) Any unlawful interference with the orderly conduct of the educational process.
- (b) Incompetence in professional assignment.
- (c) Insubordination.
- (i) Imports a willful disregard of express or implied directions of employer and refusal to obey reasonable orders.
- (ii) Disobedience to constituted authority.
- (d) Unprofessional conduct as defined: "That which violates the rules or ethical codes of a profession or such conduct unbecoming a member in good standing."
- (e) Violation of duly promulgated rules or regulations of the College. [Order 73-10, § 132R-128-090, filed 6/18/73.]

WAC 132R-128-100 Dismissal for sufficient cause.

In all instances which involve dismissal for sufficient cause, as distinguished from nonrenewal of a probationary appointee's appointment, as specified in WAC 132R-128-070.

(1) The appropriate dean and the appropriate division chairman shall jointly investigate all matters regarding dismissal for cause, as enumerated in WAC 132R-128-090, of a tenured faculty member or probationary faculty member prior to the expiration of such probationary faculty appointee's employment term. If either the appropriate dean or the appropriate division chairman working jointly has cause to believe that a faculty member should be dismissed for cause, he shall advise the college president, and if the college president deems a sufficient cause exists, shall discuss the matter with the individual faculty member involved within ten (10) working days. The college president has ten (10) working days in which to initiate charges. If the president of the college deems sufficient cause exists, a formal charge will be brought against the faculty member in the following manner:

A letter over the signature of the college president will be sent to the faculty member when a charge of dismissal for sufficient cause is made. Copies of this letter will go to the appropriate dean, the appropriate division chairman, the chairman of the Professional Rights and Responsibilities Committee and the president of the Professional Association.

(2) A hearing review committee comprised for the express purpose of hearing dismissal cases and non-renewal cases shall be formulated by no later than October 15, and shall be comprised of the following members:

- (a) An administrator chosen by the college president.
- (b) Three (3) faculty members chosen by the faculty and division heads acting in a body; provided that, the initial hearing review committee faculty member shall serve a one-year term and a two-year term respectively. All subsequent elections to this hearing review committee by the faculty and department heads shall be limited to an election of a member to a two-year term so that all future elections of a faculty member to this committee shall be accomplished on a staggered term basis.

- (c) A student chosen by the Associated Student Body.
- (3) The committee shall, after receiving the written charge from the college president, establish a date for a committee hearing giving the faculty member so charged twenty (20) working days' notice of such hearing, and inform in writing the faculty member so charged of the time, date and place of such hearing.

(4) The committee shall:

- (a) Hear testimony from all interested parties, including but not limited to other faculty members and students and receive any evidence offered by same.
- (b) Afford the faculty member whose case is being heard the right of cross-examination and the opportunity to defend himself and be accompanied by both a personal advisor and legal counsel; provided, that if the faculty member is represented by legal counsel, the college may be represented by an assistant attorney general.

(c) Make a recommendation based exclusively on the evidence produced at the hearing to the appointing authority as to whether there is sufficient cause to believe that the faculty member did in fact perform the conduct which justifies dismissal for cause pursuant to WAC 132R-128-080.

(d) Promptly and forthrightly prepare recommendations as to the appropriate action to be taken.

(e) Prepare an informal record of the proceedings before the hearing review committee and make the same available to the accused faculty member, the appointing authority, and provide a record for the hearing review committee. For purposes of making a record of proceedings for this hearing review committee, an informal transcription of a tape recording of the hearing will be sufficient. [Order 76-28, § 132R-128-100, filed 12/23/76; Order 73-10, § 132R-128-100, filed 6/18/73.]

WAC 132R-128-110 Nonrenewal of tenured faculty contracts. (1) The appointing authority shall be deemed to have authority not to renew the contract of any tenured faculty appointee because of budgetary reasons, change of instructional program, or a lack of students participating in a particular instructional program.

(a) Notice of such nonrenewal shall be tendered to the individual tenured faculty appointee by the district or college president prior to February 1 of any academic college year. The notice shall contain a statement as to whether the nonrenewal is required by budget reasons, a change of instructional program, lack of students participating in a particular instructional program or any combination thereof.

(b) After the district or college president has tendered notice of nonrenewal to the individual tenured faculty appointee pursuant to the requirements of the preceding paragraph, the college president shall then refer the matter to the hearing review committee constituted pursuant to the terms of WAC 132R-128-100, section (2) at least fourteen (14) days prior to the last day of winter quarter of the college academic year. At the same time the matter is referred to said hearing review committee, the district president shall:

(i) Determine whether the individual faculty appointee is qualified for another faculty position within Community College District No. 18; or

(ii) If such faculty member is not qualified for another position in the district, the district or college president shall use his best efforts in attempting to procure similar employment for such faculty member at other community college(s) within the State of Washington.

(2) Within three (3) college days after having the matter referred to them, the hearing review committee shall conduct a hearing subject to the procedural due process required by WAC 132R-128-100 and will consider only the issue of whether there is sufficient cause for the college to believe that the nonrenewal is justified for the reasons stated in the notice tendered to the tenured faculty appointee by the college president.

(3) By no later than seven (7) days prior to the last day of the winter quarter of the college academic year, the hearing review committee must make a recommendation to the appointing authority as to whether the hearing review committee has found sufficient cause to believe that the nonrenewal of the tenured faculty appointee is justified for the reasons stated in the notice tendered to that same appointee.

(4) The failure of the hearing review committee to make a recommendation pursuant to the requirements of the above paragraph, after having been tendered the matter by the college president by no later than seven (7) college days prior to the last day of winter quarter, shall be deemed a determination that the recommendation of the hearing review committee is that there is sufficient cause to believe that the tenured faculty appointee's contract should not be renewed for one of the reasons stated in the notice of nonrenewal tendered by the college president to the appointee.

(5) The hearing review committee's recommendations regarding the matter of nonrenewal of the tenured faculty appointee's contract shall then be referred to the appointing authority, which must meet and consider the recommendation of the review committee by no later than five (5) college days prior to the last day of the college winter quarter.

The appointing authority shall then make the final decision as to whether there is sufficient cause to believe that the nonrenewal of the tenured faculty appointee's contract is justified because of the reasons stated in the notice of nonrenewal tendered to the appointee by the district or college president. If within ten (10) days from the date of his notice of the appointing authority's decision, the tenured faculty member submits a written request for a formal hearing to the college president, the final action of the appointing authority will be made in the course of a hearing held before a quorum of the Board of Trustees, who constitute the appointing authority, or an attorney designated by the appointing authority, and shall fully accord with the procedural requirements contained in WAC 132R-128-100, section (4) or other rules duly adopted by the college, and the appointing authority shall then make a final decision in accordance with the procedural requirements of the Higher Education Administrative Procedures Act.

(6) If the tenured faculty appointee's contract is not renewed because the appointing authority has found sufficient cause to believe that the tenured faculty appointee's contract should not be renewed because of budgetary reasons, a change of instructional program or lack of students participating in a particular instructional program, a change of circumstances shall cause the re-establishment of such former teaching position, the district or college president shall then offer the appointment to the tenured faculty member whose contract was not renewed pursuant to the procedures outlined in this section. [Order 73-10, § 132R-128-110, filed 6/18/73.]

WAC 132R-128-120 Tenure considerations. (1) Administrative appointments as determined by the appointing authority shall not be eligible for tenure.

(2) An individual serving in an administrative position and who shall additionally serve as an instructor, counselor, librarian or other comparable position, shall not be eligible for an award of tenure or for consideration of such an award.

(3) No administrative appointee shall be denied the right of due process as guaranteed by the United States Constitution.

(4) Pursuant to RCW 28B.50.860, (Tenure retained upon administrative appointment - Exception) A tenured faculty member, upon appointment to an administrative appointment, except that of President, shall be allowed to retain his tenure. [Order 73-10, § 132R-128-120, filed 6/18/73.]

WAC 132R-128-121 Summary suspension. The President, or in his absence, any officer of the College designated by the President for this purpose, may impose upon any student, member of the faculty, or member of the administrative staff an interim suspension, whenever there is reasonable cause to believe that such person has committed and may reasonably be expected thereafter to continue to commit violent or disruptive acts which disrupt the orderly process of the College. The notice of such suspension shall be in writing and state the nature, terms and conditions of such suspension and shall include such restrictions on the use of campus facilities as the President or his designee deems in the best interest of the College.

Any person so placed on interim suspension shall be given prompt notice of charges and shall be given the opportunity to show cause at a preliminary hearing why such interim suspension should not continue until a formal hearing is held or for a period of not more than twenty (20) calendar days, whichever first occurs. To obtain such preliminary hearing, the person so charged shall submit a written request therefor within four (4) calendar days from the date interim suspension was imposed. Such written request shall state the address to which the notice of hearing is to be sent.

(1) Students requesting a preliminary hearing shall appear before the disciplinary committee denominated in WAC 132R-04-120, adopted rule relating to campus conduct.

(2) Faculty members and administrative staff members requesting a preliminary hearing shall appear before the review committee denominated in WAC 132R-128-030, adopted rule relating to faculty tenure. [Order 76-18, § 132R-128-121, filed 8/4/76.]

WAC 132R-128-122 Hearing. (1) The appropriate body conducting the preliminary hearing shall grant such a preliminary hearing not later than four (4) calendar days from the date of receipt of such request and shall immediately mail a written notice of the time, place and date of such hearing to the person so charged. A preliminary hearing shall consider only whether there is reasonable cause to believe that such a person may reasonably be expected thereafter to commit violent or disruptive acts which disrupt the orderly process of the College.

(2) In any case where the review committee finds that just cause has been shown to continue in interim suspension, the hearing review committee as denominated in WAC 132R-128-100 shall schedule a formal hearing which must be held within twenty (20) calendar days from the date of receipt of the recommendation of the review committee which heard the preliminary hearing. Notice of the formal hearing shall immediately be mailed to the person so charged stating the time, place and date of such formal hearing.

(3) Interim suspension may be removed by the President, upon recommendation of the appropriate preliminary hearing body, whenever the President has reason to believe that the reasons for imposition of the summary suspension no longer exists. [Order 76-18, § 132R-128-122, filed 8/4/76.]

WAC 132R-128-130 Severability. If any section or part of a section of this chapter shall for any cause be unconstitutional or unlawful, such holding shall not affect the rest of this chapter or any other sections hereof. [Order 73-10, § 132R-128-130, filed 6/18/73.]

Chapter 132R-132 WAC ACADEMIC TRANSCRIPTS

WAC

132R-132-010 Transcripts of records.
132R-132-020 Use of student records.

WAC 132R-132-010 Transcripts of records. Official transcripts of credit will be issued by the Big Bend Community College office of the registrar free of charge. [Order 73-4, § 132R-132-010, filed 3/23/73.]

WAC 132R-132-020 Use of student records. (1) Objective information of a public nature will be provided without a signed release by the student. Public information shall include student name, address, dates of attendance, current enrollment status, degree(s) received, and other schools attended.

(2) Information of a private nature will not be released without the written authorization of the student. [Order 73-4, § 132R-132-020, filed 3/23/73.]

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Chapter 132R-136 WAC

USE OF COLLEGE FACILITIES, EQUIPMENT AND SUPPLIES

WAC

132R-136-010 Policies for use of college facilities, equipment and supplies.
132R-136-020 Groups eligible to use college facilities, equipment and supplies.
132R-136-030 Placement service.
132R-136-040 Application for use of college facilities.
132R-136-050 Use of college supplies.

WAC 132R-136-010 Policies for use of college facilities, equipment and supplies. Big Bend Community College seeks to make its facilities available for community use as long as such activities do not interfere with the regular functions of the college. [Order 73-4, § 132R-136-010, filed 3/23/73.]

WAC 132R-136-020 Groups eligible to use college facilities, equipment and supplies. College facilities may be available for convention and professional meetings of private corporations, businesses, or nonschool professional groups. Appropriate charges will be made for the use of all college facilities, equipment and supplies, as indicated on the current fee schedule; provided that college facilities may not be used for public dances; and further provided that, college facilities may not be used by religious groups or political groups if such use interferes with the educational process. [Order 73-4, § 132R-136-020, filed 3/23/73.]

WAC 132R-136-030 Placement service. (1) Big Bend Community College attempts to assist students in finding employment both on campus and off campus. Prospective employers may list vacancies in the placement office providing the employer complies with the Fair Employment Act. The placement service is also available to alumni of Big Bend Community College.

(2) The placement office is a service of both employees and employers. Big Bend Community College assumes no responsibility beyond providing for the opportunity for contact between the employees and employers. [Order 73-4, § 132R-136-030, filed 3/23/73.]

WAC 132R-136-040 Application for use of college facilities. Applications for use of college facilities are available through the office of the dean of student personnel services and must be completed and returned to this office at least two weeks prior to the event. Approval of any rental request will depend in part on the amount of space available. [Order 73-4, § 132R-136-040, filed 3/23/73.]

WAC 132R-136-050 Use of college supplies. College supplies, including stationery and postage are for official college use only. They are not available to the general public. The associated student body of Big Bend Community College has its own stationery which is also for official student body use only. [Order 73-4, § 132R-136-050, filed 3/23/73.]

Chapter 132R-140 WAC**SWIMMING POOL AND DIVING REGULATIONS****WAC**

132R-140-010 Swimming pool regulations.
 132R-140-020 Diving rules.
 132R-140-030 Penalty for violations of this chapter.

WAC 132R-140-010 Swimming pool regulations. The swimming pool is operated to provide a safe swimming environment to the students of Big Bend Community College. The swimming pool will only be available to citizens of the community when funds derived from such use are sufficient to cover all expenses that would be incurred in operating the pool under these circumstances. Swimming pool hours will be established prior to the opening of each swimming season. Adequate notice will be given and times will be posted in a conspicuous place. Any changes of these hours will be preceded by adequate notice unless through some health or safety factor, it is necessary to close the pool. Upon being admitted to the pool, it is assumed that all participants agree to abide by the rules and regulations governing the swimming pool. They include the following.

(1) All persons shall take a shower using soap before entering the pool.

(2) No person shall be admitted with open sores or cuts, or who has any communicable diseases.

(3) No person shall deposit any foreign material in the pool.

(4) No smoking, eating or drinking are allowed in the pool, on the pool deck, or in the dressing rooms.

(5) No person is allowed in the pool or on the pool deck unless they are dressed for swimming.

(6) Children under the age of six (6) or less than thirty-six (36) inches in height will not be admitted unless accompanied by an adult.

(7) No loitering around reception counter, or in dressing rooms.

(8) No persons allowed in the pool office, check room, filter area, storage room, chlorine room or pool basement except pool personnel and authorized persons.

(9) No excessive conversations with pool personnel who are on duty during public swim.

(10) No tampering with or damaging pool equipment or supplies.

(11) No inner tubes or other floating devices allowed in the pool during public swim.

(12) No climbing on the fences around the pool, or hanging on safety ropes.

(13) No running, pushing, or "horseplay" allowed in pool, on pool deck, or in dressing rooms (pushing will mean automatic expulsion).

(14) No persons allowed in lifeguard chairs except pool personnel.

(15) No profane language allowed in pool area.

(16) Lifeguards' instructions shall be strictly followed.

(17) No actions permitted which are not conducive to good safety practices and good pool procedure. [Order 73-4, § 132R-140-010, filed 3/23/73.]

WAC 132R-140-020 Diving rules. (1) One person on the diving board at a time.

(2) One person on the diving ladder at a time.

(3) One bounce allowed per dive.

(4) Dive straight from the end of the diving board.

(5) No swimming in the diving area, except when a specific area is reserved by the guard.

(6) Persons may not wear swimming devices (masks, fins, etc.) while diving.

(7) No person allowed on the diving boards unless they intend to go off. [Order 73-4, § 132R-140-020, filed 3/23/73.]

WAC 132R-140-030 Penalty for violations of this chapter. Persons failing to comply with these rules and regulations may forfeit the right to use the swimming pool and are considered to be trespassing after given notice to leave if they fail to leave the swimming pool and the surrounding vicinity. [Order 73-4, § 132R-140-030, filed 3/23/73.]

Chapter 132R-144 WAC**BOOKSTORE OPERATING PROCEDURES****WAC**

132R-144-010 Big Bend Community College bookstore operating procedures.

132R-144-020 Return and refund policy.

132R-144-030 Big Bend Community College bookstore credit policies.

132R-144-040 Big Bend Community College bookstore pricing policies.

WAC 132R-144-010 Big Bend Community College bookstore operating procedures. (1) The bookstore at Big Bend Community College is operated primarily for the convenience of the students at Big Bend Community College, but will also serve the needs of the faculty, staff, and community.

(2) The opening and closing hours of the college bookstore are established by the bookstore manager. Changes in operating hours or schedules will be preceded by notices posted conspicuously in the bookstore for seven (7) calendar days before the change takes effect.

(3) Entering customers are required to leave their books and brief cases at the entrance to the bookstore on the shelves provided. [Order 73-4, § 132R-144-010, filed 3/23/73.]

WAC 132R-144-020 Return and refund policy. (1) Defective merchandise may be returned within a reasonable time for replacement or refund at the discretion of the bookstore manager.

(2) New books may be returned for refund on specified dates as established and posted by the bookstore manager. The proper "drop-card" and sales slip must be presented.

(3) Exceptions to the above are subject to the discretion of the bookstore manager. [Order 73-4, § 132R-144-020, filed 3/23/73.]

WAC 132R-144-030 Big Bend Community College bookstore credit policies. The Big Bend Community

College bookstore will not establish personal charge accounts or extend personal credit. [Order 73-4, § 132R-144-030, filed 3/23/73.]

WAC 132R-144-040 Big Bend Community College bookstore pricing policies. (1) The bookstore will supply books and supplies at the established retail rate.

(2) Complimentary copies of books will not be furnished to faculty.

(3) No discounts will be given to specific individuals. [Order 73-4, § 132R-144-040, filed 3/23/73.]

Chapter 132R-150 WAC LIBRARY POLICIES

WAC

- 132R-150-010 Big Bend Community College library.
- 132R-150-020 Library hours.
- 132R-150-030 Inspection.
- 132R-150-040 Prohibited entry.
- 132R-150-050 Smoking.
- 132R-150-060 Gifts.
- 132R-150-070 Library borrowers.
- 132R-150-080 Consumed supplies.

WAC 132R-150-010 Big Bend Community College library. The library at Big Bend Community College exists first and foremost to serve the students and faculty. It also serves the rest of the college community, the regional needs of eastern Washington and the General scholarly community. [Order 73-4, § 132R-150-010, filed 3/23/73.]

WAC 132R-150-020 Library hours. The library is generally open from 8:00 a.m. to 9:00 p.m. Monday through Thursday, and 8:00 a.m. to 4:00 p.m. on Friday's. The library will be closed on holidays. These hours are subject to change with advance notice. [Order 73-4, § 132R-150-020, filed 3/23/73.]

WAC 132R-150-030 Inspection. The library shall have the right to inspect packages, brief cases, containers, articles, materials, etc. leaving the building to prevent unauthorized removal of library resources. The inspection may be done by persons or devices designed to detect unauthorized removals. [Order 73-4, § 132R-150-030, filed 3/23/73.]

WAC 132R-150-040 Prohibited entry. The library shall have the right to prevent entry of foods and beverages, animals or other things detrimental to the library purpose. [Order 73-4, § 132R-150-040, filed 3/23/73.]

WAC 132R-150-050 Smoking. Smoking is restricted to areas so designated by the head librarian or his or her designee. [Order 73-4, § 132R-150-050, filed 3/23/73.]

WAC 132R-150-060 Gifts. The library welcomes the donations of books and other library materials as well as money to be used for the library. Valuation of gifts for tax purposes will be based upon information available in the library and assessment of value incurs no

liability of proof by the library. Gifts become library property when accepted and received, and their disposition is a library matter. The college through the Board of Trustees or their designee reserves the right to reject, refuse to accept, or return to the donor any gift made available to the Big Bend Community College library. [Order 73-4, § 132R-150-060, filed 3/23/73.]

WAC 132R-150-070 Library borrowers. Use of the library as part of a state public institution is the right of any resident of the state; however, borrowing privileges and other services may be limited in order to serve first the primary clientele of students and faculty. Use of the library may be denied to anyone for continuing abuse of library services and resources. Library materials may be circulated to the following:

- (1) Regularly enrolled students either full-time or part-time.
- (2) Faculty members including special categories such as visiting professors.
- (3) Faculty members of public higher education institutions of Washington state.
- (4) Administrative staff (civil service exempt).
- (5) Civil service staff members.
- (6) Spouses of faculty and staff members.
- (7) Friends of library - life members.
- (8) Trustees of Big Bend Community College.
- (9) Libraries and individuals through libraries using inter-library loans.
- (10) School districts, colleges and other responsible agencies, groups and individuals may borrow films on a rental basis. Equipment may be rented if not needed on campus and not otherwise available in the area. [Order 73-4, § 132R-150-070, filed 3/23/73.]

WAC 132R-150-080 Consumed supplies. The library has the right to limit supplies consumed in the operation of equipment such as film, tape, and video tape. As required, users shall provide additional supplies at their own expense. [Order 73-4, § 132R-150-080, filed 3/23/73.]

Chapter 132R-156 WAC OFF-CAMPUS HOUSING

WAC

- 132R-156-010 Listing.
- 132R-156-020 Policy of nondiscrimination.
- 132R-156-030 Responsibility.

WAC 132R-156-010 Listing. Lists of off-campus rooms and apartments are made available to any student in the office of the registrar. Listings of off-campus accommodations are made without reference to race, creed, or national origin. [Order 73-4, § 132R-156-010, filed 3/23/73.]

WAC 132R-156-020 Policy of nondiscrimination. The office of the registrar of Big Bend Community College will not list off-campus accommodations unless the operators agree to the policy of nondiscrimination. [Order 73-4, § 132R-156-020, filed 3/23/73.]

WAC 132R-156-030 Responsibility. The properties are listed as the owners or operators describe them; the college assumes no responsibility for their condition or suitability. [Order 73-4, § 132R-156-030, filed 3/23/73.]

Chapter 132R-158 WAC RESIDENCE HOUSING POLICIES

WAC

132R-158-010	Big Bend Community College dormitory policies.
132R-158-020	Applications to Big Bend Community College dormitories.
132R-158-030	Linen exchange.
132R-158-040	Check out procedure.
132R-158-050	Vacating dorms between quarters.
132R-158-060	Single room.
132R-158-070	General responsibility for discipline.
132R-158-080	Community or group damage.
132R-158-090	Possible disciplinary penalties.
132R-158-100	Overnight and weekend permission.
132R-158-110	Guests.
132R-158-120	Firearms.
132R-158-130	Room inspection.
132R-158-140	Room key.
132R-158-150	Pets.
132R-158-160	Moving from one room to another.
132R-158-170	Quiet hours.
132R-158-180	Laundry facilities.
132R-158-190	Violations.

WAC 132R-158-010 Big Bend Community College dormitory policies. All residents in Big Bend Community College dormitories are subject to the rules and regulations found herein. Authorized persons in college-hosted programs (e.g. Japanese agriculture training program, upward bound, workshops, etc.) may establish further regulations subject to approval of the resident director and/or dean of students. When visiting a special program dorm area, all residents and guests are expected to abide by the rules established by that program. [Order 73-4, § 132R-158-010, filed 3/23/73.]

WAC 132R-158-020 Applications to Big Bend Community College dormitories. Applications will be sent to interested students on request and should be returned as soon as possible, as room assignments are based on date of receipt of the application. This form should be returned together with a check or money order in the amount of \$25.00 for reservations and damage deposit. Applications must be returned at least fifteen days prior to occupancy in order to be assured of a room. Please return the forms and money to the cashier, Big Bend Community College, Moses Lake, Washington 98837. [Order 73-4, § 132R-158-020, filed 3/23/73.]

WAC 132R-158-030 Linen exchange. Pillow cases and sheets furnished by the college will be exchanged on a weekly basis at a designated linen closet. Soiled pillow cases and sheets must be folded and handed to the person conducting the linen exchange so they can be issued for each piece of dirty linen turned in. Those missing the exchange must notify the resident director or sponsor in writing to arrange a later exchange. [Order 73-4, § 132R-158-030, filed 3/23/73.]

WAC 132R-158-040 Check out procedure. Students not returning the next quarter in order to be eligible for a security deposit refund must follow the dorm check out procedure. A student withdrawing from a residence hall at any time including departure at the end of the year will proceed as follows:

(1) Inform the resident director of his intention at least two days in advance, and make an appointment for a room check.

(2) Rooms will be swept clean, all waste paper baskets emptied, pictures removed from walls, contents removed from drawers and closets.

(3) Check in linen and have room inspected for cleanliness and damages. If this is not done, the college findings will prevail.

(4) Turn in meal ticket and key.

(5) Leave forwarding address, otherwise mail will be forwarded to your home address.

(6) Close windows, secure screens in place, raise venetian blinds approximately one foot.

(7) In order to be eligible for a refund, students must notify resident director of intentions to not return winter quarter by December 1, and for spring quarter by March 1, as per paragraph 5, dorm contract, and be checked out of their room on or before the last day of finals.

(8) Students not expecting to return to the dorm the following quarter must check out at the end of the quarter. Those who do not turn in any bed linen, and/or leave personal belongings in rooms between quarters, and then check out, will be charged a storage fee from the last day of class of the previous quarter through the date of check out. [Order 73-4, § 132R-158-040, filed 3/23/73.]

WAC 132R-158-050 Vacating dorms between quarters. Returning students may leave their personal belongings in their room between quarters. At the end of each quarter, dorm students must turn in pillow cases, sheets, and keys. They will be reissued the following quarter by presenting the quarter dorm fees. Dormitories are closed between quarters. Dorm students staying over from the previous quarter may wish to take advantage of the partial payment option for winter and spring quarters. The option is paying one-half of the dorm fee before classes start or before linen and keys are returned for the next quarter. The remaining unpaid balance (one-half dorm fee) must be paid within thirty days from the start of class or the meal ticket will be suspended and parents notified. If remaining balance is not paid within the thirty day period, an additional charge will be made to reinstate suspended meal tickets. Student must vacate the dorm if remainder is not paid five days after it is delinquent. [Order 73-4, § 132R-158-050, filed 3/23/73.]

WAC 132R-158-060 Single room. Single rooms are available at extra cost with priority given to longest term residents. Single rooms are double rooms with one occupant. Residents of single rooms are responsible for all the furniture in the room and all furniture must be kept in the room. When checking out of a single room, the

occupant will be responsible for having it ready to accept two occupants. [Order 73-4, § 132R-158-060, filed 3/23/73.]

WAC 132R-158-070 General responsibility for discipline. Any infraction of college or dormitory policies will be reviewed by a board of control with the resident director. Resident infractions are also subject to referral to the dean of students. Accommodations are made available to all students without regard to race, color, or national origin. [Order 73-4, § 132R-158-070, filed 3/23/73.]

WAC 132R-158-080 Community or group damage. Damage in lounges, laundry rooms, stairways, hallways, bathrooms, and college buses in which individuals cannot be located to assess damages will be pro-rated to all residents. This also includes exterior of the buildings as well as the walkway leading from the dorm to the N.U.B. Deductions from individual deposits are not to exceed \$5.00 per quarter. [Order 73-4, § 132R-158-080, filed 3/23/73.]

WAC 132R-158-090 Possible disciplinary penalties. (1) Disciplinary penalties will be determined by a board of control in case of dormitory or cafeteria policy infraction.

(2) A residence hall occupant who loses his student status must vacate the dorm within forty-eight hours after the loss of that status.

(3) The student may either be given a warning on his first infraction of dorm, dining room, or college policy rule, or disciplinary action may be initiated on the first offense.

(4) The student will be referred to the dean of students when an infraction of college policy has occurred. Possible action or combination of actions are:

(a) Change in room assignment.

(b) Be in housing by 8:00 p.m. and restricted to student's dorm room.

(c) Disciplinary probation.

(d) Be refused admittance to the dormitory the following quarter.

(e) Dismissal from the dormitory. In this case parents or guardian of minor students will be notified.

(f) Expelled from the college. In this case parents or guardian of minor students will be notified. [Order 73-4, § 132R-158-090, filed 3/23/73.]

WAC 132R-158-100 Overnight and weekend permission. When a resident plans to leave the college overnight or for a weekend, he is strongly encouraged to inform the resident director in writing, as to where he is going, and what time he expects to leave and approximately what time he expects to return. In this way the resident director and his staff can serve a helping relationship in case of an accident or emergency. [Order 73-4, § 132R-158-100, filed 3/23/73.]

WAC 132R-158-110 Guests. Permission to have guests overnight in the dormitory will be only after registering the guest with the resident director. There will

be a charge of \$1.50 per evening for the privilege of having a guest, unless a sleeping bag is provided, then no charge is made. Resident's guests are to abide by all dorm, cafeteria, and college policies while on campus and are the responsibility of the dorm resident host. A \$2.00 charge is made for nonregistered guests, to be paid by dorm resident providing the room. Guests may not stay in the dormitory for more than three nights in any one week. [Order 73-4, § 132R-158-110, filed 3/23/73.]

WAC 132R-158-120 Firearms. Firearms, airguns, and explosives (including fire crackers, etc.) are not allowed in living quarters. Weapons, ammunition, and hunting knives or any knife with a blade over 3 1/2 inches long brought to the dormitory must be checked in with the resident director and can be signed out upon request. Students under twenty-one must have written permission from parents to have weapons. Hand guns are not permitted under any circumstances. Firearms are not to be cleaned in the residence halls. [Order 73-4, § 132R-158-120, filed 3/23/73.]

WAC 132R-158-130 Room inspection. Residents are responsible for keeping rooms clean and orderly at all times. There will be a monthly, or as often as deemed necessary, room inspection to check dorm furniture, check for fire hazards, and health hazards. Also, campus maintenance men may enter rooms to perform maintenance. [Order 73-4, § 132R-158-130, filed 3/23/73.]

WAC 132R-158-140 Room key. A room key will be issued to all residents and must be turned in at the end of the quarter. In the event a key is lost, there will be a \$5.00 key charge for replacement and changing locks. All keys are the property of the management and are not to be duplicated for any reason. [Order 73-4, § 132R-158-140, filed 3/23/73.]

WAC 132R-158-150 Pets. Pets are not allowed in any Big Bend Community College dormitory. [Order 73-4, § 132R-158-150, filed 3/23/73.]

WAC 132R-158-160 Moving from one room to another. Moves will be permitted only upon approval by the resident director. One free move may be made during the third week of the quarter upon giving three day's notice to resident director in writing. A charge of \$3.00 will be made for each move thereafter. The standard check out procedure will be followed. Students may change roommates between quarters by indicating so in writing at the end of the previous quarter. [Order 73-4, § 132R-158-160, filed 3/23/73.]

WAC 132R-158-170 Quiet hours. (1) All residents and guests must observe quiet hours. "Quiet hours" are defined as that time when noise is kept to a minimum in hallways, individual rooms, and the immediate area outside the dorms. Shouting, running, and physical games are not permitted in dormitories or dining hall. To accord each individual the studious atmosphere befitting a college, Viking Hall maintains these quiet hours:

(Sunday through Thursday - 7:00 p.m. to 7:00 a.m. record players, tape recorders and radios may be played softly from 7:00 p.m. to 10:00 p.m. After 10:00 p.m. until 7:00 a.m. record players, tape recorders, individual T.V. sets and radios must be turned off. Friday and Saturdays - 11:00 p.m. to 8:30 a.m. During this period record players, tape recorders, individual T.V. sets and radios must be turned off. Final exam week quiet hours are in effect twenty-four hours a day.

(2) No voice or instrument practice may be carried on in the residence area.

(3) Violators are subject to fines which are deposited to the Viking Hall club account or other disciplinary action may be taken.

(4) Typewriter pads or sponges must be used between typewriter and desk to help keep noise level down to a minimum.

(5) Head sets are highly recommended for avid stereo fans. [Order 73-4, § 132R-158-170, filed 3/23/73.]

WAC 132R-158-180 Laundry facilities. Dorm residents only are permitted to use laundry facilities located in the dorms. Free automatic washing machines and dryers are available in the basement of each resident dorm. Students are expected to clean up the machines and laundry room when finished. [Order 73-4, § 132R-158-180, filed 3/23/73.]

WAC 132R-158-190 Violations. Violations of any rule contained in this chapter as now existing or herein-after amended shall be grounds for disciplinary action. [Order 73-4, § 132R-158-190, filed 3/23/73.]

Chapter 132R-160 WAC FOOD SERVICE POLICIES

WAC

132R-160-010 Meal tickets.
132R-160-020 Dining etiquette.
132R-160-030 Sack lunches.
132R-160-040 Sick trays.

WAC 132R-160-010 Meal tickets. All dorm students must purchase meal tickets. It is of the utmost importance that your meal ticket be on your person at all times. It must be presented to the ticket checker to be marked at each meal. Each ticket is "nontransferable". This means that you are the only person eligible to use the assigned ticket. Students permitting nonmeal ticket holders to share the privileges of a meal ticket will have their meal tickets voided. There will be a charge for a duplicate of a lost, stolen, or suspended meal ticket. All dorm students must have a valid meal ticket. Nondorm students may purchase a meal ticket. [Order 73-4, § 132R-160-010, filed 3/23/73.]

WAC 132R-160-020 Dining etiquette. (1) When returning for an entree, go to the end of the seconds line and bring back your original plate. Merge with the first line on an every other one basis.

(2) No more than two glasses per tray.

(3) Juice, coffee, and soft drink machines are for use during meal time after going through the serving line. Beverages are free with your meal only.

(4) No food or beverage will leave the cafeteria at any time, except for sick trays. Return trays and dishes to dishwashers as soon as you have finished.

(5) No cutting in line while waiting to be served. Offender's meal tickets may be suspended for a few days with charge to reinstate suspended meal ticket.

(6) The kitchen is off limits to all residents.

(7) No smoking when being served.

(8) Shouting, running and physical games are not permitted in the dining hall.

(9) Foot wear and shirts must be worn at all times by individuals utilizing the dining hall facilities.

(10) Pets are not permitted in dining areas. [Order 73-4, § 132R-160-020, filed 3/23/73.]

WAC 132R-160-030 Sack lunches. Sack lunches are provided to those who miss meals due to employment class conflicts, or college-sponsored trips and upon approval of the food service manager. Please request one day in advance in writing. Generally the lunch will be available by 8:00 a.m. In the event you have not picked up a lunch requested, your name will be dropped from the list and you will be ineligible to obtain sack lunches in the future. [Order 73-4, § 132R-160-030, filed 3/23/73.]

WAC 132R-160-040 Sick trays. Sick trays will be sent to the dormitories for students who are ill, if written permission is received from the resident director. A refundable deposit is required for each tray that leaves the cafeteria. The person signing the sick tray out must return same and collect the deposit. [Order 73-4, § 132R-160-040, filed 3/23/73.]

Chapter 132R-175 WAC PUBLIC RECORDS

WAC

132R-175-010 Purpose.
132R-175-020 Definitions.
132R-175-030 Description of central and field organization of Community College District No. 18.
132R-175-040 Operations and procedures.
132R-175-050 Public records available.
132R-175-060 Public records officer.
132R-175-070 Office hours.
132R-175-080 Requests for public records.
132R-175-090 Copying.
132R-175-100 Exemptions.
132R-175-110 Review of denials of public records requests.
132R-175-120 Protection of public records.
132R-175-130 Records index.
132R-175-140 District's address.
132R-175-150 Adoption of form.
132R-175-990 Appendix A—Request for public records.

WAC 132R-175-010 Purpose. The purpose of this chapter shall be to ensure compliance by the Community College District No. 18 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 73–8, § 132R–175–010, filed 5/4/73.]

WAC 132R–175–020 Definitions. (1) "Public record" indicates 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" 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. 18" was established pursuant to the Community College Act of 1967. Community College District No. 18 shall hereinafter be referred to as the "District." Where appropriate, the term Community College District No. 18 also refers to the staff and employees of the Community College District No. 18. [Order 73–8, § 132R–175–020, filed 5/4/73.]

WAC 132R–175–030 Description of central and field organization of Community College District No. 18.

(1) The Community College District No. 18 is an institution of higher education. The Administrative Office of the District and its staff are located at Moses Lake, Washington. [Order 73–8, § 132R–175–030, filed 5/4/73.]

WAC 132R–175–040 Operations and procedures.

Community College District No. 18 is governed by a Board of Trustees consisting of five (5) individuals appointed by the Governor of the State of Washington and is operated in accordance with the provisions of the Community College Act of 1967 and amendments thereto; and the By-Laws, policies and regulations adopted by the Board of Trustees of Community College District No. 18 and on file in the office of the president of Big Bend Community College. [Order 73–8, § 132R–175–040, filed 5/4/73.]

WAC 132R–175–050 Public records available. All public records of the District, as defined in WAC 132R–175–020, 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 chapter 132R–175 WAC. [Order 73–8, § 132R–175–050, filed 5/4/73.]

WAC 132R–175–060 Public records officer. The District's public records shall be in charge of the Public Records Officer designated by the District. The person so designated shall be located in the Business Office of the District. The Public Records Officer shall be responsible for the following: The implementation of the

District's rules and regulations regarding release of public records, coordinating the staff of the District in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 1, Laws of 1973. [Order 73–8, § 132R–175–060, filed 5/4/73.]

WAC 132R–175–070 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 73–8, § 132R–175–070, filed 5/4/73.]

WAC 132R–175–080 Requests for public records. In accordance with requirements of chapter 1, Laws of 1973 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the District which shall be available at its administrative office. The form shall be presented to the public records officer; or to any member of the District's staff, if the public records officer is not available, at the administrative office of the District during customary office hours. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;
- (e) If the requested matter is not identifiable by reference to the District's current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made, to assist the member of the public in appropriately identifying the public record requested. [Order 73–8, § 132R–175–080, filed 5/4/73.]

WAC 132R–175–090 Copying. No fee shall be charged for the inspection of public records. The District shall charge a fee of ten (10) cents per page of copy for providing copies of public records and for use of the District copy equipment. This charge is the amount necessary to reimburse the District for its actual costs incident to such copying. [Order 74–22, § 132R–175–090, filed 12/23/74; Order 73–8, § 132R–175–090, filed 5/4/73.]

WAC 132R-175-100 Exemptions. (1) The District reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132R-175-080 is exempt under the provisions of section 31, chapter 1, Laws of 1973.

(2) In addition, pursuant to section 26, chapter 1, Laws of 1973, the District reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 1, Laws of 1973. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld. [Order 73-8, § 132R-175-100, filed 5/4/73.]

WAC 132R-175-110 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the president of the college. The president shall immediately consider the matter and either affirm or reverse such denial or call a special meeting of the District as soon as legally possible 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 73-8, § 132R-175-110, filed 5/4/73.]

WAC 132R-175-120 Protection of public records. That the location of the public records officer appointed pursuant to WAC 132R-175-060 shall be in the Business Office. That the public records officer shall establish a central District index which shall be the District's master index to be coordinated with subsidiary indexes established in each major administrative area of the college, specifically:

(1) The office of the Secretary to the Board of Trustees of the District (which is the Office of the President of Big Bend Community College);

(2) The Office of the President of Big Bend Community College;

(3) The Office of the Dean of Instruction;

(4) The Office of the Dean of Student Personnel Services;

(5) The Business Office; and/or

(6) Any sub-division of each major administrative area mutually agreed upon by the administrator of the area involved and the public records officer.

That upon receiving requests for public records in the manner prescribed in WAC 132R-175-080, it shall be the duty of the public records officer to immediately act upon the request. If it is determined the item requested is a public record as defined in WAC 132R-175-020 it shall be the duty of the public records officer to locate the public record in the office in which it is filed and make it available for inspection. That should, in the judgment of the public records officer, there be a possibility of the destruction of the public record, then the public records officer shall make available a copy of the record.

That upon request the public records officer shall make available copies of public records in accordance with WAC 132R-175-090. [Order 73-8, § 132R-175-120, filed 5/4/73.]

WAC 132R-175-130 Records index. (1) The District shall make available to all persons a current index which provides identifying information as to the following records issued, adopted or promulgated since its inception:

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

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

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

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

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

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

(2) AVAILABILITY

The current index promulgated by the District shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection. [Order 73-8, § 132R-175-130, filed 5/4/73.]

WAC 132R-175-140 District's address. All communications with the District including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 1, Laws of 1973 and these rules; requests for copies of the District's decisions and other matters, shall be addressed as follows: Big Bend Community College, Community College District No. 18, c/o Public Records

Officer, Business Office, North Campus, Moses Lake, Washington 98837. [Order 73-8, § 132R-175-140, filed 5/4/73.]

WAC 132R-175-150 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 [WAC 132R-175-990], entitled "Request for Public Record." [Order 73-8, § 132R-175-150, filed 5/4/73.]

WAC 132R-175-990 Appendix A—Request for public records.

Appendix "A"

COMMUNITY COLLEGE DISTRICT NO. 18
BIG BEND COMMUNITY COLLEGE
REQUEST FOR PUBLIC RECORD

-----, the undersigned, hereby requests that he be permitted to inspect and/or copy the public record of Community College District No. 18 (Big Bend Community College) pertaining to

Subject: -----

Dated on or about -----

Dated this ____ day of ----- 19__.

(Signed)

Address: -----

Request received -----
Public Records Officer

Request granted ----- Date -----

Index No. and Title -----

Inspection ----- Date -----

Copy provided ----- Date -----

Request not granted ----- Date -----

Reason not granted and disposition of matter -----

(signed) -----
Public Records Officer

[Order 73-8, Appendix A (codified as WAC 132R-175-990), filed 5/4/73.]

Chapter 132R-180 WAC

REDUCTION-IN-FORCE POLICY—ACADEMIC EMPLOYEES—DECLARATION OF EMERGENCY

WAC

- 132R-180-010 Purpose.
- 132R-180-020 Definitions.
- 132R-180-030 Determination of need for reduction in force.
- 132R-180-040 Determination of comprehensive educational services.
- 132R-180-050 Determination of number of academic employees to be laid off.
- 132R-180-060 Seniority units and determination of seniority.

- 132R-180-070 Order of layoff.
- 132R-180-080 Reduction-in-force hearing review committee.
- 132R-180-090 Rights of academic employees on layoff status.

WAC 132R-180-010 Purpose. The Board of Trustees of Community College District No. 18 is charged with the responsibility of providing educational services to the citizens of the District. The Board of Trustees perceives the Reduction-in-Force Policy as a document to be implemented only in the event of financial emergency as defined below.

Any reduction in force deemed necessary under the procedures of this policy is to be considered a temporary financial emergency due to either of the following reasons:

- (1) A significant inadequacy of operating funds to the District, or
- (2) A significant inadequacy of funds specified for a designated existing program or service. [Order 74-21, § 132R-180-010, filed 1/7/75.]

WAC 132R-180-020 Definitions. As in WAC Tenure, RCW 28B.50.851.

(1) "**Days**": All references to days in these policies and procedures shall mean calendar days.

(2) "**Needed Duties**": Needed duties are those duties normally associated with an academic assignment as a teacher, counselor, librarian, or department head (division chairman) at Community College District No. 18, including, but not limited to, programs, course offerings and/or services, teaching scheduled classes, developing course outlines, holding conferences with students, maintaining records of student progress evaluation, providing records as may be required, serving on college committees, serving as a coach, or director of an instructionally-related activity.

(3) "**Probationary Faculty Appointment**". A faculty appointment for designated period of time which may be terminated without sufficient cause upon expiration of the probationer's terms of employment (as in RCW 28B.50.851).

(4) "**Probationer**": As in RCW 28B.50.851.

(5) "**Reduction-in-Force**": An action initiated by the Board of Trustees which reduces the number of and/or reassigns academic employees in accordance with the criteria and procedures established in this document.

(6) "**Salaried**": To pay monthly a fixed payment for services based on an hourly rate. [Order 74-21, § 132R-180-020, filed 1/7/75.]

WAC 132R-180-030 Determination of need for reduction in force. (1) **Budget Review Task Force.** For the purpose of providing a continuous flow of information concerning the budget to faculty, classified staff, students, and administration of the college, and for the purpose of monitoring the possibility of a financial crisis in the District, there shall be a Budget Review Task Force. The Budget Review Task Force shall consist of the Dean of Administration (Chairman), an instructional division chairman chosen by the division chairmen, the Dean of Student Personnel Services, and the Dean of Instruction, plus two members from the recognized academic employee bargaining unit, and one from the All

College Forum. The Task Force shall meet at the call of the chairman, but not less than once each month. Findings and/or recommendations will be made to the Management Team, Faculty Association, and All College Forum.

(2) Identification of Financial Emergency.

(a) When the Management Team becomes aware of a problem(s) which may constitute a temporary financial emergency, the President shall notify the recognized academic employee bargaining unit representatives regarding the problem(s). This notice shall be in writing and shall include a statement explaining the financial emergency which may necessitate a reduction in force.

(b) The Management Team shall meet and discuss with the recognized academic employee bargaining unit representatives regarding the problem(s). The meeting(s) shall include exchanges of information which will establish the need for such reductions in academic employees together with any alternatives or options which either party feels are available.

(c) The final determination for the need for a reduction in force of an academic employee shall be made by the President. At the time a decision is made for a reduction in force of academic employees, full consideration shall have been given to appropriate reductions of classified and administrative employee. [Order 74-21, § 132R-180-030, filed 1/7/75.]

WAC 132R-180-040 Determination of comprehensive educational services. (1) If the number of academic employees is to be reduced, the three deans and division chairmen and/or directors shall evaluate, in the case of each seniority unit, which programs, course offerings and/or other academic employee services are most necessary to maintain a comprehensive educational program at Community College District No. 18. Their recommendations will be made to the Management Team, Faculty Association, and All College Forum. Consideration shall be given, but not limited to, the following factors:

(a) State of Washington law, directives, and guidelines;

(b) The enrollment and the trends in enrollment and their effect upon each seniority unit;

(c) The stated goals and objectives of Big Bend Community College;

(d) Total instructional program at Big Bend Community College.

(2) Those duties associated with the programs, course offerings and/or other services determined to be most necessary will be considered needed duties of an academic employee.

(3) After considering the recommendations, the President will make a final determination of the most necessary programs, course offerings and/or other academic employee services. [Order 74-21, § 132R-180-040, filed 1/7/75.]

WAC 132R-180-050 Determination of number of academic employees to be laid off. (1) If the number of academic employees is to be reduced, the President will, in consultation with the appropriate dean and division

chairman or director, decide in which seniority units such reductions may occur. The President will apply the appropriate unit seniority list to determine which academic employees may potentially be laid off.

(2) The appropriate dean, in consultation with the division chairman or director, will explore the possibility of reassignment of needed duties of the academic employee who may be laid off to other members of the seniority unit. If a replacement cannot be found within the seniority unit, the division chairmen and directors, acting in a body, will explore the possibility of those needed duties of the academic employee who may be reduced to other qualified full-time academic employees of the institution. Recommendations from this body will be made to the Management Team. The final determination shall be made by the President of which duties an academic employee is qualified to perform. [Order 74-21, § 132R-180-050, filed 1/7/75.]

WAC 132R-180-060 Seniority units and determination of seniority. (1) **Seniority Units.** The seniority units for the purpose of reduction in force will be: Health and Physical Education, Sociology and Anthropology, English and Literature, Mathematics, Physical Sciences, Biological Sciences, Business Administration and Economics, Secretarial Science, Air Frame and Power Plant, Commercial Pilot, Auto Mechanics and Recreational Vehicles, Welding, Nursing, Agriculture, Recreation Technology, Art, Music, Foreign Languages, History and Political Science, Speech, Psychology, Counseling, Adult and Continuing Education, Home and Family Life, and Library.

(2) **Assignment to Seniority Units.** An academic employee will be assigned to a seniority unit by the appropriate dean after consultation with the appropriate chairman or director based upon a majority of the individual's assignment for the previous academic year. Academic employees on leave will be assigned on the basis of the academic assignment of the previous three (3) quarters during which he was assigned, excluding summer quarters. New employees will be assigned on the basis of their first-quarter assignments.

(3) **Appeal of Unit Assignment.** Any academic employee who feels he has been incorrectly placed in a seniority unit shall have the right to a hearing before the appropriate dean, division chairman, or director. Such hearing shall take place within seven (7) days from the time the academic employee was notified of this assignment. If no satisfactory settlement is reached, the academic employee may then appeal in writing to the President. The claim shall state the basis for the appeal, the President shall deliver to the academic employee and the president of the academic employee bargaining unit a copy of his decision. The decision shall clearly explain the reasons for his decision. Nothing in this section shall preclude the right of an academic employee to be accompanied by a representative of his choice in the appeal process.

(4) **Notification of Seniority Unit Assignment.** Each academic employee will be notified of his assignment to a seniority unit within:

(a) Thirty (30) days after the beginning of each academic year; or

(b) For new employees, thirty (30) days after being employed; or

(c) For the initial determination, thirty (30) days after the adoption of this policy.

(5) **Establishing Seniority Unit Ranking.** The ranking of each academic employee in a seniority unit shall be determined by:

(a) The date of the employee's signing of the first full-time contract, or affidavit, whichever is earlier, for the most recent period of continuous full-time professional services for Community College District No. 18 which shall include leaves of absences, sabbatical leaves, and periods of layoffs. Length of service or seniority shall include continuous professional services for the Moses Lake School District No. 161, prior to July 1967, if the academic employee was assigned full-time at that time to Big Bend Community College.

(b) In instances when employees have signed initial contracts on the same date or the date cannot be established from college records, seniority shall be determined by establishing the date the contract was signed by the agent of the District.

(c) In instances where neither of the above dates can be established, seniority shall be determined by the date of beginning full-time services with the District.

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

(i) First date of the signature of a letter of intent to accept employment;

(ii) First date of application for employment. [Order 76-29, § 132R-180-060, filed 12/23/76; Order 74-21, § 132R-180-060, filed 1/7/75.]

WAC 132R-180-070 Order of layoff. (1) Prior to the laying off of any academic employee with the Community College District No. 18 for the succeeding school year, the following actions will first be taken, provided there are qualified academic employees to replace and perform all needed duties of the academic employees to be laid off:

(a) Normal academic employee resignations will not be replaced.

(b) Voluntary academic employee retirements will not be replaced.

(c) Normal and regular academic employee leaves will not be replaced for duration of the time that such leave is applicable.

(d) Vacant positions within the District will be filled by and transfers made of currently employed academic personnel within the District, if possible.

(2) After taking the preceding actions, if a reduction in force is necessary within a seniority unit, the following order of layoff for academic employees will be followed, providing there are qualified academic employees to replace and perform all needed duties of the academic employees to be laid off:

(a) Academic employees who are still within the District and who exceed the District's retirement age.

(b) Those academic employees holding temporary contracts. (Temporary contracted academic employees such as replacements for tenured faculty on leave and/or experimental programs, etc.)

(c) Part-time salaried academic employees proceeding in order of the least amount of service and moving towards the greatest amount of service.

(d) Probationary academic employees proceeding in order of the least amount of service and moving towards the greatest amount of service.

(e) Full-time tenured academic employees proceeding in order of the least amount of service and moving towards the greatest amount of service. [Order 74-21, § 132R-180-070, filed 1/7/75.]

WAC 132R-180-080 Reduction-in-force hearing review committee. Same as WAC 132R-128-100. [Order 74-21, § 132R-180-080, filed 1/7/75.]

WAC 132R-180-090 Rights of academic employees on layoff status. (1) Academic employees who have been laid off as a result of this Reduction-in-Force Policy shall have the right to be recalled. Recall shall be in order of reverse seniority, to any academic employee position, either a newly-created position or a vacancy, provided the academic employee is qualified. The period of recall shall extend to September 1, two (2) days after the effective date of layoff. Not less than twenty (20) days before a decision is to be made to fill a position the appropriate dean shall notify all appropriate academic employees who are on layoff status.

(2) An academic employee's past educational training, degrees obtained, past positions, and related experience shall be the factors considered for determining qualifications in filling position openings. It is the responsibility of the academic employee on layoff to furnish the appropriate dean the address to which notices are to be sent and other pertinent information. Tenured employees on layoff shall have priority at part-time teaching at Big Bend Community College.

(3) Full-time academic employees upon recall who have been laid off as a result of this policy shall retain all accrued benefits such as sick leave and seniority.

(4) In the event an academic employee is laid off for reasons of this policy, the President of the college shall write a letter, if requested by the academic employee, to other institutions of the Northwest stating:

(a) That the layoff was for financial reasons, and

(b) The qualifications of the individual and other pertinent information which may assist in the securing of a position. [Order 74-21, § 132R-180-090, filed 1/7/75.]

Chapter 132R-185 WAC

CLASSIFIED STAFF DEVELOPMENT AND TRAINING POLICY

WAC

132R-185-010 Purpose.

132R-185-020 Definitions.

132R-185-030 Training activities.

132R-185-040 Training officer.

132R-185-050 Training committee.

132R-185-060 Administrative units.
 132R-185-070 Classified employees.
 132R-185-080 Employee training records.

WAC 132R-185-010 Purpose. Pursuant to chapter 241-24 WAC and the district Affirmative Action Program, it shall be the policy of Community College District No. 18 to provide a classified staff development and training program designed to:

- (1) Raise the qualifications of all employees at all levels of employment;
- (2) Provide opportunities for continued upward mobility,
- (3) Identify under-represented groups and provide special training and consideration for such groups; and
- (4) Provide work experience and training which will result in the most effective and economic use of classified employees for accomplishing institutional goals.

In order to coordinate, implement and administer all training programs for all classified employees, a Training Officer will be designated with authority and responsibility as set forth. A Training Committee whose membership includes representatives from the administrative and classified employees will be appointed for the purpose of identifying training needs, formulating and developing training programs, establishing training priorities, reviewing and auditing the effectiveness and progress of training programs. [Order 75-1, § 132R-185-010, filed 3/6/75.]

WAC 132R-185-020 Definitions. As used in the context of this policy and procedure:

- (1) "Administrative employees" means supervisors responsible for supervising classified employees assigned to their administrative unit.
- (2) "Administrative unit" means a major administrative division of the college district such as Student Personnel Services, instruction, library, fiscal operations, plant operations.
- (3) "Chief administrative officer" means the President of Community College District No. 18.
- (4) "Classified employees" means those employees identified as classified by the Higher Education Personnel Board (HEPB).
- (5) "District" means Community College District No. 18.
- (6) "Under-represented groups" means classified employees identified as such by WAC 251-04-020.
- (7) "Resources" means such things as employee release time, federal programs which reimburse tuition, budget allocations, classroom attendance, approved course work, district-sponsored workshops and seminars, on-the-job training, facilities and equipment usage, etc. [Order 75-1, § 132R-185-020, filed 3/6/75.]

WAC 132R-185-030 Training activities. Classified staff development and training activities must comply with the intent and purpose set forth. Pursuant to HEPB rules and regulations, training activities must include the following:

- (1) New employee orientation;
- (2) Functional training such as accounting, data processing, office administration and job skills;

(3) System training such as WISHA, labor relation matters, HEPB orientation, etc.;

- (4) Professional/technical training;
- (5) Management and organizational development training; and
- (6) Off-hour training.

In addition to minimum HEPB requirements, training activities should include:

- (1) General employee orientation;
- (2) Interpersonal relationships;
- (3) Public relations;
- (4) Institutional objectives; and
- (5) Motivational training. [Order 75-1, § 132R-185-030, filed 3/6/75.]

WAC 132R-185-040 Training officer. The chief administrative officer shall designate a Training Officer with authority to coordinate, implement and administer all training programs for all classified employees in accordance with approved priorities and district resources allocated. Specifically, the Training Officer shall be responsible for:

- (1) Assuring that administrative officers, supervisors and classified employees are cognizant of the intent, purpose and provisions set forth in this policy and procedure.
- (2) Assisting administrative units, the Training Committee and Affirmative Action Officer in identifying present and/or future employee training needs and activities.
- (3) Requiring administrative units to submit an annual report which identifies present and/or future employee training needs and activities, as well as recommending resources necessary to implement a training program in accordance with such training needs.
- (4) Assisting the Training Committee in establishing priorities for training activities and developing a resource budget for submission for approval through the district budgeting process.
- (5) Submitting the district classified development and training plan to the Director of HEPB for approval.
- (6) Implementing district training activities in accordance with resources committed and pursuant to approved priorities.
- (7) Continuous evaluation of all training activities to insure compliance with affirmative action and the intent and purpose of this policy.
- (8) Developing any and all forms necessary for the implementation, conduct and reporting under this policy and submitting such forms for approval by the Forms Officer.
- (9) Submitting an annual report of the district's training activities to the Training Committee and Board of Trustees.
- (10) Developing and maintaining an adequate records system of training activities. [Order 75-1, § 132R-185-040, filed 3/6/75.]

WAC 132R-185-050 Training Committee. The chief administrative officer shall be responsible for appointing members of the Training Committee. The

membership of the Training Committee shall be two supervisors, one administrative member, and two members of the classified staff. The Training Officer will be an ex officio, non-voting member of the Training Committee. Members of the Training Committee shall elect a chairperson.

The Training Committee, in cooperation with the Training Officer, shall be responsible for:

(1) Reviewing present and/or future employee training needs as identified by administrative units, Training Officer, Affirmative Action Officer, and individual classified employees.

(2) Reviewing district resources necessary to implement training programs and activities based upon identified needs.

(3) Establishing training priorities using the following guidelines:

(a) Training to improve performance and productivity in current positions;

(b) Training to provide employees with new skills and knowledge to meet requirements engendered by technological or other program changes;

(c) Training to provide departmental or campus orientation and employee motivation;

(d) Training to provide under-represented employees with the skills and knowledge to qualify them for promotional opportunities within the district;

(e) Retraining for other fields of endeavor within the district for employees whose skills may have deteriorated due to physical disability;

(f) Training for employees for possible future promotional opportunities within the district; and

(g) Training for trainee employees which allow upward mobility into regular classified positions.

(4) Recommending budget allocation of resources necessary to implement training activities according to established priorities through the usual budgeting procedure.

(5) Reviewing, monitoring and auditing training activities in accordance with resources allocated, established priorities and the intent and purpose of this policy.

(6) Recommending to the chief administrative officer corrective action relating to non-compliance with training aims and goals set forth in this policy and procedure. [Order 75-1, § 132R-185-050, filed 3/6/75.]

WAC 132R-185-060 Administrative units. The administrative officer, or his designee, of each administrative unit shall be responsible for:

(1) Identifying present and/or future employee training needs and activities in light of the administrative unit's function and each individual employee's performance, potential and felt need.

(2) Identifying potential resources designed to provide training activities in light of identified needs.

(3) Submitting an annual report to the Training Officer and Training Committee which includes the provisions set forth in (1) and (2) above.

(4) Giving full cooperation to the Training Officer in the coordination, implementation and administration of the district training program. [Order 75-1, § 132R-185-060, filed 3/6/75.]

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WAC 132R-185-070 Classified employees. Classified employees will be responsible for:

(1) Notifying their immediate supervisor of their desire to be included in the training program.

(2) Ensuring that the district is aware of their educational and technical background by keeping their employment records current.

(3) Ensuring that their present work record is such that they would be considered for promotional opportunity.

(4) Giving full cooperation in the process of identifying present and/or future training needs.

(5) Attending training activities designed to meet identified training needs. [Order 75-1, § 132R-185-070, filed 3/6/75.]

WAC 132R-185-080 Employee training records. All formalized training identified as training activities under this policy will be recorded in a master file as well as in the personnel file of the affected employees. Employees may submit any additional or new personal training accomplishment, including documentation, to the Training Officer for inclusion in their personnel file.

A copy of this policy and procedure and all records pertaining thereto, except those of a confidential nature, shall be kept on file in the Training Officer's office for review by all classified employees and appropriate parties. [Order 75-1, § 132R-185-080, filed 3/6/75.]

Chapter 132R-190 WAC IMPLEMENTATION OF THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

WAC

132R-190-010 Purpose.

132R-190-020 Definitions.

132R-190-030 Right of inspection.

132R-190-035 Availability of directory information.

132R-190-040 Access permitted to college and certain other officials without consent.

132R-190-050 Distribution of information to others.

132R-190-060 Notice of rights given under Family Educational Rights and Privacy Act of 1974.

132R-190-070 Requests for access to student records.

132R-190-080 Determination regarding records.

132R-190-090 Hearing procedure.

132R-190-100 Right of students to register objections.

132R-190-110 Emergency release.

WAC 132R-190-010 Purpose. The purpose of this chapter is to comply with the requirements of Public Law 93-380, § 513, of 1974, also annotated as 20 U.S.C.A. 1232, which law represents amendments to the General Education Provisions Act. As indicated in the aforesaid law, its purpose is to assure the students attending institutions of higher education such as BIG BEND COMMUNITY COLLEGE shall have a right to inspect certain records and files intended for school use or made available to parties outside the college. [Order 76-9, § 132R-190-010, filed 3/9/76.]

WAC 132R-190-020 Definitions. The following definitions shall apply in interpreting these regulations:

(1) "His" when used throughout these regulations shall accomplish reference to both male and female sexes.

(2) "Education records" means those records, files, documents and other materials which contain information directly related to a student and are maintained by the college. The definition of "education records", however, does not include any materials used by any college instructor in the course of assessing a student's academic performance, including but not limited to academic grades conferred, essays, tests, written evaluations given during the course of directed studies, and the like, nor materials maintained by the college's Counseling Center and the college's Health Services Center, or by any other psychologist paraprofessional acting in his or her professional or paraprofessional capacity for the benefit of the college, nor does it include campus security records.

(3) "Disciplinary records" shall be kept separate and apart from academic records, and transcripts of a student's academic record shall contain no notation of any disciplinary action. Special precautions shall be exercised to insure that information from disciplinary or counseling files is not revealed to unauthorized persons. Provisions shall be made for periodic review and routine destruction of inactive disciplinary records by offices maintaining such records.

(4) "Student" is defined as a person who is currently enrolled in a regularly scheduled class conducted at the college. Regularly scheduled classes shall include those classes occurring during Fall, Winter, Spring and Summer Quarters and those classes in which residence credits are conferred regardless of the location. A person is a student for purposes of these regulations even though he is not currently enrolled in Summer Quarter but was regularly enrolled during the previous Spring Quarter. [Order 76-9, § 132R-190-020, filed 3/9/76.]

WAC 132R-190-030 Right of inspection. Any student shall have a right, subject to the procedural requirements outlined in WAC 132R-190-070 through WAC 132R-190-090 of these regulations, to inspect any and all education records directly related to him that is intended for school use or is available for parties outside the school or school system. In the case of any education records relating to a student which also include information regarding another student, the responsible college officials shall delete any personally identifiable information relating to the identity of such other student. [Order 76-9, § 132R-190-030, filed 3/9/76.]

WAC 132R-190-035 Availability of directory information. Except as hereinafter provided, the following information contained in a student's education records shall be available to members of the public: student's name, address, telephone listing, date of birth, participation in officially recognized activities and sports, weight and height of athletic teams, dates of athletic teams, dates of attendance at the college, degrees and awards received, and the most recent previous educational agency or institution attended by the student. Such information shall be deemed "directory information". The

college will give public notice to students of the matters contained in the above-designated "directory information" that is available to members of the public at the time the student registers for enrollment in the academic quarter. On the day of such registration each student shall indicate on the college registration form whether he will not consent to the college's release of such directory information to others without his consent. [Order 76-9, § 132R-190-035, filed 3/9/76.]

WAC 132R-190-040 Access permitted to college and certain other officials without consent. (1) The following persons, individuals, agencies, or organizations shall be entitled to access to officials records, files, and data of any student, subject to the limitations outlined in subpart (2) of this section, WAC 132R-190-040, without written consent of the student:

(a) Other school officials, including instructors within the college who have a legitimate educational interest;

(b) Officials of other colleges, schools, or school systems, upon the condition that the student is notified of the transfer and receives a copy of the record if he desires it and has the opportunity to challenge the content of the record, per the procedures outlined in WAC 132R-190-090;

(c) Authorized representatives of the Controller General of the United States, the Secretary of Health, Education and Welfare, and administrative head of an education agency as defined in §409 of Public Law 93-380, or State of Washington educational authorities; provided, that except when collection of personally identifiable data is specifically authorized by federal law, any data collected by the Controller General, the Secretary, administrative head of a United States education agency or state educational authorities with respect to individual students shall not include information (including social security numbers) which permit the personal identification of such students.

(d) Authorized representatives of the Office of Education at the U.S. Department of Health, Education and Welfare, the Law Enforcement Assistance Administration of the U.S. Department of Justice, the U.S. Veterans Administration, the Bureau of Indian Affairs, the Washington State Department of Social & Health Services, lending institutions receiving applications from students or granting to students financial aid, and individual organizations or institutions that provide scholarships to any applicant student when such organizations or individuals make requests for students' education records in connection with a student's application for, or receipt of, financial aid.

(2) The college shall maintain a record, kept with the education records of each student, which will indicate all the agencies or organizations referenced in subparagraphs (1)(b) and (1)(c) of this section which have requested or obtained access to the student's education records. The college employee who is the custodian charged with the maintenance of such student education records shall further indicate specifically the legitimate interest each such agency or organization has in obtaining this information.

(3) If any of the agencies or organizations described in subparagraphs (1)(b) or (1)(c) of this section, request access to the education records of ten (10) or more students, they may do so on a form provided by the college that indicates the request is being made on a blanket basis. Such form shall also require the agency to identify the legitimate interest the agency has regarding student's education records. The college employee who is the custodian of each student education record requested by an agency or organization referenced in subparagraphs (1)(b) and (1)(c) of this section shall then enter in such education record notice of such agency's or organization's request and the place where the request may be found. [Order 76-9, § 132R-190-040, filed 3/9/76.]

WAC 132R-190-050 Distribution of information to others. The college shall not furnish in any form any personally identifiable information contained in education records directly related to a student to any person, agency, or organization other than those designated in WAC 132R-190-040, unless it first obtains written consent from the student, which written consent also specifically identifies the records to be released, the reasons for such release, and to whom such personally identifiable information is to be released. In the case any such personally identifiable information contained in a student's education records is to be furnished in compliance with a judicial order or pursuant to a lawfully issued subpoena, the college shall notify the student in advance of compliance therewith. [Order 76-9, § 132R-190-050, filed 3/9/76.]

WAC 132R-190-060 Notice of rights given under Family Educational Rights and Privacy Act of 1974. In accordance with the requirements of the aforesaid federal statute, the college will make its best efforts to notify all students of their rights under this Act. Such notification shall be done through the Washington Administrative Code procedures provided for by the Higher Education Administrative Procedures Act, and such other publications and media that the college deems appropriate. [Order 76-9, § 132R-190-060, filed 3/9/76.]

WAC 132R-190-070 Requests for access to student records. (1) No personally identifiable information relating to a student's education records will be furnished to any person whatsoever unless such person makes a written request to do so and provides to the custodian of such records information sufficient to identify the requesting party as a person who has a right to access to such records. By way of example and not limitation, a requesting party who identifies himself as a student to whom such record relates must provide a driver's license sufficient to establish the identity of such student. In the case of any persons in the category of those individuals, persons, agencies, or organizations identified in WAC 132R-190-040 no personally identifiable information contained in any student's education record will be disclosed without providing information of the same type and nature as that required of a student plus other information as the custodian of the record deems sufficient

to ascertain the official capacity of such requesting party. [Order 76-9, § 132R-190-070, filed 3/9/76.]

WAC 132R-190-080 Determination regarding records. The college reserves the right to determine that a record regarding a student is not an education record or material defined in WAC 132R-190-020 or that the provision of personally identifiable information relating to a student was properly given to an authorized agency per WAC 132R-190-040. Such determination shall be made in writing and may be accomplished in consultation with any of the Records Officers of the college as designated in chapter 132R-175 WAC. [Order 76-9, § 132R-190-080, filed 3/9/76.]

WAC 132R-190-090 Hearing procedure. (1) Any person objecting to a denial of a request for any college record relating to a student, or any student who contests whether the transfer of any college record relating to him is permitted under these regulations, may petition for prompt review of such denial or written objection to transfer. Such written request shall:

- (a) Be served upon the Public Records Officer provided for in chapter 132R-175 WAC;
- (b) Demand prompt review; and
- (c) In the case of objection to transfer, specifically reference the party to whom he does not want the record transferred and contain a written statement by the record custodian denying the person's request. Upon receipt of a proper written objection to transfer of a student record, the college Public Records Officer shall cause such records to not be transferred pending outcome of the hearing proceeding provided for in these regulations.

(2) Within ten (10) days after receipt of the written request by a person petitioning for prompt review of a decision by a custodian of student records, the President of the college or any of his designees shall consider such petition.

(3) The President or his designee may at the end of the ten (10) day period either meet the objecting party's objection and advise him of the same in writing, or in the alternative, set the matter up for a hearing before a Hearing Officer designated by the President or the President's designee. Such hearing shall be conducted within thirty (30) days after the objecting party served his objections on the college's Public Records Officer and shall be an informal hearing. The President or his designee shall determine the time and place for such hearing. At the hearing, the objecting party shall further explain and identify his exact purpose for seeking the record he has been denied or why he has lodged objections to transfer of a student record. Failure by the person requesting the review to appear at such informal hearing shall be deemed a waiver of that person's right to insist upon completion of the review of his request.

(4) During the course of the informal hearing conducted by the President, his designee, the person conducting hearing shall consider the obligation of the college to fully comply with the Family Educational Rights and Privacy Act, but shall also consider the exemptions provided in the course of these regulations. A

record shall be made of the informal hearing by mechanical transcriptions or any other means satisfactory to the college.

(5) Within ten (10) days after the hearing has occurred, the President, or his designee, or the Hearing Officer appointed to conduct the informal hearing shall provide the objecting party with a written decision, which decision shall be binding upon the college and upon the objecting party. [Order 76-9, § 132R-190-090, filed 3/9/76.]

WAC 132R-190-100 Right of students to register objections. Any student who objects to the accuracy or truthfulness of any information contained in any BIG BEND COMMUNITY COLLEGE education records or portion thereof that is related to him may submit to the college's Public Records Officer his written views regarding the same, which written objection shall then be included in such education records provided, however, no student has any right to post his objections to academic grades and have the same appear on his academic transcripts. [Order 76-9, § 132R-190-100, filed 3/9/76.]

WAC 132R-190-110 Emergency release. Information from education records may be released to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other person(s). [Order 76-9, § 132R-190-110, filed 3/9/76.]

**Chapter 132R-195 WAC
STATE ENVIRONMENTAL POLICY ACT**

WAC

132R-195-010 Compliance with SEPA—Guidelines.

WAC 132R-195-010 Compliance with SEPA—Guidelines. (1) It shall be the policy of Community College District #18 that capital projects proposed and developed by the district shall comply with the provisions of chapter 43.21C RCW, the State Environmental Policy Act (SEPA); chapter 197-10 WAC, guidelines for SEPA implementation; and WAC 131-24-030, SEPA implementation rules of the State Board for Community College Education.

(2) In compliance with WAC 197-10-820, the district president, or an administrative officer designated by the district president, shall be the "responsible official" for carrying out this policy. [Order 76-17, § 132R-195 (codified WAC 132R-195-010), filed 8/4/76.]

**Chapter 132R-200 WAC
POLICY ON PERSONNEL FILES**

WAC

132R-200-010 Policy on personnel files.
132R-200-020 Right to examine and place material in file.

WAC 132R-200-010 Policy on personnel files. The district shall maintain one personnel file for each academic employee. This file shall be in the district personnel office. No other personnel file shall be maintained by any other officer or administrator of the district. This shall not preclude the maintenance of all lawful payroll records by the business office nor maintenance of other essential records by appropriate personnel for the operation of the institution. [Order 76-30, § 132R-200-010, filed 12/23/76.]

WAC 132R-200-020 Right to examine and place material in file. Each academic employee shall have the right to review the entire contents of his/her personnel file. An Association representative or the academic employee's attorney may accompany such employee upon his/her request to review his personnel file. An academic employee shall have the right to answer in writing any complaints in his/her file and attach such answer(s) to the complaint(s). He/she shall also have the right to attach any other relevant supporting statement(s) or affidavit(s). [Order 76-30, § 132R-200-020, filed 12/23/76.]

**Chapter 132R-210 WAC
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WAC

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GENERAL PROVISIONS

WAC 132R-210-015 Purpose. The interests of Big Bend Community College and its employees will be furthered by the enactment of a system of personnel administration designed specifically to meet particular needs in connection with employer-employee relations in Big Bend College in Europe. The general purpose of these rules is to establish a system of personnel administration for Big Bend College-Europe, patterned after the higher education personnel board rules which is based on merit principles and scientific methods, and which governs the appointment, promotion, transfer, layoff, recruitment, retention, classification and pay plans, removal, discipline, and welfare of employees covered by these rules. [Order 1, § 132R-210-015, filed 7/28/77.]

WAC 132R-210-020 Definitions. Unless the context clearly indicates otherwise, the words used in these rules have the meaning given in this section.

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

(2) "Allocation review committee" - An ad hoc committee appointed by the personnel director to review and hear allocation appeals.

(3) "Appointing authority" - A person or group of persons lawfully authorized to make appointments.

(4) "Board" - The Big Bend Community College Board of Trustees.

(5) "Class" - One or more positions sufficiently similar with respect to duties and responsibilities that the

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

(6) "Classified service" – All positions in Big Bend College–Europe not specifically exempted by these rules.

(7) "Competitive service" – All positions in the classified service for which a competitive examination is required as a condition precedent to appointment.

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

(9) "Director" – The European director of Big Bend Community College.

(10) "Dismissal" – The termination of an individual's employment for cause as specified in these rules.

(11) "Eligible" –

(a) An applicant for a position in the competitive service who has met the minimum qualifications for the class involved, has been admitted to and passed the examinations, and has met all requirements for eligibility as stated on the bulletin board posting.

(b) An applicant for a position in the noncompetitive service who has met all requirements for eligibility and passed the examination as stated on the bulletin board posting.

(12) "Eligible list" – A list of eligible names established by the personnel officer for a class in accordance with these rules.

(13) "Exempt position" – A position properly designated as exempt from the application of these rules.

(14) "Layoff" – A separation from service because of a lack of funds and/or curtailment of work and without fault on the part of the employee.

(15) "Noncompetitive service" – All positions in the classified service for which a competitive examination is not required.

(16) "Permanent employee" – An employee who has successfully completed a probationary period.

(17) "Personnel officer" – The principal employee in each Big Bend College–Europe area organization responsible for administrative and technical activities of the classified service within the area.

(18) "Personnel director" – The personnel director of Big Bend College–Europe.

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

(20) "Probationary period" – The period of employment beginning with the date of reemployment into, or original appointment of, the classified service and continuing for six months. This does not apply to reinstatement following layoff.

(21) "Promotion" – A change in status of a permanent employee from a position in one class to a position in a higher class having a higher maximum salary.

(22) "Resignation" – A voluntary termination of employment.

(23) "Suspension" – An enforced absence without pay for disciplinary purposes.

(24) "Transfer" – The change of a permanent employee, with no break in service, from one classified position to another classified position in the same class.

(25) "Employee organization" – Any lawful association, labor organization, federation, council, or brotherhood, having as one of its purposes the improvement of working conditions among employees, and which has filed a notice of intent to represent employees, with the personnel director in accordance with appropriate statutes.

(26) "Collective bargaining" – The performance of the mutual obligation of the appointing authority and the certified exclusive bargaining representative to meet at reasonable times, to confer and bargain in good faith, and to execute a written agreement with respect to those personnel matters over which the appointing authority may lawfully exercise discretion; except that by such obligation neither party shall be compelled to agree to a proposal nor be required to make a concession, except as otherwise provided by these rules.

(27) "Supervisor" – Any individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or responsibly to direct them or to adjust their grievances, or effectively to recommend such action if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

(28) "Part-time employment" – Work of less than full-time employment in a regular schedule and with an understanding of continuing employment within the foreseeable future. Employees in part-time employment shall attain permanent part-time status after completion of the probationary period, except as specifically exempted in these rules.

(29) "Temporary employment" –

(a) Work performed in the absence of an employee on leave;

(b) Extra work required at a work load peak or special projects, or cyclic work loads not to exceed one hundred eighty calendar days.

(30) "Full-time employment" – Work consisting of forty hours per week except as otherwise identified in the compensation schedule and these rules.

(31) "Employing official" – An administrative or supervisory employee designated by the appointing authority to exercise responsibility for requesting certification, interviewing eligibles, and employing classified employees.

(32) "Trial service" – The initial period of employment following promotion, demotion or transfer into a class in which the employee has not held permanent status, beginning with the effective date of the change and continuing for six months.

(33) "Layoff seniority" – Layoff seniority shall be measured as the last period of unbroken service in the classified service of Big Bend College–Europe. Authorized leave of absence or leave without pay shall not constitute a break in service, however, the time spent on

such leave shall not be included in computing seniority except where required by statute and except in the case of positions established on the basis of an instructional year. Veterans and their unmarried widows as identified in WAC 132R-210-350 shall have added to their unbroken higher education service, the veteran's active military service to a maximum of five year's credit.

(34) "Layoff unit" – A clearly identified organizational structure, or substructure with persons employed to achieve a common goal or function under the direction of a single official. A unit may consist of either an administrative entity or a geographically separated activity.

(35) "Instructional year" – The schedule established annually by an institution to identify the period required to meet the educational requirements of a given academic or training program.

(36) "Disadvantaged" – An individual who is poor, as provided by the department of labor in federal guidelines defining poverty, does not have suitable employment and is one of the following:

- (a) A school drop-out;
- (b) A minority member;
- (c) Under twenty-two years of age;
- (d) Forty-five years of age or older; or
- (e) Handicapped.

(37) "Handicapped person" – An individual who has a physical or mental disability which results in a substantial barrier to employment, but who is qualified to perform the work in positions for which the particular disability itself does not prevent proper performance of the duties involved.

(38) "Corrective employment program" – A program designed to increase the number of employees in under-represented groups to correct a condition of under-representation of such employees caused by present or past practices or other conditions which have resulted in limited employment opportunity for members of the affected group.

(a) "Under-representation" is defined as having fewer employees by racial or ethnic minority, handicap, or sex within a class or job category than:

(i) Would reasonably be expected by their availability; or

(ii) Are included in the institution's approved corrective employment goal for that class or job category per WAC 132R-210-782(1);

(b) "Availability" within a class or job category is the existence of qualified persons of the under-represented groups in the employed and unemployed work force in that class or job category within the defined recruitment area;

(c) The "job categories" are those required in equal employment opportunity reports to federal agencies.

(39) "Union shop" – A union membership provision which, as a condition of employment, requires all employees within a bargaining unit to become members of an employee organization within thirty calendar days of the beginning of their employment in such unit or within thirty calendar days of the date of a union shop representative election, whichever is later. Exceptions may be made to mandatory membership if an employee has a

bona fide religious objection to membership in such organization and pays a union shop representation fee.

(40) "Union shop representative" – An employee organization which is the exclusive representative of a bargaining unit that has been certified by the director as the union shop representative following an election wherein a majority of employees in the bargaining unit voted in favor of requiring membership in the employee organization as a condition of employment.

(41) "Union shop representation fee" – Employees who are granted a nonassociation right based on religious tenets or teachings of a church or religious body of which they are members, must pay a representation fee to the union shop representative. Such fee is equivalent to the regular dues of the employee organization minus any monthly premiums for union sponsored insurance programs.

(42) "Administrative assistant exemption" – The director may have an individual acting as his or her administrative assistant. The employee normally performs supportive work for his/her superior as an individual contributor without subordinates.

(43) "Executive head exemption" – Executive heads of major academic or administrative divisions are analogous in the hierarchy to vice presidents, deans and chairmen. Directors may be executive heads as determined by the board. An executive head is in charge of a separate budget unit and directs subordinates.

(44) "Research exemption" – Individuals in research-exempt positions shall spend the majority of their time in one or more of the following activities: Identification and definition of research problems, design of approaches or hypotheses and methodology to be used, design or specific phases of research projects, analysis of results, development of conclusion and hypothesis, presentation of research results in published form.

(45) "Counseling exemption" – Individuals in counseling-exempt positions are responsible for directing and/or participating in providing academic, athletic, medical, career, financial aid, student activity and/or personal counseling to students. Such activities include, but are not limited to, providing individual and group guidance services using recognized professional techniques and practices.

(46) "Extension and/or continuing education exemption" – Individuals considered exempt in this category are responsible for originating and developing formal education programs for the general public, usually involving close contact with faculty and staff or training or consulting with specific groups in the community to enable them to provide specialized training and/or services to the community.

(47) "Graphic arts or publication exemption" – Individuals qualifying for exemption under this section will be involved in performing selected graphic arts or publication activities requiring prescribed academic preparation or special training. Positions of this type are those which use special visual techniques, require original design and layout and/or can be distinguished from positions associated with the standard editorial functions.

(48) "Principal assistant exemption" – Individuals qualifying for exemption under this section function as

second in command in importance levels. The individual may perform many of the functions of his or her superior in the superior's absence or alternatively have major administrative or program responsibilities. Reporting relationships will not be below that of the executive head. In some institutions an executive head may have more than one principal assistant as determined by the Higher Education Personnel Board.

(49) "Grievance" – A dispute filed in accordance with a grievance procedure of a signed collective bargaining agreement. [Order 1, § 132R-210-020, filed 7/28/77.]

WAC 132R-210-030 Scope. The provisions of these rules shall apply to all personnel of Big Bend College–Europe except those exempted under the provisions of WAC 132R-210-040. [Order 1, § 132R-210-030, filed 7/28/77.]

WAC 132R-210-040 Exemptions. The following classifications, positions, and employees of Big Bend College–Europe are hereby exempted from coverage of these rules.

(1) The director of Big Bend College–Europe, his administrative assistant, and all personnel employed by Big Bend Community College on contract or Big Bend Community College employees based in Moses Lake, Washington and temporarily employed in Europe.

(2)(a) Students employed under separately funded student assistance work programs; or who are employed in a position directly related to the major field of study to provide training opportunity; or who are elected or appointed to student body offices or student organization positions such as student officers or student news staff members.

(b) Persons employed in a position scheduled for less than twenty hours per week or on an intermittent employment schedule.

(c) Temporary employees filling positions identified in WAC 132R-210-020(29)(b).

(d) Part-time professional consultants retained on an independent part-time or temporary basis such as physicians, architects, or other professional consultants employed on an independent contractual relationship for advisory purposes and who do not perform administrative or supervisory duties.

(3) The board may also exempt subject to the employee's right of appeal to the classifications involving research activities, counseling of students extension of continuing education activities, graphic arts or publications activities requiring prescribed academic preparation or special training, and principal assistants to executive heads of major administrative or academic divisions: *Provided*, That no nonacademic employee engaged in office, clerical, maintenance, or food and trades services will be exempted.

(4) Any employee who feels that any classification should or should not be exempt, or any employee because of academic qualifications which would enable such employee to teach and thus be exempt, may appeal to the board in the same manner as provided in WAC 132R-210-445, et. seq.

(5) Any employee having a classified service status in a position may take a temporary appointment in an exempt position, with the right to return to his regular position, or to a like position, at the conclusion of such temporary appointment. [Order 1, § 132R-210-040, filed 7/28/77.]

WAC 132R-210-060 Personnel director. (1) The board shall appoint a personnel director who shall be the chief personnel officer for Big Bend College–Europe. In preparing matters for consideration by the board and in coordinating this implementation of the board's rules and regulations, the personnel director shall work in conjunction with the Big Bend Community College personnel director and the director of Big Bend College–Europe.

(2) The personnel director shall, at least once each year, and at such other times as may be necessary, audit and review the personnel administration and management at each organizational unit in Europe, and file written reports with the president. Such audit of positions which are required or authorized by chapter 28B.16 RCW and Title 251 WAC.

Position audits may include on-site position analysis and/or review of a position description form describing work which is performed. All relevant files and records of appointing authorities and personnel officers shall be made available to the director at any time.

(3) The personnel director shall take any action necessary to ensure and enforce compliance with these rules. All files and records or appointing authorities and personnel officers shall be made available to the personnel director at any time. [Order 1, § 132R-210-060, filed 7/28/77.]

WAC 132R-210-070 Personnel officers. (1) Each area director shall be responsible for application of these rules in assigned area and may designate an employee to perform duties as personnel officer. The personnel officer shall direct, supervise, and manage administrative and technical personnel activities for the classified service, in total or in part consistent with policies established by the president, the director of Big Bend College–Europe and the personnel director in accordance with the provisions of these rules.

(2) These rules shall provide for local administration and management by the area directors subject to periodic audit and review by the personnel director of the following:

(a) Appointment, promotion, and transfer of employees.

(b) Dismissal, suspension, or demotion of an employee.

(c) Examinations for all positions in the competitive and noncompetitive service.

(d) Probationary periods of six months and rejection therein.

(e) Sick leaves and vacations.

(f) Hours of work.

(g) Layoffs when necessary and subsequent reemployment.

(h) Allocation and reallocation of positions within the classification plans.

(i) Training programs.

(j) Maintenance of personnel records.

[Order 1, § 132R-210-070, filed 7/28/77.]

CLASSIFICATION PLANS

WAC 132R-210-110 Preparation. The personnel director shall prepare and may thereafter revise a comprehensive classification plan for all positions. The plan shall be based on the compensation plans developed and approved by the higher education personnel board of the state of Washington. When complete, the plan will include, for each classification, a specification including an appropriate title, a description of duties and responsibilities, the minimum requirements of training, experience and other qualifications, and designation of examination requirements. [Order 1, § 132R-210-110, filed 7/28/77.]

WAC 132R-210-120 Adoption. The proposed classification plan and any subsequent proposed revisions thereto shall be submitted to the board of trustees for adoption, revision or rejection. The plan shall become effective as approved by the board. Thereafter, class titles so established shall be used in all personnel and financial records of Big Bend College-Europe and in all recruitment and examination procedures. [Order 1, § 132R-210-120, filed 7/28/77.]

WAC 132R-210-130 Interpretation of specifications. The definitions in class specifications are descriptive. They are intended to indicate the kinds of positions that are allocated to the several classes as determined by their duties and responsibilities, and are to be used as a guide for the appointing authority in assigning, directing, and controlling the work of employees. The use of a particular expression or illustration as to duties shall not be held to exclude others not mentioned but which are of a same kind or quality. [Order 1, § 132R-210-130, filed 7/28/77.]

WAC 132R-210-140 Use in examination. The class specifications shall be used as a basis for determining the suitability of candidates for employment by supplying data basic to the preparation of qualifying tests and examinations. The specifications for any class shall constitute the basis and source of authority for the tests to be included in an examination for the class and for the evaluation of the qualifications of applicants. [Order 1, § 132R-210-140, filed 7/28/77.]

WAC 132R-210-150 Position allocation—Reallocation. (1) The personnel officer shall allocate or reallocate each position in the classified service to the appropriate class in classification plan. In determining the class to which the position should be allocated, specifications describing each class shall be considered as a whole. Consideration should be given to the general duties, specific tasks, responsibilities, and relationships to

other classes as a composite description of the kind of employment that the class is intended to embrace.

(2) When there are permanent and substantive changes in the functions of a position involving the addition, reduction, or modification of duties and responsibilities, the personnel officer will reallocate the position to the appropriate class. Employees affected by such action must be notified at least fifteen calendar days in advance of the effective date of the impending action. The notice will inform employees that an appeal is provided in WAC 132R-210-170, may be exercised within thirty days of the effective date of the action. [Order 1, § 132R-210-150, filed 7/28/77.]

WAC 132R-210-160 Position review. (1) An employee or his representative may request a position review by the personnel officer. The request must be in writing and should describe the work assigned and performed, which is alleged to be outside of the class specification.

(2) The personnel officer will investigate the position and issue in response, a written report within thirty days of receipt of the request. This may be extended by thirty days provided the affected employee is notified of the extension. The report must include a notice to the employee that an appeal, as provided in WAC 132R-210-170, may be exercised within thirty days of receipt of the report. If the report is not received within sixty days of the request, the employee may file an appeal with an Allocation Review Committee through the personnel director. [Order 1, § 132R-210-160, filed 7/28/77.]

WAC 132R-210-170 Allocation review committee. An Allocation Review Committee shall be an ad hoc committee appointed by the personnel director to review allocation appeals. Each committee shall be temporary, appointed on a one-time only basis for each appeal and shall be composed of three employees, one from each of the following employment categories:

(1) One member from the classified service, employed in a class having a maximum salary equal to or greater than the class occupied by the appellant.

(2) One member from the exempt administration management staff whose responsibility does not control, evaluate or otherwise have an affect on the appellant's work.

(3) One member from the exempt teaching staff whose responsibility does not control, evaluate or otherwise have an affect on the appellant's work. [Order 1, § 132R-210-170, filed 7/28/77.]

WAC 132R-210-175 Allocation appeal—Allocation review committee. (1) An employee or employee representative who disagrees with the allocation of a position may file a written appeal with the personnel director for review by an Allocation Review Committee provided:

(a) A local position review has been completed with a report submitted by the personnel officer in accord with WAC 132R-210-160, or

(b) A position has been reallocated in accord with WAC 132R-210-150(2). The appellant should enclose

information which will assist a committee to determine the proper allocation for the position.

(2) Within thirty days, but prior to scheduling the appeal hearing with the Allocation Appeal Committee, the personnel director will investigate the appeal and attempt to resolve the allocation to the satisfaction of all parties. This may be extended by thirty days provided the affected employee is given notice of the extension. If the allocation remains unresolved and the appeal is not withdrawn within fifteen days following the personnel director's review, the personnel director will schedule an appeal hearing with an Allocation Review Committee.

(3) Allocation appeals will be informal and will allow sufficient time for the parties to present facts pertinent to the proper allocation of the position. The appellant and respondent may be represented by any person of their choosing at an allocation hearing. In appeals heard by an Allocation Review Committee, the committee shall issue a recommended decision within thirty days of the hearing. Within thirty days of service of the recommended decision, any party adversely affected may file exceptions, and thereafter, all parties may present written arguments upon exception to the college president. Within thirty days of receipt of the arguments upon exceptions, the president will issue a decision which is final and binding. [Order 2, § 132R-210-175, filed 11/14/77; Order 1, § 132R-210-175, filed 7/28/77.]

WAC 132R-210-180 Position reallocation—Effect on incumbent. (1) An employee occupying a position that is reallocated to a class with a higher maximum salary, is affected as follows:

(a) When reallocation is a result of an accumulation of duties by the incumbent over a period of at least six months, the incumbent may elect to remain in the position subject to the conditions in (4) below;

(b) When reallocation will require immediate changes in the duties of the position, it will be filled in accord with WAC 132R-210-700 [WAC 132R-210-701 through 132R-210-784], Recruitment, Examination, Certification, Appointment. The incumbent will be given an opportunity to compete on a promotional basis.

(2) An employee occupying a position which is reallocated to a class with a lower maximum salary has the following options:

(a) The employee may transfer to a vacant position in a class for which he is qualified; or

(b) Demote with the position; or

(c) Be subject to layoff in accordance with the layoff provisions of these rules.

(3) When reallocation results because the board has created, abolished or modified a class, the incumbent will remain in the position and the following rules will apply:

(a) Employees occupying position reallocated to a class with a lower salary maximum will be placed at a step in the salary range which is equal to his/her current salary and will be allowed to achieve the salary maximum of his/her former class at the time of reallocation. The employee will lose the right to such salary maintenance if he/she voluntarily demotes, promotes or transfers to another class.

(b) Employees occupying positions reallocated to a class with a higher salary maximum will receive an increase in accordance with the provisions of WAC 132R-210-265;

(c) Reallocations which result from a classification abolishment will be retroactive to the effective date of the board's action.

(4) An incumbent whose position is reallocated as provided above may remain in a position following reallocation providing that he/she meets the minimum qualifications of the class. The minimum qualifications may be waived by the director upon request of the personnel officer if it is determined that the incumbent has sufficient experience to satisfactorily perform the duties of the class. Successful completion of the higher level duties by the incumbent for at least six months satisfies the examination requirement. Documentation of such service shall be kept on file for each reallocation request approved. [Order 1, § 132R-210-180, filed 7/28/77.]

COMPENSATION PLANS

WAC 132R-210-210 Compensation plans. The personnel director shall prepare compensation plans for all classes. The plans shall be the same as the compensation plans for Big Bend Community College in Moses Lake, Washington, except that the plans may contain special provisions designed for operating conditions in the European area. The plans shall provide for:

(1) Full compensation to each employee for all work assigned and performed.

(2) Salary range schedules including regular increment increases based upon length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service.

(3) Assignment of each class to a salary range or not less than prevailing rates in Washington state private industries, and other governmental units, for positions of a similar nature and which shall be competitive in European locations.

(4) Equal pay for similar duties, responsibilities, and qualifications among classes.

(5) Such provisions as are necessary to describe basic compensation policies for the European location. [Order 1, § 132R-210-210, filed 7/28/77.]

WAC 132R-210-220 Compensation plans—Adoption. The proposed compensation plans shall be submitted to the board by the personnel director for adoption, revision, or rejection. [Order 1, § 132R-210-220, filed 7/28/77.]

WAC 132R-210-230 Salary—Limits. The basic compensation rate for all employees shall be within the salary range assigned to the class, unless a different rate is set by the board because of special circumstances. [Order 1, § 132R-210-230, filed 7/28/77.]

WAC 132R-210-240 Salary—Entrance. The entrance salary for any employee shall be the minimum salary step of the range unless the prospective appointing authority has received authorization from the personnel

officer for a higher entrance salary step. Each institution shall maintain records of appointments above the minimum for periodic audit by the personnel director. [Order 1, § 132R-210-240, filed 7/28/77.]

WAC 132R-210-250 Salary—Periodic increment. Employees whose standards of performance permit them to retain job status in the classified service shall receive periodic increments within the steps of the salary range. Such periodic increments shall be in addition to the increases resulting from promotion or to any salary increase adopted by the board. [Order 1, § 132R-210-250, filed 7/28/77.]

WAC 132R-210-260 Salary—Periodic increment date. (1) The periodic increment date for employees appointed at the first step of the range shall be the date on which permanent status is achieved. The periodic increment date of employees appointed at a salary step above the first step shall be one year from the date of probationary appointment. The periodic increment date shall be adjusted to the date of completion of trial service following promotion. The salary of each employee shall be increased two steps on the periodic increment date and annually thereafter on the periodic increment date until the maximum step of the range is reached.

(2) The periodic increment date shall remain unchanged except:

(a) For leave of absence without pay for ten or more consecutive working days, in which case the date will be extended by one month for each month in which the employee is on such leave; except as provided by WAC 132R-210-862;

(b) That the periodic increment date of employees occupying instructional year positions will be extended on a month for month basis when a leave of absence without pay, in conjunction with the instructional year, exceeds ninety calendar days;

(c) Upon promotion in which case the existing periodic increment date will be abolished and a new periodic increment date will be established upon the successful completion of the trial service period. In the event the promoted employee is reverted during the trial service period, the previous periodic increment date will be revived;

(3) The effective date for payment of periodic increments shall be;

(a) The first of the current month for periodic increment dates occurring between the first and the fifteenth of a month; or

(b) The first of the following month for periodic increment dates occurring between the sixteenth and the end of a month. [Order 1, § 132R-210-260, filed 7/28/77.]

WAC 132R-210-265 Salary—Promotion. An employee who is promoted shall be paid at the salary step which represents at least a two step increase over the salary received immediately prior to promotion, provided such increase:

(1) Is not less than the first step of the new range;

(2) Does not exceed the top step of the new range. [Order 1, § 132R-210-265, filed 7/28/77.]

WAC 132R-210-270 Salary—Survey. (1) When adjustment in salary range is based on a change in the Big Bend Community College home campus compensation plan which resulted from a salary survey and there is no change in class concept, duties and responsibilities:

(a) Employee shall retain existing appointment status;

(b) Employees' salary shall be adjusted to the same step in the new range held in the previous range. [Order 1, § 132R-210-270, filed 7/28/77.]

WAC 132R-210-275 Salary—Part-time employment computation. Part-time employment shall be compensated on the basis of the ratio of hours worked to those required for full-time employees. [Order 1, § 132R-210-275, filed 7/28/77.]

WAC 132R-210-280 Salary—Overtime records. A record of each overtime accrual and compensation separate from the scheduled work and compensation records shall be maintained by each European division employment unit. Such records shall be subject to review by the personnel director. [Order 1, § 132R-210-280, filed 7/28/77.]

RESIGNATION—LAYOFF

WAC 132R-210-310 Separation. Resignation, retirement, layoff, dismissal shall constitute separation from service. [Order 1, § 132R-210-310, filed 7/28/77.]

WAC 132R-210-320 Resignation. Any employee may resign from service and should present his resignation in writing to the appointing authority. To resign in good standing an employee must give at least two calendar weeks' notice, unless the appointing authority waives the notice requirement. Such resignation shall be promptly forwarded to the personnel officer by the appointing authority. [Order 1, § 132R-210-320, filed 7/28/77.]

WAC 132R-210-330 Layoff. (1) An appointing authority may separate or reduce the number of working hours or the work year of an employee without prejudice because of lack of funds, curtailment of work, or good faith reorganization for efficiency purposes. Each such employee shall receive written notice of options in lieu of layoff. The option period shall be for no less than three working days. Written notice of at least fifteen calendar days must be given to the employee after he/she has selected one of his/her options or upon completion of the option period.

(2) Big Bend College-Europe shall develop a layoff procedure based upon layoff seniority which shall include clearly identified units, in order to minimize the disruption of the total operation.

(3) The layoff procedure shall provide for veterans preference for eligible veterans and their unmarried widows as defined in WAC 132R-210-350.

(4) In a layoff action involving a position for which a particular sex is a bona fide occupational requirement, as approved by the Washington state human rights commission, the most senior employee meeting the occupational requirements may be retained in the position over more senior employees in such class who do not meet the occupational requirement.

(5) Within the layoff unit, a permanent status employee scheduled for layoff shall be offered employment options in classifications paid at the same level or lower that are:

(a) Classifications in which the employee has held permanent status;

(b) Lower classifications in the same class series for which the employee is qualified;

(c) The employee may exercise either option provided that the employee being replaced is the least senior in the classification and has less layoff seniority than the employee replacing him/her.

(6) No permanent employee shall be separated through layoff except as provided in WAC 132R-210-335, without being offered those positions in classes for which he/she meets the minimum requirements and passes the qualifying examination currently being held by temporary, provisional, or probationary employees. Exercise of this option is limited to those employees scheduled for layoff who have exhausted option rights within their layoff units as provided in WAC 132R-210-330(5).

(7) In order to be offered a layoff option to a position for which selective certification as identified in WAC 132R-210-752(1)(a) has been authorized by the personnel officer, the employee must possess the required prerequisite skills called for in the selective certification.

(8) When it is determined that layoffs will occur within a unit, the personnel officer will:

(a) Provide a copy of the institution reduction-in-force procedure to all employees subject to layoff.

(b) Advise each employee of options in lieu of layoff available, including specific positions for which he/she is eligible under WAC 132R-210-330(6).

(c) Advise each employee of the specific layoff list classifications for which he/she will qualify upon separation.

(d) Advise each employee of the right to appeal his/her layoff per WAC 132R-210-445.

(9) The college shall have on file a layoff procedure approved by the board. [Order 1, § 132R-210-330, filed 7/28/77.]

WAC 132R-210-335 Layoff—Special employment programs. (1) The college, when participating in special employment programs qualifying under the conditions identified in WAC 132R-210-784, shall establish special employment program layoff units.

(2) Employment options of individuals being laid off from positions in special employment programs are limited to positions within the unit and/or program for which the employee qualifies.

(3) Within the special employment program layoff unit, a permanent status employee scheduled for layoff

from service within the class shall be offered employment options in classifications paid at the same level or lower that are:

(a) Classifications in which the employee has held permanent status;

(b) Lower classifications in the same class series for which the employee is qualified;

(c) The employee may exercise either option provided that the employee being replaced is the least senior in the classification and has less layoff seniority than the employee replacing him/her.

(4) The names of employees scheduled for layoff or actually laid off from service within a class shall be placed on the special employment program layoff list as provided in WAC 132R-210-736. [Order 1, § 132R-210-335, filed 7/28/77.]

WAC 132R-210-340 Layoff lists. The names of permanent and probationary employees who have been laid off from service within a class or from service to the institution shall be placed on the eligible lists for those classes in which they have held permanent status, probationary or trial service appointments from any of which they had not been rejected, demoted or dismissed, and in addition those lists for all lower classifications in the same class series for which the employee is qualified. Layoff lists shall be area-wide with eligibles ranked according to layoff seniority as defined in WAC 132R-210-020(33). Eligibles certified from such lists shall be reemployed in preference to all other eligibles. [Order 1, § 132R-210-340, filed 7/28/77.]

WAC 132R-210-350 Veterans retention preference.

(1) For the purpose of this section veteran means any person who has one or more years in active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who upon termination of such service has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad, conduct, or dishonorable discharge is given.

(2) Veterans as defined in WAC 132R-210-350(1) shall have added to their unbroken service in an institution of higher education, their total active military service, not to exceed five years. The combined total of unbroken institutional employment and active military service will constitute the veterans' layoff seniority.

(3) The unmarried widow of an eligible veteran shall be entitled to veterans retention benefits as outlined in WAC 132R-210-350 (1) and (2) regardless of the veteran's length of active military service.

(4) For the purpose of this rule "veteran" shall not include any person who as a veteran retired with twenty or more years' active military service and has military retirement pay in excess of \$500 per month. [Order 1, § 132R-210-350, filed 7/28/77.]

WAC 132R-210-360 Europe-wide layoff list. (1) A permanent employee on layoff status or scheduled for layoff shall be offered the option of placement on the layoff lists at all of the areas of Big Bend College—Europe for the classes in which they have held permanent status appointment and lower classes in the same class series, or equivalent classes for which they qualify and pass a qualifying examination. This option must be exercised by the affected employee within thirty days of the effective date of layoff.

(2) Employees shall be ranked by their total layoff seniority as measured by their last period of unbroken service in the classified service of the college, either in Europe or the state.

(3) The duration of eligibility on this list shall be one year from the date of placement on the list.

(4) Referral from this list shall be on a rule of three.

(5) Employees appointed from this list shall be credited with unused sick leave accrued at the time of layoff. Annual leave shall be computed as provided in WAC 132R-210-820.

(6) The college will provide each employee scheduled for layoff with a copy of this rule and a listing of employment areas they may contact.

(7) Certification from the Europe-wide layoff list shall be after area-wide promotional lists and prior to the open competitive/noncompetitive lists. [Order 1, § 132R-210-360, filed 7/28/77.]

DISCIPLINE, DISMISSAL, APPEAL

WAC 132R-210-405 Demotion—Suspension—Reduction—Dismissal—Causes. Appointing authorities may demote, suspend, reduce in salary, or dismiss an employee under their jurisdiction for any of the following causes:

- (1) Neglect of duty.
- (2) Inefficiency.
- (3) Incompetence.
- (4) Insubordination.
- (5) Conviction of a crime involving moral turpitude.
- (6) Malfeasance.
- (7) Cross [Gross] misconduct.
- (8) Physical or mental incapacity.

(9) Willful violation of the published institution, related board of higher education personnel board rules or regulations.

(10) Mistreatment or abuse of fellow workers or members of the public.

(11) Conflict of interest. [Order 1, § 132R-210-405, filed 7/28/77.]

WAC 132R-210-410 Reduction—Demotion—Procedure. Appointing authorities may reduce the salary of a permanent employee within the range or may demote an employee to a position at a lesser pay range for which he meets the minimum qualifications. Specified charges in writing for either of these actions shall be furnished to the employee and a copy filed with the personnel director at least fifteen calendar days prior to the effective date of the action. [Order 1, § 132R-210-410, filed 7/28/77.]

WAC 132R-210-415 Suspension—Grounds for—Duration—Notice. Appointing authorities may suspend any employee without pay for cause as specified in these rules for a period not exceeding fifteen calendar days as a single penalty; or for a total of thirty calendar days in any calendar year as an accumulation of several penalties. The specified charges and duration of the action shall be furnished to the employee with a copy to the personnel director postmarked within three calendar days after the suspension became or becomes effective. Notice to the employee shall be furnished in the manner as for dismissal. [Order 1, § 132R-210-415, filed 7/28/77.]

WAC 132R-210-420 Dismissal—Grounds for—Notice. Appointing authorities may dismiss a permanent employee for cause as specified in these rules. The employee shall be furnished with specified charges in writing at least fifteen calendar days prior to the effective date of the action. The notification shall be furnished directly to the employee during working hours, or if this is not possible because of the absence of the employee on his regularly scheduled working day, mailed by certified letter to the employee's last known address. If the notification is furnished directly to the employee, the day it was furnished shall be counted as a day of notice. If the notification is mailed, the notice shall be considered received the same day it is postmarked. A copy of the specified charges shall be transmitted to the personnel director and postmarked within three calendar days after the effective date. [Order 1, § 132R-210-420, filed 7/28/77.]

WAC 132R-210-425 Probationary period—Rejection. An appointing authority may reject an employee who has not completed a probationary period. Written notice of the action must be given to the employee at least one workday (eight hours) prior to the effective date of the action. Written notice should be given directly to the employee. If the employee is unavailable, notification shall be by certified mail. In such case, the notice shall be considered received the day after it is postmarked. A probationary employee may not appeal rejection. [Order 1, § 132R-210-425, filed 7/28/77.]

WAC 132R-210-430 Dismissal, suspension—Concurrently—Notice. (1) A permanent employee may be suspended without pay for cause as specified in these rules if the appointing authority believes the good of the service requires the immediate separation of an employee also being dismissed.

(2) The suspended employee may also be dismissed in the manner set forth in these rules.

(3) The appointing authority, when applying an immediate suspension followed by dismissal, shall notify the employee of each action. The notification of suspension shall state specified charges justifying immediate removal from staff in addition to the specified charges in support of the dismissal. [Order 1, § 132R-210-430, filed 7/28/77.]

WAC 132R-210-435 Unauthorized absence—Presumption of resignation—Notice. An employee may be presumed to have resigned his/her position when there has been an absence without authorized leave from the job for a period of five consecutive working days. Thereafter, a notice acknowledging the presumption of resignation shall be sent by certified mail to the last known address of the employee with a copy to the director. Within five days of the date of mailing, the employee may petition the appointing authority for reinstatement upon proof that the absence was involuntary or unavoidable. If the employee is not reinstated, notification shall be given advising of the right to appeal per Big Bend Community College, employment policies and procedures of professional staff. [Order 1, § 132R-210-435, filed 7/28/77.]

WAC 132R-210-440 Demotion, suspension—Reduction—Dismissal—Withdrawal of charges by appointing authority—Time limitation. Appointing authorities may, within the limitations and in accordance with the provisions of these rules, withdraw or modify any of the above actions within a period of sixty calendar days, but not after an appeal has been heard. [Order 1, § 132R-210-440, filed 7/28/77.]

WAC 132R-210-445 Appeals from demotion, suspension, reduction, dismissal. Any permanent employee who has completed a probationary period and is demoted, suspended, reduced, or dismissed, may appeal such actions. Any permanent employee who has been suspended or laid off may appeal such action. Appeals must be made in writing and filed in the office of the personnel director within thirty days after the effective date of the action appealed. [Order 1, § 132R-210-445, filed 7/28/77.]

WAC 132R-210-450 Appeals—Receipt—Procedure. The director shall forward the written notice of appeal to the European project director and the area concerned and aid in arranging an appeal hearing as soon as possible. The hearing shall be conducted within thirty days after receipt of the appeal by the personnel director. [Order 1, § 132R-210-450, filed 7/28/77.]

WAC 132R-210-455 Appeals—Hearings. Hearings on such appeals shall be open to the public, except for cases in which there is substantial reason for not having an open hearing, or in cases where the employee so requests, and shall be informal with technical rules of evidence not applying to the proceedings except the rules of privilege recognized by law. The employee and other concerned parties shall be notified reasonably in advance of the hearing and may select representatives of their choosing, present and cross-examine witnesses and give evidence. [Order 1, § 132R-210-455, filed 7/28/77.]

WAC 132R-210-460 Written notice of findings. The European project director shall notify interested parties in writing of findings and recommended action

and such notice shall be binding unless a request for review by the president is received by the personnel director as provided in WAC 132R-210-465. [Order 1, § 132R-210-460, filed 7/28/77.]

WAC 132R-210-465 Request for review. Request for review of the action of the European project director must be made in writing by the employee, his/her representative, or the employing official within fifteen days of the mailing of written notice and must contain the reasons for such review. [Order 1, § 132R-210-465, filed 7/28/77.]

WAC 132R-210-470 Ruling on review. Within thirty days of receipt of notice per WAC 132R-210-465, the president will issue a ruling either affirming or modifying the European project director's action and said ruling will be final. [Order 1, § 132R-210-470, filed 7/28/77.]

COLLECTIVE BARGAINING

WAC 132R-210-505 Purpose. The general purpose of this chapter is to define the collective bargaining rights of employees and to define unfair labor practices. [Order 1, § 132R-210-505, filed 7/28/77.]

WAC 132R-210-510 Rights of employees. Classified employees shall have, and shall be protected in the exercise of the right, freely and without fear of penalty or reprisal, to form, join, and assist any employee organization or to refrain therefrom, except as provided by law. [Order 1, § 132R-210-510, filed 7/28/77.]

WAC 132R-210-520 Employee organization filing requirements. Any employee organization authorized to represent employees before the board or in collective bargaining with an appointing authority must first file a notice of intent to represent employees with the personnel director. Such notice of intent to represent employees must set forth the name of the employee organization, the name of an agent authorized to speak on its behalf; a mailing address and telephone number; a general description of the types of employment falling within the intended area of representation and the number of classified employees that are presently members of the employee organization; a copy of a constitution, bylaws, or any other documents defining powers and authorizing representation. The personnel director shall, after verification of the documents submitted and securing approval of the project director, notify the board of the employee organizations request. [Order 1, § 132R-210-520, filed 7/28/77.]

WAC 132R-210-570 Unfair labor practices for management-employee. (1) It shall be an unfair labor practice for the college:

(a) To interfere with, restrain, or coerce employees in the exercise of their rights guaranteed by law and rules adopted thereunder.

(b) To control, dominate, or interfere with a bargaining representative.

(c) To discriminate against an employee who has filed an unfair labor practice charge.

(d) To refuse to engage in collective bargaining.

(2) It shall be an unfair labor practice for employee organizations or employees:

(a) To interfere with, restrain, or coerce employees in the exercise of their rights guaranteed by law and rules adopted thereunder.

(b) To induce the college to commit an unfair labor practice.

(c) To discriminate against an employee who has filed an unfair labor practice charge.

(d) To refuse to engage in collective bargaining. [Order 1, § 132R-210-570, filed 7/28/77.]

RIGHT TO APPEAL

WAC 132R-210-620 Right to appeal. The following appeal rights shall supersede existing rules governing appeals adopted by the college pursuant to chapter 41.06 RCW:

(1) An applicant whose application has been rejected or having been admitted to an examination feels his examination or grade unfair, in error, or not applied or arrived at uniformly; or

(2) An eligible whose name has been removed from eligible list; or

(3) Any employee, employee representative or appointing authority desiring to contest the application of these rules, or any rule or regulation adopted pursuant to chapter 41.06 RCW. Any appeal to the board shall be in writing and shall be filed in the office of the personnel director within thirty days after the effective date of the action appealed. The provisions of WAC 132R-210-450 shall apply to this section. [Order 1, § 132R-210-620, filed 7/28/77.]

WAC 132R-210-630 Remedial action. (1) When it has been determined that an individual has served six consecutive months in the college in a position subject to these rules but whose appointment by the college has not been in accordance with the provisions of these rules, and the employee was not a party to the willful disregard of the rules, the board may take such appropriate action as to confer permanent status, set provision for salary maintenance, establish appropriate seniority, determine accrual of benefits, and such other actions as may be determined appropriate pursuant to the best standards of personnel administration.

(2) The board may delegate administration of the provisions of WAC 132R-210-630(1) to the European project director, subject to the taking of exceptions to the European project director's order in the same manner as set forth in RCW 28B.16.170 and WAC 132R-210-465. [Order 1, § 132R-210-630, filed 7/28/77.]

RECRUITMENT—EXAMINATION— CERTIFICATION—APPOINTMENT

WAC 132R-210-701 Recruitment—Examination—General rules. (1) Appointment to positions in

the classified service shall be made according to merit and suitability. Merit and suitability in the classified service shall be ascertained by an appropriate examination for each classification which shall be developed and published by the higher education personnel board. Such examinations shall be utilized by the European division when available.

(2) An examination is any formal, scored, quantified measure or assessment used as the basis for a personnel selection decision. It may include written, oral physical or performance tests, evaluation of experience and training; or any combination of these. It may take into consideration such factors as education, experience, physical fitness, performance appraisal, and any other qualifications which properly enter into the determination of the relative fitness of applicants.

(3) Competitive examinations are not required for the establishment of eligible lists in the noncompetitive service. [Order 1, § 132R-210-701, filed 7/28/77.]

WAC 132R-210-702 Examination notice. (1) The personnel director or his delegates are responsible for determining when to open an eligible list and conduct examination. The personnel director shall develop and maintain on file a procedure by which employees who have indicated an interest in promotion through the established procedure are made aware of promotional opportunities within the organizational unit.

(2) Public notice of examinations to establish lists of employment eligibles shall be made via bulletin board posting, for the duration of the announcement, and such other publicity as warranted in the interest of attracting adequate numbers of qualified applicants. The minimum period for posting employment bulletins will be seven calendar days. For an open competitive posting, the personnel director may authorize a shorter minimum posting period upon receipt of a written request from the area personnel officer. [Order 1, § 132R-210-702, filed 7/28/77.]

WAC 132R-210-704 Recruitment notice—Content. (1) Bulletin board postings shall specify as a minimum the title and salary range of the class for which the eligible list is open; the nature of the work to be performed; the experience and training required; the time, place and manner of making application; the necessary qualifications established for admission to the examination; the type of examination required for the class.

(2) When the personnel officer elects to limit the number of eligibles to be placed on the noncompetitive eligible list or admitted to the entire examination, as provided in WAC 132R-210-712, such information shall be included in the bulletin board posting. [Order 1, § 132R-210-704, filed 7/28/77.]

WAC 132R-210-706 Recruitment notice—Duration. Recruitment notices shall be of two types, those having definite duration and those having indefinite duration during which application may be made. Prior to closing a notice published for an indefinite period, public notice of at least seven calendar days shall be given. [Order 1, § 132R-210-706, filed 7/28/77.]

WAC 132R-210-708 Eligible list modification—Training. Notwithstanding other provisions of these rules, employees meeting the conditions outlined in WAC 132R-210-950(3), Training—General provisions, may be examined without posting a recruitment notice. [Order 1, § 132R-210-708, filed 7/28/77.]

WAC 132R-210-710 Examination administration. Examinations shall be held at such times and places as in the judgment of the delegated personnel officer, most nearly meet the convenience of applicants, practicability of administration, and needs of the service, provided employee/applicants suffer no loss in regular salary as a result of participating in examinations conducted during their regularly scheduled working hours. Examinations shall be conducted by the personnel officers or his/her designee and shall be administered in accordance with standards and procedures designated by the personnel director. [Order 1, § 132R-210-710, filed 7/28/77.]

WAC 132R-210-712 Examination—Eligibility. (1) Examinations shall be open to all applicants who meet the minimum qualifications and other requirements for the class, except that promotional examinations shall be limited to permanent employees of the classified service. Promotional examinations may be opened on an organizational or institution-wide basis, whichever is determined to be in the best interest of the service by the personnel director.

(2) When it is determined to be in the best interest of the service due to technical, administrative or other specialized skills required, and when it has been determined that an insufficient number of qualified promotional candidates exists, the personnel officer may open an eligibility list to open competitive and promotional applicants simultaneously; the names of all persons who achieve passing scores will be ranked on one list.

(3) The personnel officer may declare in advance the number of persons to be placed on a noncompetitive eligible list or admitted to the entire examination when normal recruitment and examining of applicants is expected to result in an eligible list in excess of the institution's current needs. Following the screening of applications and the scoring of supplemental applications for this purpose, the applicants receiving the highest scores will be admitted to the final phases of the examination and/or placed on the noncompetitive eligible list. Such limitations must be stated on the published bulletin board posting, and do not preclude the personnel officer from adding members of under-represented groups to the eligible list in accordance with the institution's corrective employment program as provided in WAC 132R-210-782(2)(e)(1). Eligibles subsequently added through the provisions of WAC 132R-210-782(2)(e)(1) must meet the same criteria and achieve the same examination score required of the original applicant group. [Order 1, § 132R-210-712, filed 7/28/77.]

WAC 132R-210-714 Application forms. Application for employment shall be filed on such forms as may be prescribed by the personnel director. [Order 1, § 132R-210-714, filed 7/28/77.]

WAC 132R-210-716 Application—Acceptance. To be accepted for review, applicants must be completed and signed by the applicant, and delivered to the personnel office, or postmarked before midnight of the closing date specified in the announcement. The personnel officer may require proof of age, education, experience, veteran's preference and other claims relevant to the qualifications of the applicant. [Order 1, § 132R-210-716, filed 7/28/77.]

WAC 132R-210-718 Application—Freedom from bias. No question in any application form or any examination shall be so framed as to elicit information concerning political or religious opinions or affiliations of an applicant, nor shall any inquiry be made concerning such opinions or affiliations. Information regarding the race or color of applicants shall be solicited only for use in an affirmative action minority employment program and shall be accepted only if it is given voluntarily by the applicant. [Order 1, § 132R-210-718, filed 7/28/77.]

WAC 132R-210-720 Application—Admission to examination. Applicants who submit properly completed applications on or before the last date for filing and who meet the requirements for the class, shall be notified of the date, time and place of the examination. Any applicant who, for good cause, is unable to appear as notified, may be given the examination at a later date only if the candidate advised the institution personnel officer of his/her inability to appear as scheduled. [Order 1, § 132R-210-720, filed 7/28/77.]

WAC 132R-210-722 Application—Disqualification—Rejection. The personnel officer may reject or disqualify any application or applicant for cause herein identified:

(1) The applicant is found to lack the qualifications prescribed for admission to the examination;

(2) The applicant is physically unable to perform effectively the duties of the class, provided there is compliance with all appropriate state and federal nondiscrimination statutes and regulations;

(3) The applicant is addicted to the use of drugs or narcotics or the habitual use of alcoholic beverages to excess;

(4) The applicant has been adjudged guilty of a crime involving moral turpitude, or infamous or disgraceful conduct;

(5) The applicant has terminated or has been dismissed from a position for delinquency, misconduct, inability to perform similar work or other such cause;

(6) The applicant has used or attempted to use influence or bribery to secure an advantage in an examination or appointment;

(7) The applicant has made a false statement of any material fact or has practiced or attempted to practice deception or fraud in his application or examination;

(8) Whenever the personnel officer refuses to accept an application or applicant under the provisions of these rules, he shall furnish him with a written statement of the reasons therefor and advising of the right of appeal

per WAC 132R-210-620, except in those instances in which the applicant was present at the time of notification of rejection or disqualification. [Order 1, § 132R-210-722, filed 7/28/77.]

WAC 132R-210-724 Anonymity of applicants. When practical, the identity of all persons taking a competitive written examination shall be concealed from the examiners by the use of an identification number which shall be used on all examination papers. When used, this number shall be used from the beginning of the examination until the papers have all been rated. [Order 1, § 132R-210-724, filed 7/28/77.]

WAC 132R-210-726 Examination—Veterans preference—Eligibility periods—Percentage allowance. (1) The term "veteran" as used in these rules shall include any person who has served in any branch of the armed forces of the United States during World War I, World War II, the Korean conflict, the Viet Nam era, and the period beginning on the date of any future declaration of war by congress and ending on the date prescribed by presidential proclamation or concurrent resolution of the congress. "Viet Nam era" shall mean the period beginning August 5, 1964 and ending on such date as shall thereafter be determined by presidential proclamation or concurrent resolution of the congress.

(2) Only persons who received an honorable discharge, a physical discharge under honorable conditions, or who were released from active duty under honorable circumstances shall be eligible for veterans preference.

(3) Only those veterans who receive a passing score on an examination, prior to addition of veterans preference, shall be eligible for veterans preference.

(4) In all competitive examinations, veterans shall be given a preference by adding to their achieved passing scores, based upon a possible rating of one hundred points as perfect, a percentage of the achieved score under the following conditions:

(a) Ten percent of the passing examination score to a veteran who is not receiving any veterans retirement payments. This preference shall be utilized in open-competitive examinations until the veteran's first appointment and not in any promotional examination.

(b) Five percent of the passing examination score to a veteran who is receiving any veterans retirement payments. This percentage shall be utilized in open-competitive examinations until the veteran's first appointment and not in any promotional examination.

(c) Five percent of the passing examination score to a veteran who, after having previously received employment with the state, is called, or recalled, to active military service for one or more years during any period of war. This preference shall be utilized on the first promotional examination only.

(d) The claiming of the above preference provisions is the responsibility of the applicant and must be claimed within eight years of the date of release from active service. [Order 1, § 132R-210-726, filed 7/28/77.]

WAC 132R-210-728 Notification of examination results. (1) The personnel officer will notify in writing

each applicant competing in an examination of his/her rating or his/her failure to obtain a passing score within ten working days after scoring the examination. Any applicant or authorized representative may request in writing the personnel officer to review the examination and rating within fifteen days after the rating notice. If an error in scoring has been made, it will be corrected and the eligible's name will be placed at the appropriate place on the list. A correction so made shall not invalidate any appointment previously made from the list.

(2) The personnel officer will notify the candidate of the date of placement on the eligible list and the expiration date from the list. [Order 1, § 132R-210-728, filed 7/28/77.]

WAC 132R-210-730 Reexamination—Procedure. The personnel officer may authorize an applicant to re-take an examination upon written request provided:

(1) At least thirty days have elapsed since the previous examination;

(2) The recruiting bulletin for the class is open for filing at the time of the request, except in the case of reexamination resulting from a sustained appeal;

(3) An applicant is not permitted to take the same examination more than three times in a twelve month period;

(4) The limitations of this rule do not apply to the typing and/or dictation sections of an examination. [Order 1, § 132R-210-730, filed 7/28/77.]

WAC 132R-210-732 Examination records requirement. The personnel officer shall maintain and have available for inspection, required evidence to disclose the impact of examinations upon employment opportunities of all applicants by identifiable racial, ethnic, and sex groups. The data required for this purpose and for conduct of validation research is included on the form used for scoring examinations. [Order 1, § 132R-210-732, filed 7/28/77.]

WAC 132R-210-734 Eligible lists—Establishment. In order to carry out the purpose of these rules, the personnel director shall:

(1) Establish and file with the board for their approval, organizational units for purposes of employment and layoff, based upon administrative unit or geographic location or both;

(2) Establish and maintain eligible lists by class and organizational unit when necessary. [Order 1, § 132R-210-734, filed 7/28/77.]

WAC 132R-210-736 Eligible lists—Definition—Composition. The various eligible lists are defined as follows:

(1) Area-wide layoff lists shall be established by class and shall contain the names of all permanent and probationary employees laid off or scheduled for layoff in accord with WAC 132R-210-330 and WAC 132R-210-340. Ranking of eligibles shall be in order of layoff seniority.

(2) Instructional year transfer lists shall be established by class and shall contain the names of all permanent employees occupying instructional year positions within the class who have filed written requests for transfer to twelve-month positions with the personnel officer. Eligibles shall be ranked according to institutional seniority.

(3) Organizational unit promotional lists shall be established by class and shall contain the names of all permanent employees of the organizational unit for which the list is established, who have successfully completed the examination for the higher class. Ranking of eligibles shall be in order of their final earned rating on the examination, plus any preference credits.

(4) Area-wide promotional lists shall be established by class and shall contain the names of all permanent employees who have successfully completed the examination for the class, ranked in order of their final earned rating on the examination plus any preference credits.

(5) Special employment program layoff lists shall be established by class and shall contain the names of permanent employees laid off, scheduled for layoff or removed from service within a class due to layoff conditions. Ranking of eligibles shall be in order of layoff seniority as defined in WAC 132R-210-020.

(6) Europe-wide layoff lists shall be established by class and shall contain the names of all permanent employees laid off or scheduled for layoff who have exercised their option per WAC 132R-210-360. Ranking of eligibles shall be in order of layoff seniority as defined in WAC 132R-210-360(2).

(7) Open competitive/noncompetitive lists.

(a) Open competitive lists shall be established by class and shall contain the names of all candidates who have successfully completed the examination for the class, ranked in order of their final earned rating on the examination, plus any preference credits.

(b) Noncompetitive lists shall be established by class where the class has been previously approved by the personnel director to be a part of the noncompetitive service.

(c) They shall contain the names of all applicants who meet the minimum requirements for the class for which the list is established. The eligibles shall be ranked by priority in time of filing application. [Order 1, § 132R-210-736, filed 7/28/77.]

WAC 132R-210-738 Procedure in case of ties. When two or more candidates on the same eligible list have the same rating, their relative ranking on the list will be determined by lot. [Order 1, § 132R-210-738, filed 7/28/77.]

WAC 132R-210-740 Duration of eligible lists. (1) The term of eligibility for each name on an eligible list shall be one year from the date the name is placed on the eligible list except for area-wide layoff lists for which eligibility shall be two years. Prior to the expiration date of the eligible on all eligible lists except open competitive/noncompetitive and state-wide layoff lists,

he/she shall be given the opportunity to extend eligibility for one additional year by written request to the personnel officer.

(2) The personnel officer may extend the duration of an entire eligible list for one additional year if it is determined to be in the best interest of the service.

(3) The personnel officer shall cancel the entire eligible list when the classification or examination has been changed to the degree that the list would be invalid for the class. All affected employees shall be notified of the cancellation. [Order 1, § 132R-210-740, filed 7/28/77.]

WAC 132R-210-742 Removal of names from eligible lists. The name of an eligible may be removed from an eligible list by the personnel officer for any of the following reasons:

(1) A written request from the eligible that his name be removed.

(2) Appointment to a permanent position through certification from an employment list for another class at the same or higher salary. Any person whose name is so removed shall have his name restored for the duration of his eligibility to this list, or lists, except the one from which appointment was made, by making written application for such action to the personnel office within five working days from the postmark date of the notice of removal.

(3) Failure to respond within ten days to a written inquiry or within three days to a telegraphed inquiry from the personnel officer relative to availability for appointment.

(4) Declination of three appointments to classified positions under such conditions as the eligible previously indicated he would accept.

(5) If not appointed from an eligible list after certification four times.

(6) For attempted deception or fraud in connection with any application or examination.

(7) Failure to report for duty within the time prescribed by the agency.

(8) Expiration of the term of eligibility on the eligible list.

(9) Failure to notify the personnel officer of changes in address.

(10) In the case of area-wide promotional lists and transfer lists, upon separation, except by layoff, from classified service.

(11) In the case of organizational unit promotion lists, or transfer lists, appointment or transfer of the employee, except by layoff, to a position in another organizational unit. [Order 1, § 132R-210-742, filed 7/28/77.]

WAC 132R-210-744 Notification of removal of name. Whenever any person's name is removed from an eligible list for any of the previously mentioned causes, except (1) and (3) above, and for open competitive applicants removed from the eligible list under provision (8) above, he/she immediately be notified of such removal, unless his/her whereabouts are unknown. Such person may, within five working days of notification, make a written request to the personnel officer for restoration of his name to such eligible list for the duration

of his eligibility. The personnel officer, after full consideration of the request, may restore the name to the eligible list, or refuse to do so. The person shall be notified of the personnel officer's action. [Order 1, § 132R-210-744, filed 7/28/77.]

WAC 132R-210-746 Related eligible lists. Should a vacancy occur in a class for which there is no existing eligible list, it shall be the responsibility of the institution to recruit and develop an eligible list. If it is impractical to recruit in order to establish a list of eligibles, the personnel officer may substitute a related list if he deems the lists to be sufficiently similar. [Order 1, § 132R-210-746, filed 7/28/77.]

WAC 132R-210-748 Request for certification. When a vacancy in the classified service is to be filled, the employing official shall submit a personnel requisition to the personnel officer. If special or outstanding qualifications are desirable for the position under consideration, these shall be noted on the requisition. [Order 1, § 132R-210-748, filed 7/28/77.]

WAC 132R-210-750 Method of certification. (1) Upon receipt of a personnel requisition, the personnel officer shall certify in writing two more names than there are vacancies to be filled in strict order of standing on the appropriate lists.

(2) In the case of certification made from an area-wide layoff list, the eligible with the greatest layoff seniority shall be certified for appointment. The most senior eligible(s) on special employment program layoff list may be included with the certification of promotional candidates from existing promotional eligible lists when there are less than three promotionals to certify. In the event there are no existing promotional eligible lists at the time of certification, and there are eligibles on the special employment program layoff lists, certification will consist of only the most senior eligible on the list.

(3) In the case of certification made from an established instructional year transfer list, the eligible with the greatest layoff seniority shall be certified for appointment.

(4) The eligibles certified to an employing official need not come from the same eligible list; however, each eligible list must be exhausted before progressing to the next eligible list. Eligible lists shall be used for filling classified vacancies in the order of priority listed below:

- (a) Area-wide layoff list;
- (b) Instructional year transfer list;
- (c) Organizational unit promotion list;
- (d) Area-wide promotion list;
- (e) Special employment program layoff list;
- (f) Europe-wide layoff lists;
- (g) Open competitive/noncompetitive lists. [Order 1, § 132R-210-750, filed 7/28/77.]

WAC 132R-210-752 Selective certification. (1) The personnel officer may declare a selective certification of eligibles to fill a vacancy under the following conditions:

(a) When there is a requirement for specialized and/or distinctive, technical or professional qualifications essential to fill the work requirements of a particular position;

(b) When the institution or related board is utilizing a corrective employment program to increase the representation of employees of a particular racial or ethnic group or sex (per provisions of WAC 132R-210-782, Corrective employment programs).

(2) Recruiting bulletins issued to establish lists of eligibles from which selective certification will be made must include the special qualifications and/or indicate that selective certification in accord with corrective employment program regulations may be involved.

(3) The appointment of employees hired or promoted through selective certification will be reported monthly to the director. [Order 1, § 132R-210-752, filed 7/28/77.]

WAC 132R-210-754 Incomplete certification. When the number of names available for filling any vacancy is fewer than three, the employing official may make an appointment from the eligible list or decline certification for that vacancy. [Order 1, § 132R-210-754, filed 7/28/77.]

WAC 132R-210-756 Notice of certification. The employing official shall interview each candidate certified prior to making an appointment, except when the eligible waives the interview. [Order 1, § 132R-210-756, filed 7/28/77.]

WAC 132R-210-758 Selection from certification. (1) Following receipt of the list of eligibles and on completion of the interviews resulting therefrom, the personnel officer shall record one of the following dispositions of the employing official for each name certified:

(a) Eligible was interviewed and considered but not appointed;

(b) Eligible waived consideration for the position;

(c) Eligible failed to appear for interview or could not be contacted provided that the eligible has been given at least two working days in which to respond to notice of certification;

(d) Appointment to a position.

(2) When the number of available eligibles is reduced to less than two more than positions to be filled, the personnel officer may upon request from the employing official provide a replacement name for each eligible who has waived consideration, been determined to be unavailable, or did not appear for the interview. [Order 1, § 132R-210-758, filed 7/28/77.]

WAC 132R-210-760 Returning employee provisions—Layoff—Reemployment. (1) Eligibles appointed from an established layoff list shall be credited with the following:

(a) Assumption of status and length of service held in class at the time of layoff;

(b) Sick leave accrued at the time of layoff;

(c) Salary increment date extended by an amount of time equal to the period of layoff in order to give credit for time served in a salary step prior to layoff.

(2) Former employees who are appointed from an open competitive list shall be:

(a) Credited with unused sick leave accrued if reemployed within three years of termination;

(b) Given a new increment date;

(c) Required to serve a probationary period. [Order 1, § 132R-210-760, filed 7/28/77.]

WAC 132R-210-762 Provisional appointment.

When a vacancy in the classified service exists and there is an inadequate eligible list, the personnel officer may authorize a provisional appointment of any person who meets the minimum requirements for the class. Any person appointed provisionally must be advised of his appointment status and of the requirement to compete for the position when recruitment is initiated. Such provisional appointment shall terminate prior to six months or upon certification, whichever comes first. No person shall receive more than one provisional appointment, nor serve more than six months in any twelve month period as a provisional appointee. The period of a provisional appointment shall not constitute a part of the probationary period.

The personnel officer shall immediately begin recruiting to establish a list of eligibles for the class. [Order 1, § 132R-210-762, filed 7/28/77.]

WAC 132R-210-764 Emergency appointment. An employing official may request the personnel officer for a thirty day emergency appointment, without regard to other provisions of this rule governing appointment, whenever an emergency exists and there is an inadequate eligible list from which an appointment can be made. The period of emergency service shall not constitute a part of the probationary period. Emergency appointments shall be reported in writing to the director at the time of appointment and may be extended for another thirty day period only upon prior approval of the director. [Order 1, § 132R-210-764, filed 7/28/77.]

WAC 132R-210-766 Probationary appointment. Probationary appointment shall be made only upon appointment from one of the following eligible lists, and will continue for a period of six months unless interrupted as provided in these rules:

(1) Open competitive or noncompetitive list;

(2) Layoff list – when the employee was in probationary status at the time of layoff;

(3) State-wide layoff list.

In the event an employee is on leave without pay status for ten or more consecutive work days during the probationary period, the completion date of the probationary period shall be extended by an amount of time equal to the period of leave without pay. [Order 1, § 132R-210-766, filed 7/28/77.]

WAC 132R-210-768 Trial service appointment. A trial service appointment shall consist of the six month period following appointment from a promotional list, or

transfer list involving movement into a different class. This provides the employing official an opportunity to observe the new employee's work; to train, counsel, and if necessary, revert the employee to his former position in which he held permanent status. If his former position is occupied, the reverted employee has preemptive rights to the position or to a vacant position in the same class. The employing official may offer the reverted employee a position in a classification of equal pay for which the employee qualifies, however, the reverted employee does not have preemptive rights into other classifications.

In the event an employee is on leave without pay status for ten or more consecutive work days during the trial service period, the completion date of the trial service period shall be extended by an amount of time equal to the period of leave without pay. [Order 1, § 132R-210-768, filed 7/28/77.]

WAC 132R-210-770 Permanent status appointment. Permanent status appointments shall be made under the following conditions:

(1) Upon successful completion of a six month probationary period or trial service period;

(2) Demotion either voluntary or involuntary when made to a classification in which the employee has had permanent status;

(3) Transfer within a classification;

(4) Certification from a layoff list for a class in which the employee has had permanent status at the time of layoff. [Order 1, § 132R-210-770, filed 7/28/77.]

WAC 132R-210-772 Employee reassignment—Transfer. (1) The appointing authority may reassign a permanent status employee within the same classification.

(2) The personnel director shall develop and maintain a transfer procedure that will provide reasonable opportunity for a permanent status employee seeking reassignment within the same classification. Summary data of transfer activity will be maintained by the personnel officer. [Order 1, § 132R-210-772, filed 7/28/77.]

WAC 132R-210-774 Temporary appointment. (1) Temporary appointment may be made only to meet employment conditions set forth in the definition. A temporary appointment to a position identified in WAC 132R-210-020(29)(a) shall be made following certification of eligibles from appropriate eligible lists established by class who have indicated willingness to accept temporary assignment.

(2) Temporary appointment made in accordance with this rule is not limited to the one hundred eighty calendar day limitation. [Order 1, § 132R-210-774, filed 7/28/77.]

WAC 132R-210-776 Modification of minimum qualifications. When a vacancy exists and active and reasonable recruiting efforts fail to establish an eligible list for the class, the personnel officer may request the personnel director to modify the minimum qualifications. If the personnel director is satisfied that reasonable effort has been made to recruit at the established

minimum qualifications, he may modify the minimum qualifications, on a one-time basis for only that recruiting cycle. On approval, the personnel officer shall initiate recruiting at the reduced minimum qualifications. Such temporary modification will be reported to the board at the next regular meeting.

Appointments made from employment lists established in this manner will be in accordance with these rules. [Order 1, § 132R-210-776, filed 7/28/77.]

WAC 132R-210-778 Concurrent certification.

When more than one department submits a request for certification for one class concurrently, the top three names on the appropriate employment lists will be certified to each department for consideration and selection. [Order 1, § 132R-210-778, filed 7/28/77.]

WAC 132R-210-780 Instructional year appointment.

(1) Positions established for periods coinciding with the instructional year of the institution are to be filled in accord with the rules of WAC 132R-210-700.

(2) Employees occupying such positions may be placed on leave without pay by the appointing authority for the scheduled vacation periods coinciding with the instruction year. Such leave of absence does not constitute a break in service. The period of leave of absence shall not be deducted from the employees' length of service in granting periodic increments except as provided in WAC 132R-210-260, nor in computing annual vacation leave accrual rate.

(3) The personnel officer will maintain position rosters indicating all extended instructional year positions within the layoff unit which will become available to instructional year employees during the scheduled vacation period, and will maintain a seniority listing of eligible employees. The personnel officer will post the rosters by April 1 of each year. Eligible employees will have fifteen calendar days after posting to indicate their availability for the positions.

(4) Within the layoff unit, extended instructional year positions filled during the scheduled vacation period will be filled by instructional year employees having the greatest institutional seniority.

(5) A permanent employee in an instructional year position may file a written request with the personnel office for appointment to vacant twelve-month positions. The personnel officer will establish the instructional year transfer lists, ranked by institutional seniority. Certification of eligibles will be the same as for other eligible lists as provided in WAC 132R-210-750(2). [Order 1, § 132R-210-780, filed 7/28/77.]

WAC 132R-210-782 Corrective employment programs.

(1) Upon approval of the president corrective employment programs to enhance the attainment of equal employment rights and promotional opportunities for members of under-represented groups may be utilized when employees of a particular group are under-represented because of present or past practices, or other conditions which resulted in limited employment opportunities.

(2) Corrective employment programs for classified personnel shall include the following:

(a) The inclusion within a affirmative action program for each fiscal year of special goals and timetables for the employment and promotion of under-represented groups. Each program must be submitted for approval by the board. Written programs, goals and reports shall comply with state and federal regulations, following guidelines which affect the employer as a federal contractor;

(b) Provisions for ascertaining the race, creed, color, national origin, age, or sex of applicants for employment and promotion;

(c) Selective certification from all eligible lists except layoff (subject to the provisions of WAC 132R-210-750);

(d) Provision for special training and development programs, and selective appointment of women, minority and disadvantaged employees into the programs;

(e) Provision, when corrective employment goals are not achieved through normal recruiting means, to supplement the eligible list for a class within a job category that is under-represented by race, ethnic origin, or sex as follows:

(1) When it is determined by the personnel officer that an eligibility list for a class in a job category does not contain sufficient members of the under-represented groups, applicants who meet the minimum qualifications for the class may be admitted to the examination at any time (subject to WAC 132R-210-730). Those who obtain a passing score will be placed on the appropriate eligible list;

(f) Provision for persons of an under-represented group to enter the employment or promotion process but not to exclude others from it. The rate of entry or promotion through selective certification of under-represented persons ordinarily should not exceed a ratio of one out of three positions filled;

(g) Provision for suspending the use of selective certification for employment and promotion of an under-represented group whenever the condition of under-representation has been corrected for a job category within an organizational unit of an institution's affirmative action plan, and for reinstating selective certification when needed. [Order 1, § 132R-210-782, filed 7/28/77.]

WAC 132R-210-784 Special employment programs.

(1) Special employment programs are those programs designated by the personnel director which are designed and implemented to reduce unemployment and/or provide training opportunities to enable persons to become more employable. Special employment programs are funded in total, or in part, from sources other than the normal sources available to institutions of higher education or related boards.

(2) Positions created for special employment programs are included in the regular classified service. The primary distinction is a separate layoff unit to include all special employment programs. Employees occupying such positions are eligible for usual staff benefits. When special employment program positions are abolished,

layoffs will occur as provided in WAC 132R-210-335. [Order 1, § 132R-210-784, filed 7/28/77.]

HOURS OF WORK, HOLIDAYS, LEAVE OF ABSENCE

WAC 132R-210-802 Hours of work—General. Each job class will be assigned to one of the work schedules identified below. Hours of work for classified employees of the institutions of higher education and related boards are to be established by the employing official. Working hours may be adjusted but shall not result in requiring more than an average of forty hours a week. Changes in an employee's assigned workweek schedule (except in case of emergency) shall be proceeded by at least five working days notice to the employee. Nothing in these rules shall preclude the scheduling of overtime outside of normally assigned shifts providing reasonable notice is provided the employee. [Order 1, § 132R-210-802, filed 7/28/77.]

WAC 132R-210-805 Work schedules. Three general work schedules are recognized:

(1) **Regular Workweek**

The regular workweek for full-time classified employees normally shall consist of five consecutive and uniformly scheduled eight hour days in a seven day period. A part-time schedule is any deviation from the full-time schedule consisting of twenty or more but less than forty hours in seven consecutive days.

(2) **Alternate Workweek**

Operational necessity or employee convenience may require positions and/or classes that are normally designated regular workweek to work an alternate forty hour workweek schedule (other than five uniform and consecutive eight hour work days in a seven day period), and as provided by the fair labor standards act which provides for an eighty hour workweek in a fourteen day period for hospital personnel. Alternate workweek schedules in effect shall be made available upon request and shall include the purpose, number of employees, positions, work schedules, and duration.

(3) **Irregular Workweek**

The irregular workweek group includes those classes and/or positions in which the conditions of work preclude adherence to a regular or alternate work schedule. Positions in this group must also meet the requirements of executive, administrative or professional exemption definitions of the federal fair labor standards act. Work schedules of this group are not restricted to forty hours a week, but shall meet the intend of WAC 132R-210-802. [Order 1, § 132R-210-805, filed 7/28/77.]

WAC 132R-210-808 Rest period. Employees shall receive not less than a ten minute rest period for each four hours of work. Each eight hour shift shall include two rest periods, even though the shift is unequally divided. [Order 1, § 132R-210-808, filed 7/28/77.]

WAC 132R-210-811 Holidays. (1) Legal holidays are designated by statute. The following holidays are defined per RCW 1.16.050:

The first day of January, commonly called New Year's Day;

The twelfth day of February, being the anniversary of the birth of Abraham Lincoln;

The third Monday of February, being celebrated as the anniversary of the birth of George Washington;

The last Monday of May, commonly known as Memorial Day;

The fourth day of July, being the anniversary of the Declaration of Independence;

The first Monday in September, to be known as Labor Day;

The eleventh day of November, commonly known as Veteran's Day;

The fourth Thursday in November, to be known as Thanksgiving Day;

The day immediately following Thanksgiving Day; and

The twenty-fifth day of December, commonly called Christmas Day.

The college should provide all classified employees in pay status with a paid holiday on the above days. However, the board may designate other days in lieu of the above holidays, provided such revised holiday schedules are filed with and approved by the board prior to the beginning of each calendar year.

Employees shall be entitled to one paid personal holiday per calendar year in addition to those specified in this section as provided in WAC 132R-210-814.

Classified employees working twelve-month schedules shall receive the number of holidays set forth in this section each year.

(2) Employees working or on leave with pay on their last regularly scheduled working day preceding the holiday(s) in that month shall receive full compensation for the holiday(s). Employees working on a part-time basis shall not benefit by the holiday(s) to an amount exceeding their regular salary for a normal pay period.

(3) When a holiday falls on a employee's regularly scheduled day off, he/she shall receive a day of compensatory time off.

(4) Holiday time worked shall be compensated as defined in the compensation plan.

(5) Whenever a holiday, except Sunday, falls on Sunday, the following Monday shall be considered a non-working or legal holiday.

(6) Employees terminating immediately prior to a holiday do not qualify for holidays occurring after termination. [Order 1, § 132R-210-811, filed 7/28/77.]

WAC 132R-210-814 Personal holiday—Regulations governing. (1) Each employee may select one personal holiday each calendar year, as indicated in WAC 132R-210-811(1) and the college must grant the day, provided:

(a) The employee has given not less than fourteen calendar days written notice to the supervisor; provided, however, the employee and the supervisor may agree upon an earlier date; and

(b) The number of employees selecting a particular day off does not prevent providing continued public service.

(2) Entitlement to the holiday will not lapse when denied under (1)(b) above. [Order 1, § 132R-210-814, filed 7/28/77.]

WAC 132R-210-817 Leave authorization. All leave must be authorized by the employing official or his/her designee. Unauthorized absence shall be treated as absence without pay. [Order 1, § 132R-210-817, filed 7/28/77.]

WAC 132R-210-820 Annual vacation leave. (1) Full-time employees eligible for vacation leave shall accrue vacation leave, to be credited monthly, at the following rates:

- (a) During the first year of continuous state employment – 12 days (96 hours);
- (b) During the 2nd year of continuous state employment – 13 days (104 hours);
- (c) During the 3rd and 4th years of continuous state employment – 14 days (112 hours);
- (d) During the 5th through the 9th years of total state employment – 15 days (120 hours);
- (e) During the 10th year of total state employment – 16 days (128 hours);
- (f) During the 11th year of total state employment – 17 days (136 hours);
- (g) During the 12th year of total state employment – 18 days (144 hours);
- (h) During the 13th year of total state employment – 19 days (152 hours);
- (i) During the 14th year of total state employment – 20 days (160 hours);
- (j) During the 15th year of total state employment – 21 days (168 hours);
- (k) During the 16th and succeeding years of total state employment – 22 days (176 hours).

(2) Employees working less than full-time schedules shall accrue annual vacation leave credit on the same pro rata basis that their employment schedule bears to a full-time schedule.

(3) The following shall apply for purposes of computing qualifying state employment:

- (a) Employment in the legislative and/or the judicial branch shall not be credited;
- (b) Employment exempt by the provisions of WAC 132R-210-040(2) or employment under the state personnel board jurisdiction which is analogous to the conditions specified in WAC 132R-210-040(2) shall not be credited;
- (c) Each contract year of full-time faculty and/or administrative exempt employment shall be credited as a year of qualifying service;
- (d) Employment in part-time positions shall be pro rated to full-time service. [Order 1, § 132R-210-820, filed 7/28/77.]

WAC 132R-210-823 Annual vacation leave—Use. (1) Annual vacation leave may not be taken until an employee has completed the probationary period of six months' service.

(2) All requests for annual vacation leave must be approved by the employing official or his designee in advance of the effective date.

(3) Annual vacation leave shall be scheduled by the employing department at a time most convenient to the work of the department, the determination of which shall rest 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 1, § 132R-210-823, filed 7/28/77.]

WAC 132R-210-826 Annual vacation leave—Accumulation. (1) Unused annual vacation leave credits may be accumulated to a maximum of thirty working days, except that if an employee's request for leave is deferred by the employing official or his designee, then the maximum of thirty days accrual shall be extended for each month that the leave is deferred. Such deferral shall be reported to the personnel officer.

(2) No extra compensation in lieu of annual vacation leave shall be paid the employee. [Order 1, § 132R-210-826, filed 7/28/77.]

WAC 132R-210-829 Annual vacation leave—Cash payment. Cash payment in lieu of accumulated annual vacation leave may be made under the following conditions:

- (1) Upon resignation, with a minimum of two calendar weeks notice, after completing six months of continuous employment;
- (2) Upon the death, retirement, layoff or dismissal of a classified employee.

The accrued and unused annual vacation leave credits of an employee leaving the classified service of the college to work for another institution of higher education or state agency without a break in service, shall be transferred to the new employing agency and may not be paid by the institution. [Order 1, § 132R-210-829, filed 7/28/77.]

WAC 132R-210-832 Sick leave accrual. (1) Full-time classified employees shall accrue sick leave credit at the rate of one working day for each month of completed service.

(2) Employees working less than a full-time schedule shall accrue sick leave credit on the same pro rata basis that their employment schedule bears to a full-time schedule.

(3) Additional sick leave shall be granted for bereavement as provided in WAC 132R-210-838(3). [Order 1, § 132R-210-832, filed 7/28/77.]

WAC 132R-210-835 Leave accrual date. The effective date for computing leave accrual shall be:

- (1) The first of the month of hire for employees hired between the first and the fifteenth of a month; or
- (2) The first of the following month for employees hired from the sixteenth through the end of the month. [Order 1, § 132R-210-835, filed 7/28/77.]

WAC 132R-210-838 Sick leave—Use. (1) Sick leave shall be allowed an employee up to the amount of earned credits under the following conditions:

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

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

(c) Because of emergencies caused by serious illness or death in the immediate family of the employee that require the assistance of the employee in circumstances arising from the care of the patient or arrangements for the deceased;

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

(2) Sick leave may be granted for condolence or bereavement.

(3) One day of bereavement sick leave as provided in WAC 132R-210-832(3) shall be granted for each death in the immediate family. Bereavement sick leave may be extended to a maximum of three days with the approval of the supervisor and the personnel officer. For the purposes of this rule, the immediate family is defined as mother, father, sister, brother, mother-in-law, father-in-law, husband, wife, and children. [Order 1, § 132R-210-838, filed 7/28/77.]

WAC 132R-210-841 Maternity leave. A woman requesting maternity leave shall be granted leave for the period of time that she is sick or temporarily disabled because of pregnancy or childbirth. Accrued sick leave may be used during the temporary disability resulting from pregnancy. [Order 1, § 132R-210-841, filed 7/28/77.]

WAC 132R-210-843 Sick leave—Reporting. Employees should report illness or disability to the immediate supervisor at the beginning of any period of sick leave and daily thereafter unless prearranged. Upon returning to work, the employee may be required by the employing official to submit a written statement explaining the nature of the disability. [Order 1, § 132R-210-843, filed 7/28/77.]

WAC 132R-210-847 Sick leave—Physician's certificate. A physician's certificate of illness or injury satisfactory to the employing official may be required for approval of sick leave in excess of three days. [Order 1, § 132R-210-847, filed 7/28/77.]

WAC 132R-210-850 Sick leave—Workman's compensation. (1) Employees suffering illness or injury which is compensable under industrial insurance provisions, shall receive full sick leave payments, less any industrial insurance payments received by the employee in compensation for the time loss resulting from the period of leave, unless he chooses to receive only industrial insurance payments.

(2) Until eligibility for workmen's compensation is determined by the Department of Labor and Industries, the agency may pay full sick leave, provided that the employee shall return any subsequent over-payment to his agency.

(3) Sick leave days charged to an employee with a workmen's compensation claim shall be proportionate to that portion of the employee's salary paid by the institution during the claim period. An employee who sustains an industrial injury, accident or illness, arising from employment by an agency under the jurisdiction of this board shall, upon written request and proof of continuing disability, be granted leave of absence without pay for up to six months without loss of layoff seniority or change in annual increment date. Leave without pay exceeding six months without loss of layoff seniority or change in annual increment date may be granted at the option of the employing agency. [Order 1, § 132R-210-850, filed 7/28/77.]

WAC 132R-210-853 Sick leave—Change of employment. Unused sick leave credits of permanent status employees changing employment between institutions of higher education or from other state agencies without a break in service, shall move with the employee. [Order 1, § 132R-210-853, filed 7/28/77.]

WAC 132R-210-856 Sick leave—Separation—Reinstatement. (1) Upon separation of the employee from the classified service, for any cause, compensation shall not be paid for accrued sick leave credits.

(2) Employees certified from a layoff list shall have sick leave credits reinstated upon their return to active service. [Order 1, § 132R-210-856, filed 7/28/77.]

WAC 132R-210-859 Military training leave. (1) Employees shall be entitled to leave with pay not to exceed fifteen calendar days in any one calendar year, for active duty in the National Guard, Army, Air, Marine, or Naval Reserve Forces of the United States for annual field training or otherwise discharging reserve obligations.

(2) Such leave shall be in addition to any annual vacation leave to which an employee is entitled and shall not result in any loss of benefits, privileges or pay.

(3) During military training leave, the employee shall receive his normal base pay.

(4) Employees required to appear for a physical examination to determine physical fitness for military service shall receive full pay for the time required to complete the examination. [Order 1, § 132R-210-859, filed 7/28/77.]

WAC 132R-210-862 Military leave without pay. A classified employee shall be entitled to military leave of absence without pay for service in the armed forces of the United States or the state, and to reinstatement of his former position or to one of like class, with cumulative seniority and increments, upon application to the personnel officer within ninety days after the expiration of such period of military service, in accordance with

RCW 73.16.030 through 73.16.060. [Order 1, § 132R-210-862, filed 7/28/77.]

WAC 132R-210-865 Leave of absence without pay.

(1) 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;
- (d) Leave for government service in public interest;

(e) To accommodate annual work schedules of employees occupying positions established on the basis of an instructional year as specified in WAC 132R-210-780.

(2) Requests for leave of absence without pay must be submitted in writing to the employing official or his designee and receive the approval of both the employing official and the personnel officer.

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

(4) Annual vacation leave and sick leave credits will not accrue during a leave of absence without pay which exceeds ten working days in any calendar month.

(5) A classified employee taking a temporary appointment in Big Bend College to an exempt position shall be granted a leave of absence without pay, with the right to return to his regular position, or to a like position at the conclusion of such temporary appointment, provided that the exempt position is as defined in WAC 132R-210-040 (1) and (3). [Order 1, § 132R-210-865, filed 7/28/77.]

WAC 132R-210-868 Leave duration—Exception.

Leave of absence without pay shall not exceed twelve months except for educational leave which may be allowed for the duration of actual attendance; military leave; and government service of public interest leave. Leave of absence without pay may be extended for an additional twelve months, upon signed request of the employee and signed approval of employing official or his designee, and the personnel officer. Any additional leave may be approved by the board. [Order 1, § 132R-210-868, filed 7/28/77.]

WAC 132R-210-871 Leave of absence—Employee rights.

(1) Employees returning from an authorized leave of absence shall be employed in the same position or in another position in the same class in the same geographical area, and organizational unit, providing that such reemployment is not in conflict with rules relating to reduction-in-force. [Order 1, § 132R-210-871, filed 7/28/77.]

WAC 132R-210-874 Leave—Procedures. The personnel director will have on file in the personnel office complete instructions which specify the procedure for granting all leave, as outlined in these rules. [Order 1, § 132R-210-874, filed 7/28/77.]

WAC 132R-210-877 Suspended operation. Notwithstanding the provisions of WAC 132R-210-300, if

the European project director determines it is advisable due to emergency conditions beyond control (such as but not limited to riot, work stoppage or strike, civil disturbance, mechanical failure, severe weather conditions, unscheduled military operations), to suspend the operation of all or any portion of the college, the following will govern classified employees:

(1) When prior notification has not been given employees released until further notice after reporting to work shall receive a minimum of four hours pay for the first day with the option of using accrued compensatory time (where applicable), annual leave or leave without pay for the balance of the closure.

(2) Employees not required to work may use accrued compensatory time (where applicable), annual leave or leave without pay.

(3) Employees required to work shall receive their regular rate of pay for work performed during the period of suspended operation; overtime policy will govern any overtime worked.

(4) The personnel director, shall develop and file with the European project director, subject to his approval, a procedure to provide for staffing during periods of suspended operations. [Order 1, § 132R-210-877, filed 7/28/77.]

WAC 132R-210-880 Employee absence—Inclement weather.

(1) When an employee is absent from work due to inclement weather, the employee shall have the option of charging the absence to accrued compensatory time (where applicable), annual leave or leave without pay.

(2) Compensation for lost work time due to inclement weather is subject to the approval of the appointing authority. [Order 1, § 132R-210-880, filed 7/28/77.]

EMPLOYEE DEVELOPMENT AND TRAINING

WAC 132R-210-910 Employee development—

Authority, purpose and objective. (1) The rules contained in this chapter follow from the authority of the higher education personnel law, RCW 28B.16.100(1), which provides in part, "...the Higher Education Personnel Board shall adopt and promulgate rules and regulations consistent with the purposes and provisions of this chapter....regarding the basis for, and the procedures to be followed for....training programs including in-service, promotional and supervisory...."

(2) It is the board's intent that Big Bend College—Europe establish, conduct, and report employee training and development programs. The rules in this chapter provide the guidelines for such programs.

(3) The objective of these rules is to provide opportunity for the development of the potential occupational or professional ability of each employee to make the most effective and economic use of employee resources in accomplishing institutional/related board goals. [Order 1, § 132R-210-910, filed 7/28/77.]

WAC 132R-210-920 Definitions. (1) **Training** — Formal learning activities intended to systematically

provide employees with the knowledge and skills necessary to become proficient or qualified in a particular field.

(2) **Paid Time Training** – Training at which attendance is required by the employer. Training of this type is work related or meets an identified institutional/related board need and is compensated in accordance with WAC 132R-210-200.

(3) **Off Hour Training** – Training which takes place outside of the normal working hours, the objective of which is to provide employees with opportunities to upgrade their skills.

(4) **Development** – The attainment through work experience and training of proficiency in skills which will enable the employee to perform higher level duties. [Order 1, § 132R-210-920, filed 7/28/77.]

WAC 132R-210-930 Training and development programs. (1) Big Bend College–Europe will develop and maintain on file with the president, subject to his approval, an employee training and development plan that provides as a minimum:

(a) The policy and objectives of the college concerning training and development programs;

(b) The policy with regard to training program expenses;

(c) Identification of the person(s) responsible for employee training and development programs;

(d) Provision for the identification and appraisal of training and development needs;

(e) The identification of proposed training activities in the following areas:

1. New employee orientations;
2. Functional training, such as in accounting, data processing, office administration and job skills;
3. System training, such as affirmative action, labor relations and safety;
4. Professional/technical training;
5. Management and organizational development;
6. The off-hour training or continuing education program;

(f) Provision specifying the manner of selecting employees for training or development programs and for training records of employee participation;

(g) Provision for training and upgrading of skills of women and members of racial or ethnic minority groups as part of the institution's/related board's affirmative action program, including special training programs to achieve corrective action for underutilization of minority or female employees;

(h) Involvement of a representative group of employees in the development of training policy and plans;

(i) Provision for evaluation of training and development programs;

(j) The criteria by which the college will provide employees the opportunity to attend class instruction in academic session during regular working hours;

(k) The college's European policy regarding release time during work hours for training course attendance.

(2) Copies of the college's European procedure will be available to employees upon request. [Order 1, § 132R-210-930, filed 7/28/77.]

WAC 132R-210-950 Training—General provisions. (1) Voluntary attendance in training courses outside of regular working hours does not constitute grounds for overtime or compensatory time off.

(2) Required attendance in courses outside of regular working hours constitutes time worked.

(3) Upon completion of approved training programs, respective eligible lists may be opened to employees that meet the minimum qualifications and desire to be examined, as provided in WAC 132R-210-708. [Order 1, § 132R-210-950, filed 7/28/77.]