

Title 132T WAC

COMMUNITY COLLEGES--WALLA WALLA COMMUNITY COLLEGE

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Chapter 132T-04 WAC BYLAWS

WAC

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WAC 132T-04-001 Promulgation. The board of trustees of Community College District 20, under the authority vested in said board by the laws of the state of Washington, hereby adopt the following bylaws. [Promulgation, filed 11/21/67; Emergency promulgation, filed 8/23/67.]

WAC 132T-04-010 Offices. (1) The board of trustees shall maintain an office at 500 Tausick Way, Walla

Walla, Washington, where all regular meetings shall be held, unless otherwise announced, and all records, minutes, and the official college seal shall be kept. This office shall be open during all normal business hours to any citizen of the state of Washington.

(2) Correspondence or other business for the board shall be sent to the secretary of the board, who is located in this office. [Order 78-4, § 132T-04-010, filed 10/24/77; Article I, filed 11/21/67; Emergency Article I, filed 8/23/67.]

WAC 132T-04-020 Meetings. (1) The board of trustees shall hold at least one regular meeting each month, unless dispensed with by the board of trustees, and such other regular or special meeting as may be requested by the chairman of the board or by a majority of the members of the board.

(2) All regular and special meetings of the board of trustees shall be publicly announced prior to the meeting and shall be open to the general public.

(3) No official business shall be acted upon by the board of trustees except during a regular or special meeting held at a preannounced time and place.

(4) Information and materials pertinent to the agenda of all regular meetings of the board shall be sent to trustees prior to each meeting. Any matter of business or correspondence must be received by the secretary of the board by 12:00 noon four days before the meeting in order to be included on the agenda. The chairman or secretary may, however, present a matter of urgent business received too late for inclusion on the agenda when in his judgment the matter is of an emergency nature.

(5) All materials to be considered by the board must be submitted in sufficient quantities to provide each member of the board and the secretary with appropriate copies. [Article II, filed 11/21/67; Emergency Article II, filed 8/23/67.]

WAC 132T-04-030 Executive sessions. (1) The board of trustees may convene in executive session whenever it is deemed necessary to discuss any matters affecting national security, the selection of a site or the acquisition of real estate by lease or purchase when publicity regarding such consideration would cause a likelihood of increased price; the appointment, employment, or dismissal of an employee; or to hear complaints or charges brought against such employee by a public officer, person, or employee, unless such employee requests a public hearing. The governing body may exclude from such executive session during the examination of a witness on any such matter, any or all

other witnesses in the matter being investigated by the governing body.

(2) No official business of the board of trustees shall be acted upon in executive session. [Order 78-4, § 132T-04-020, filed 10/24/77; Article III, filed 11/21/67; Emergency Article III, filed 8/23/67.]

WAC 132T-04-040 Order of agenda. (1) The order of the agenda governing all regular meetings of the board of trustees shall be as follows:

- (a) Roll call
- (b) Approval of previous minutes
- (c) Correspondence
- (d) Report of the board
- (e) Recommendation for action of the board
- (f) New business
- (g) Unscheduled business
- (h) Adjournment

(2) The order of the agenda may be changed by the chairman with the consent of the board members present.

(3) The chairman shall announce that persons wishing to address the board on subjects not included on the agenda may do so under (f). The chairman shall have the right to limit the length of time used by a speaker for the discussion of a subject. [Order 78-4, § 132T-04-040, filed 10/24/77; Article IV, filed 11/21/67; Emergency Article IV, filed 8/23/67.]

WAC 132T-04-050 Records of board action. All business transacted in official board meeting shall be recorded in minutes and filed for reference. [Article V, filed 11/21/67; Emergency Article V, filed 8/23/67.]

WAC 132T-04-060 Parliamentary procedure. (1) Three members of the board of trustees shall constitute a quorum, and no action shall be taken by less than a majority of the board members.

(2) Lesser number may adjourn from time to time any regular or special meeting at which a quorum is not present. The secretary of the board shall in person or in writing notify the absent members of the time, date and place set for the adjourned meeting.

(3) Normally, voting shall be viva voce. However, a roll call vote may be requested by any member of the board for the purposes of the record.

(4) In question of parliamentary procedure, the actions of the board shall be conducted according to Robert's Rules of Order Revised unless specified otherwise by state law or regulation of the state board or by-laws of the board of trustees. [Article VI, filed 11/21/67; Emergency Article VI, filed 8/23/67.]

WAC 132T-04-070 Adoption or revision of policies. (1) Policies of the board are established for the management and operation of the college district. In order to achieve a consistent pattern of administration such policies should be reflected in continuous decision making.

(2) Proposed written policies, or revision of existing written policies, shall be presented to the board to provide ample time for consideration and possible revision

prior to final adoption. [Article VII, filed 11/21/67; Emergency Article VII, filed 8/23/67.]

WAC 132T-04-080 Officers of the board. (1) At the final regular meeting of the board each year, the board shall elect, from its membership, a chairman and vice-chairman to serve for the ensuing year. In addition the president of Walla Walla Community College shall serve as secretary to the board of trustees as specified by state law. The secretary may, at his discretion, appoint his administrative assistant or other appropriate college staff member to act as recording secretary for all regular and special meetings of the board.

(2) The chairman in addition to any duties imposed by rules and regulations of the state board, shall preside at each regular or special meeting of the board, sign all legal and official documents recording action of the board, and review the agenda prepared for each meeting of the board. The chairman shall, while presiding at official meetings, have full right of discussion and vote.

(3) The vice-chairman in addition to any duties imposed by rules and regulations of the state board shall act as chairman of the board in the absence of the chairman.

(4) In case of the absence of the chairman and vice-chairman from any meeting of the board of trustees or in case of the inability of both of the two to act, the board of trustees shall elect for the meeting a chairman pro tempore, and may authorize such chairman pro tempore to perform the duties and acts authorized or required by said chairman or vice-chairman to be performed, as long as the inability of these said officers to act may continue.

(5) The secretary of the board shall in addition to any duties imposed by rules and regulations of the state board, keep the official seal of the board, maintain all records of meetings and other official action of the board.

(6) The secretary shall also be responsible for board correspondence, compiling the agenda of meetings, and distributing the minutes of the meetings and related reports.

(7) The secretary, or his designate, must attend all regular and special meetings of the board, and official minutes must be kept of all such meetings. [Order 78-4, § 132T-04-080, filed 10/24/77; Article VIII, filed 11/21/67; Emergency Article VIII, filed 8/23/67.]

WAC 132T-04-090 Committees. (1) The board of trustees shall act as a committee of the whole for the conduct of its business.

(2) Special committees may be appointed by the chairman of the board upon authority of the board with such powers and duties and for such term as the board may determine.

(3) Minutes of the proceedings of each committee shall be kept and as soon as practical after a meeting, a copy of said minutes shall be mailed or delivered to each member of said committee and remaining members of the board of trustees and the president of the college. [Article IX, filed 11/21/67; Emergency Article IX, filed 8/23/67.]

WAC 132T-04-100 Fiscal year. The fiscal year of the board shall conform to the fiscal year of the state of Washington and shall be from July 1 to June 30 inclusive. [Article X, filed 11/21/67; Emergency Article X, filed 8/23/67.]

WAC 132T-04-110 Official seal. The board of trustees shall maintain an official seal for use upon any or all official documents of the board. The seal shall have inscribed upon it the name of the college which shall be

COMMUNITY COLLEGE

District 20

State of Washington

[Article XI, filed 11/21/67; Emergency Article XI, filed 8/23/67.]

WAC 132T-04-120 Changes to bylaws. Bylaws of the board may be revised by majority vote of the board provided such changes are proposed at least one meeting prior to the meeting at which the vote is taken. Bylaws may be revised by unanimous vote of the board at the same meeting at which the revision is originally proposed. [Article XII, filed 11/21/67; Emergency Article XII, filed 8/23/67.]

Chapter 132T-05 WAC FACULTY QUALIFICATIONS

WAC

132T-05-010	Adoption and publication of district personnel selection practices and standards.
132T-05-020	General standards of qualifications for community college personnel.
132T-05-030	Additional qualifications in areas of specialization.
132T-05-040	Maintaining and improving occupational and teaching competencies for vocational administrators, instructors and counselors.
132T-05-050	Types of vocational education certificates.
132T-05-060	Definition of professional improvement units.

WAC 132T-05-010 Adoption and publication of district personnel selection practices and standards. In order to satisfy the standards of regional and national accrediting organizations, and provide for a professional staff representing a wide range of educational and professional experience, the Board of Trustees of Community College District No. 20 do hereby adopt the following rules. Such personnel practices and standards shall be consistent with WAC 132T-05-020 and WAC 132T-05-030. [Order 74-2, § 132T-05-010, filed 6/4/74; Order 71-5, § 132T-05-010, filed 1/27/71.]

WAC 132T-05-020 General standards of qualifications for community college personnel. Prior to employment of candidates to perform professional services in Washington State Community College District No. 20, the district board of trustees shall establish that the candidate possesses:

(1) Scholarship or technical skill that represents appropriate study or training in the proposed area of assignment,

(2) Expertise as a practitioner as evidenced by reports of former associates and supervisors,

(3) A demonstrable understanding and acceptance of the role he is to play as a partner in an educational enterprise serving the best interests of the students,

(4) A demonstrable understanding and acceptance of the mission and character of the community college,

(5) The ability to perform his assigned duties in a manner consistent with the goals of the institution and the community college system, and

(6) Personal characteristics that contribute to his ability to promote the welfare of the students, the institution, and the State of Washington. [Order 74-2, § 132T-05-020, filed 6/4/74; Order 71-5, § 132T-05-020, filed 1/27/71.]

WAC 132T-05-030 Additional qualifications in areas of specialization. In addition to the general standards required by WAC 132T-05-020, the district board of trustees shall establish that candidates for appointment meet or exceed the following standards in their areas of specialization:

(1) Professional personnel performing services for which advanced degrees are normally available shall hold the equivalent of a master's degree in the field of their educational service from an accredited college or university or a bachelor's degree and extensive professional experience in the field of their educational service.

(2) Professional personnel in vocational fields or other specialized areas for which advanced degrees are not normally available shall have sufficiently broad and comprehensive training and work experience that particularly qualifies them to provide instruction in their area of specialization. Vocational education teaching personnel must have recent work experience beyond the learning period as a fully qualified worker in the occupation that will be taught. The minimum work experience shall be equal to the recognized learning period required to gain competence in the occupation, but shall be in no case less than two calendar years. Vocational counselors shall meet the work experience requirement by demonstrating work experience in one or more occupations other than professional education, which is cumulative to at least two years.

(a) Minimum work experience for apprenticeable occupations will be equal to the learning period then currently registered with the State Department of Labor and Industries.

(b) Minimum work experience in occupations requiring state licensing will be two calendar years subsequent to receipt of license, unless the occupation is also an apprenticeable trade.

(c) Minimum work experience for all other trades and occupations will be two calendar years of full-time employment or the equivalent subsequent to the recognized learning period.

(d) Recent work experience shall be defined as employment full time for six months or the equivalent in the occupation to be taught within the two years immediately preceding initial vocational certification.

(3) All other vocational educational teaching personnel including instructors of vocationally related courses,

teachers' aides, lab assistants, and tutors, who do not meet the work experience and educational requirements specified above may be employed either on a full-time or part-time basis, provided that such individuals shall possess appropriate technical skills and knowledge in the specific program area assigned, and provided further that such individuals shall work under the direct supervision of, or in direct coordination with, an appropriately certified professional. Community College District No. 20 shall maintain appropriate job descriptions for each position in this category.

(4) General administrative personnel shall have advanced training or experience relevant to their assigned duties. The chief administrator shall hold an earned doctorate from an accredited university or have equivalent administrative expertise as demonstrated by successful performance of broad administrative responsibilities.

(5) Vocational administrative personnel, including the chief vocational education officer or other individual assigned to that responsibility (commonly referred to as the vocational director), and all other subordinate vocational education administrative personnel must have been employed as full-time vocational education instructor for at least three academic years or have equivalent teaching experience in industry or other public agencies and they must have had at least two calendar years of accumulated experience in the capacity of a supervisor in business, industry, a public agency, or an equivalent volunteer community service. In addition, such individuals must have demonstrated to the employing agency his/her commitment to and understanding of vocational education. Industry and public agency experience will be evaluated at no more than a one-to-one basis.

(6) Persons employed prior to the effective date of this document shall comply with these standards unless they were qualified on the basis of standards which were in effect in the 1969 Washington State Plan for Vocational Education. All persons shall comply with the provisions of WAC 132T-05-040 and WAC 132T-05-050 regarding certification and renewal of certificates.

(7) Exceptions to the above work experience standards relating to vocational personnel shall be documented through procedures set forth in Sections 1.34-6, 1.34-7, and 1.35.4 of the State Plan for Vocational Education as now existing or hereafter amended. [Order 74-2, § 132T-05-030, filed 6/4/74; Order 71-5, § 132T-05-030, filed 1/27/71.]

WAC 132T-05-040 Maintaining and improving occupational and teaching competencies for vocational administrators, instructors and counselors. It shall be the responsibility of the president of Community College District No. 20 (Walla Walla Community College) to assure compliance with the following standards:

(1) The Community College District No. 20 will certify through the vocational director each instructor and vocational counselor and maintain documentation of such certification. The certificate and the documentation on file shall specify the function and/or the specific occupational area for which the individual is certified.

(2) Each full-time contracted professional shall have an individual improvement plan developed in consultation with and approved by the appropriate dean or his designee and the vocational director. Recommendations of the appropriate advisory committee should be taken into account in developing the individual improvement plan. The vocational director shall maintain a file of all such plans.

(3) Part-time professional personnel must have temporary certification and shall obtain a one-year certificate by the end of the equivalent of one academic year of full-time instruction or counseling. Individual improvement plans shall be established and approved for part-time personnel by the time they have achieved the equivalent of one year of full-time employment.

(4) Full-time instructors or counselors may not be employed on the basis of a temporary certificate for a period of more than one year.

(5) Certification under the above standards is a condition of continued employment for all vocational education personnel. [Order 74-2, § 132T-05-040, filed 6/4/74.]

WAC 132T-05-050 Types of vocational education certificates. For the purposes of this section, equivalency shall mean in each case that the employee shall successfully complete the objectives outlined in his improvement plan. In issuing certificates for vocational education personnel, the Community College District No. 20 shall utilize the following nomenclature and shall meet the standards set forth:

(1) A "temporary certificate" shall be issued to vocational instructors or counselors provided that such individuals shall be required to complete a minimum of fifteen contact hours of teaching orientation or the equivalent to begin no later than the first day of employment. Vocational counselors shall be certified only if they have had appropriate successful preparation in vocational counseling and testing. A temporary certificate is renewable only for part-time instructors.

(2) A "one-year certificate" shall be issued to instructional personnel who have completed the minimum requirements for a temporary certificate and who in addition have completed thirty contact hours in the course "Elements of Teaching" or the equivalent as determined by the vocational director. A one-year certificate may be issued to counselors who have completed the minimum requirements for a temporary certificate and who in addition have completed a minimum of three professional improvement units in accordance with the individual improvement plan. A one-year certificate may be renewed no more than twice after initial issuance for each year of full-time equivalent instruction.

(3) A "five-year certificate (initial)" shall be issued to professional personnel who have completed a minimum of two years of conditionally certified teaching or counseling service, who have in addition to the one-year certificate requirements completed a minimum of thirty contact hours in the course "Occupational Analysis" or its equivalent, and who have completed a minimum of

three additional professional improvement units in accordance with the individual's improvement plan. In addition to the above, instructional personnel must have completed at least thirty contact hours in the course "Course Organization" or its equivalent and counseling personnel must have completed at least thirty contact hours in the course "Occupational Information" or its equivalent.

(4) A "five-year certificate (renewal)" shall be issued to professional personnel who have completed a minimum of fifteen professional improvement units during the previous five-year period in accordance with the individual's improvement plan. For instructional personnel, emphasis should be placed on field or work experience where appropriate and in accordance with the individual improvement plan. For counseling personnel, it is recommended that a minimum of seven must be in the field or work experiences and a minimum of three in organized counseling improvement. [Order 74-2, § 132T-05-050, filed 6/4/74.]

WAC 132T-05-060 Definition of professional improvement units. The following standards shall be used in the determination of professional improvement unit values for vocational certification by Community College District No. 20.

(1) Each full work week of appropriately pre-planned paid field work or clinical experience shall be equal to one professional improvement unit.

(2) One credit on the quarter system or two-thirds credit on the semester system earned in accredited programs at colleges or universities shall be equal to one professional improvement unit.

(3) Each full day of pre-planned participation in conferences and seminars shall be equal to .20 professional improvement units, provided that such activities are in addition to those covered by the normal contractual obligations.

(4) Each day of pre-planned experience in either domestic or foreign travel related to the individual's instructional area shall be equal to .20 professional improvement units.

(5) Additional professional improvement units may be granted as approved in the individual improvement plan on the basis of independent research and development activities in excess of the normal contractual obligations of the instructor or counselor. [Order 74-2, § 132T-05-060, filed 6/4/74.]

Chapter 132T-06 WAC TENURE REGULATIONS

WAC

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132T-06-040	Duties of review committee.
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132T-06-070	Dismissal for sufficient cause.
132T-06-080	Nonrenewal of tenured faculty contracts.
132T-06-090	Review committee recommendations.

132T-06-100 Tenure considerations.
132T-06-110 Effective date.

WAC 132T-06-010 Purpose. The Board of Trustees of Community College District No. 20 hereby establishes a rule on faculty tenure. The purpose of this tenure policy shall be to protect faculty employment rights and faculty involvement in the protection of those rights at Walla Walla Community College and subsequent community colleges hereafter established within Community College District No. 20. In order to insure the professional objectives of a community college staff, the board hereby adopts the following procedures for administering faculty tenure. [Order 70-20, § 132T-06-010, filed 4/24/70.]

WAC 132T-06-020 Definitions. As used in this chapter, the following terms and definitions shall mean:

(1) "Appointing Authority" shall mean the Board of Trustees of Community College District No. 20.

(2) "Review Committee" shall mean a committee of faculty peers and administrative staff appointed pursuant to WAC 132T-08-030.

(3) "Regular College Year" shall mean a faculty appointment inclusive of consecutive fall, winter and spring quarters.

(4) "President" shall mean the president of Walla Walla Community College, or in such president's absence, the acting president.

(5) "Part-time" shall mean an appointment for which the appointee's presence at the college for the entire normal working day during the entire regular college year is not required.

(6) "College" shall mean Walla Walla Community College and any subsequent community college hereafter established within Community College District No. 20.

(7) "Full-time" shall mean an appointment which requires the appointee's presence at the college for the entire normal working day during the entire regular college year.

(8) The definition of "tenure", "faculty appointment", "probationary faculty appointment", "probationer", and "administrative appointment" shall be the same as are contained within section 33, chapter 283, Laws of 1969 ex. sess. and RCW 28.85.851 [28B.50.851] as now law or hereafter amended. [Order 70-20, § 132T-06-020, filed 4/24/70.]

WAC 132T-06-030 Composition of review committee. (1) One review committee shall be established and shall include both the transfer division and occupation division. At least two committee members shall be chosen from the transfer division and at least two committee members from the occupation division.

(2) The review committee shall be composed of seven persons, four of whom shall consist of tenured faculty appointees, chosen by the faculty, acting in a body, prior to October 15th of each regular college year; and additionally the review committee shall consist of one student selected by the Student Council of the Associated Student Body prior to October 15th of each regular college year; and two administrative appointees chosen by

the president prior to October 15th of each regular college year. The review committee shall choose its own chairperson and such review committee shall meet at the call of the chairperson when the need for such meeting arises.

(3) The duration of each faculty appointment and each administrative appointment to the review committee shall be for a period of two calendar years beginning on the 15th day of October of the year of appointment; that the student appointment shall be for a period of one calendar year, beginning on the 15th day of October of the year of appointment.

If a vacancy exists upon any review committee prior to the expiration of any such appointment, an administrative, faculty or student member as appropriate, shall be appointed pursuant to Section 2 of this rule to fill the unexpired term of the absent member of such review committee. [Order 75-1, § 132T-06-030, filed 8/26/74; Order 70-20, § 132T-06-030, filed 4/24/70.]

WAC 132T-06-040 Duties of review committee. (1) The president shall on the 15th day of October of each regular college year assign each full-time probationary faculty appointee to the review committee for such committee's evaluation and required recommendations.

(2) The review committee shall establish and publish its method of evaluating performance of each full-time probationary faculty appointee in considering whether the probationary appointee possesses personal characteristics and the necessary professional competence to be granted tenure, placing primary importance upon the probationer's effectiveness in his appointment. [Order 70-20, § 132T-06-040, filed 4/24/70.]

WAC 132T-06-050 Required review committee action. (1) The review committee shall be required to conduct an evaluation of each full-time probationary faculty appointee assigned to the committee by the president and render the following reports to the president, the probationary faculty appointee and through the president to the appointing authority at the following times during the regular college year:

(a) A written evaluation of each full-time probationary faculty appointee's performance and the subsequent submission of such written evaluation of the performance directed to the said probationer and the president on December 20th and March 15th of each regular college year that said probationer is not a tenured faculty appointee. The review committee shall obtain such appointee's written acknowledgment of receipt of the written performance evaluation each time such evaluation is rendered.

(b) A written recommendation concerning the employment or nonemployment of each full-time probationary faculty appointee for the ensuing regular college year directed to the appointing authority through the president prior to February 15th of each regular college year.

(c) A written recommendation directed through the president to the appointing authority recommending the approving authority award or not award tenure, such written recommendations to be submitted at times

deemed appropriate by the review committee: *Provided*, That during such full-time probationary faculty appointee's third regular college year of appointment, the review committee shall prior to March 15th of such regular college year make such a recommendation as to the award or nonaward of tenure. If the review committee does not make the written recommendation as to the award or nonaward of tenure by March 15th of the regular college year for each full-time probationary faculty appointee who is then serving his third consecutive year of full-time appointment it shall be deemed a recommendation that tenure not be awarded to such appointee.

(2) The appointing authority shall only be required to give reasonable consideration to an award of tenure recommendation of the review committee but shall not be bound by such recommendation if the appointing authority has given reasonable consideration to such recommendation. The appointing authority shall not be required to give any consideration to the review committee recommendation required by paragraph (1)(b) of this rule. [Order 70-20, § 132T-06-050, filed 4/24/70.]

WAC 132T-06-060 Dismissal for cause. Dismissal for sufficient cause during the regular college year shall, in addition to the enumerated grounds contained in section 40, chapter 283, Laws of 1969 ex. sess., and RCW 28.85.862 [28B.50.862], include but not be limited to:

- (1) Any unlawful act of violence;
- (2) Any unlawful act resulting in destruction of community college property;
- (3) Interruption of the orderly conduct of the educational process;
- (4) Incompetency;
- (5) Failure to perform an assignment as specified by contract;
- (6) Any other act specified by the president which the review committee determines constitutes unprofessional conduct of a faculty member. [Order 70-20, § 132T-06-060, filed 4/24/70.]

WAC 132T-06-065 Faculty statement on professional competency. A tenured faculty member shall maintain professional competency in his particular discipline through graduate study, research, in-service training, educational travel, conference and symposium attendance and/or additional vocational trade experience. [Order 70-20, § 132T-06-065, filed 4/24/70.]

WAC 132T-06-070 Dismissal for sufficient cause. In all instances which involve dismissal for sufficient cause as distinguished from non-renewal for sufficient cause as specified in WAC 132T-06-080:

(1) The dean of instruction shall investigate all matters regarding dismissal for cause as enumerated in WAC 132T-06-060 of a tenured faculty member or probationary faculty member prior to the expiration of such probationary faculty appointee's employment term. If the dean of instruction has cause to believe that a faculty member should be dismissed for cause, he shall so advise the president and if the president deems a sufficient cause exists, shall discuss the matter with the individual faculty member involved. If a resignation is not

forthcoming, and the president deems that circumstances and facts warrant dismissal, the president may begin dismissal proceedings.

(2) The president shall begin dismissal proceedings by specifying the conduct which constitutes dismissal for cause and refer the charge to the review committee.

(3) The review committee shall after receiving the written charge from the president establish a date for a review committee hearing, giving the faculty member so charged reasonable notice of such hearing, and inform in writing the faculty member so charged of the time, date and place of such hearing.

(4) The review committee hearing shall:

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

(b) The faculty member whose case is being reviewed shall be afforded the right of cross examination and the opportunity to present evidence on his behalf; and

(c) Include an informal record of all proceedings prepared by the review committee.

(5) The review committee following the expiration of such dismissal hearing shall prepare recommendation as to the appropriate action to be taken by the appointing authority. [Order 70-20, § 132T-06-070, filed 4/24/70.]

WAC 132T-06-080 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 for sufficient cause which for purposes of WAC 132T-06-080 shall include budget reasons, change of instructional program, or lack of students participating in a particular instructional program; if

(a) Notice of such nonrenewal is tendered to the individual faculty appointee prior to the last day of winter quarter of any regular college year. Three weeks prior to tendering such notice the president shall refer the matter of nonrenewal to the review committee with appropriate documentation specifying the grounds for the intended nonrenewal of a tenured faculty appointee's contract.

(b) The review committee shall then conduct proceedings pursuant to WAC 132T-06-070(3) and (4) and at the conclusion of such proceedings make an appropriate recommendation to the appointing authority: *Provided*, if the review committee to which a proceeding is referred pursuant to this subsection does not make a recommendation through the president to the appointing authority prior to the last day of winter quarter, such lack of action shall be deemed a recommendation that sufficient cause as defined in paragraph 1 of this rule exists for the nonrenewal of the specific tenured faculty appointee's contract for the ensuing regular college year.

(2) After the college president has determined that the contract of a tenured faculty appointee shall not be renewed for the ensuing regular college year, but prior to referring the matter to the appropriate review committee for proceedings and the recommendations of such review committee, the college president shall:

(a) Determine whether the individual tenured faculty appointee is qualified for another faculty position within Community College District No. 20; or

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

(3) If an individual tenured faculty appointee's contract is not renewed for the reasons previously stated in this rule, and a change of circumstances has caused the re-establishment of such former teaching position, the president may then offer such appointment to the tenured faculty member whose contract was not previously renewed. [Order 70-20, § 132T-06-080, filed 4/24/70.]

WAC 132T-06-090 Review committee recommendations. (1) A tenured or probationary faculty appointee who is dismissed for sufficient cause during the regular college year after a proceeding before the review committee shall be entitled to receive a hearing if a request for a hearing is directed by such faculty appointee to the appointing authority within 10 days following the receipt of a notice of dismissal.

(2) A tenured faculty member whose contract is not renewed for the ensuing regular college year after a proceeding before the review committee shall be entitled to receive a hearing if a request for a hearing is directed to the appointing authority by the tenured faculty appointee within 10 days following receipt of a notice of nonrenewal.

(3) The appointing authority shall give reasonable consideration to any review committee recommendations formulated pursuant to WAC 132T-06-080 and 132T-06-070 but such recommendations shall not be binding upon the appointing authority. [Order 70-20, § 132T-06-090, filed 4/24/70.]

WAC 132T-06-100 Tenure considerations. (1) A probationary faculty appointee shall acquire tenure by operation of law if service with the college exceeds three consecutive regular college years of full-time academic employment.

(2) The following positions are deemed by the appointing authority to constitute administrative appointments which are determined to be non-tenurable:

- (a) President
- (b) Dean of Instruction
- (c) Dean of Students
- (d) Associate Dean of Instruction
- (e) Business Manager
- (f) Registrar

All directors including, but not limited to:

- (g) Director of Admissions
- (h) Director of Guidance
- (i) Director of Student Affairs
- (j) Director of Athletics
- (k) Director of Financial Aids
- (l) Director of Occupational Education
- (m) Director of Continuing Education

All coordinators, including but not limited to:

- (n) Academic Education Coordinator

- (o) Occupational Education Coordinator
- (p) Developmental Education Coordinator
- (q) Coordinator of Management Information Systems
- (r) Coordinator of Student Development and Guidance

All supervisors including, but not limited to:

- (s) Supervisors of Satellite Campuses
- (t) Physical Facilities Manager
- (u) Funds Development Officer

(3) An individual who shall serve in any position enumerated in subsection two (2) of this rule and who shall additionally serve as a teacher, counselor, librarian or other comparable position shall be eligible for an award of tenure insofar as such person has had or presently does have status as a teacher, counselor or librarian.

(4) Tenure may be awarded to an individual probationary faculty appointee at any time by the appointing authority after giving reasonable consideration to a specific recommendation from the review committee which recommendation can be made at any time during a probationary faculty appointee's service. [Order 75-1, § 132T-06-100, filed 8/26/74; Order 72-3, § 132T-06-100, filed 11/26/71; Order 70-20, § 132T-06-100, filed 4/24/70.]

WAC 132T-06-110 Effective date. The rules contained within chapter 132T-06 WAC shall become effective upon the date the same are filed with the code reviser. [Order 70-20, § 132T-06-110, filed 4/24/70.]

Chapter 132T-08 WAC CIVIL SERVICE RULES

WAC

132T-08-010	Purpose, adoption, and amendment of rules.
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132T-08-990	Appendix—Secretarial and clerical compensation plan.
132T-08-99001	Appendix—Custodial and maintenance plan.

WAC 132T-08-010 Purpose, adoption, and amendment of rules. (1) Purpose. It is the purpose of these rules to give effect to the state civil service law, chapter 41.06 RCW. It is the further purpose of these rules to provide basic statements of personnel policy and procedure which shall be applied equitably to all employees in the classified staff service. They are intended to provide a modern workable system of personnel administration based on merit principles. They are published to inform employees, supervisors, and administrators of their rights and responsibilities under these rules, and to define the

basis on which the office of the director shall conduct a comprehensive system of personnel management.

(2) Positions Covered by the Rules. The rules shall apply to all positions in the classified staff service as defined in the act (RCW 41.06.040(3), 41.06.050, 41.06.070(3)) and such temporary employees included upon advice of the Washington attorney general.

(3) Adoption of Rules. Upon adoption by the personnel committee of the board of trustees of Walla Walla Community College, these rules shall be in full force and effect.

(4) Amendment of Rules. These rules may be amended by action of the personnel committee as provided in the act (RCW 41.06.140). It is recognized that the background and experience of each of the state institutions of higher learning in the administration of the act will be of valuable assistance to the personnel committees of other such institutions. The desirability of uniformity in the rules of the personnel committees of the several institutions of higher learning, where practicable, is likewise recognized.

It shall be the duty of the director of personnel to review with the other institutions of higher learning any proposed modifications of these rules, and to thereafter submit recommendations to the committee for amendments to these rules. [Rule I (codified as WAC 132T-08-010), filed 11/21/67; Emergency Order, filed 8/23/67.]

WAC 132T-08-020 Definition of terms. The following terms wherever used in these rules shall have the meaning indicated below except where the context clearly indicates otherwise:

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

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

(3) "Board". The board of trustees of Walla Walla Community College.

(4) "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.

(5) "Classified service". All positions in the institution of higher learning subject to the provisions of the civil service law (RCW 41.06.020(4), 41.06.070) and such temporary employees included upon advice of the Washington attorney general.

(6) "Committee". The personnel committee of the board of trustees of Walla Walla Community College.

(7) "Competitive service". Those classes of positions for which a competitive examination shall be given for the determination of the rank order of merit of the competing candidates.

(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 director of classified staff personnel (RCW 41.06.050).

(10) "Dismissal". The separation from employment for cause reflecting discredit upon the employee.

(11) "Eligible". Any person whose name is on an eligible list.

(12) "Eligible list". A list of persons who have successfully passed a noncompetitive, open competitive, or promotional examination or who are on an appropriate reemployment list by reason of layoff, request for transfer, reclassification of their positions, or consolidation or abolition of a class of positions.

(13) "Employing official". An administrative or supervisory employee, academic or nonacademic, classified or exempt, who exercises responsibility for employing subordinates.

(14) "Exempt position". A position excluded from coverage by the provisions of the act (RCW 41.06.070).

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

(16) "Noncompetitive service". Those classes of positions for which a noncompetitive examination shall be given which has reference only to the minimum qualifications for the class. The noncompetitive service shall be limited to unskilled occupations.

(17) "Organizational unit". An administrative division of the institution established for the purposes of personnel administration as defined in WAC 132T-08-080.

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

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

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

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

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

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

(24) "Student employee". An employee who is enrolled for more credit hours of academic work than that permitted in staff employment as provided in WAC 132T-08-140.

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

(26) "Transfer". The change of an employee from one position to another position in the same class or in another class with essentially the same maximum salary. [Rule II (codified as WAC 132T-08-020), filed 11/21/67; Emergency Order, filed 8/23/67.]

WAC 132T-08-030 Organization for personnel management. (1) The Personnel Committee. (a) Organization. The board shall designate three of its members as a personnel committee. The term of service shall continue through the member's term of service as trustee or at the pleasure of the board.

(b) Compensation. Each member of the committee shall be compensated for his services and necessary expenses in accordance with the act (RCW 41.06.110(2)).

(c) Election of officers. The committee shall elect a chairman and vice-chairman, from among its members, to serve one year. The presence of at least two members of the committee shall constitute a quorum to transact business. A written public record shall be kept by the committee of all its actions. The director shall serve as secretary. (RCW 41.06.110(3))

(d) Meetings. Meetings, including hearings, shall be held at the call of the chairman, or any two members. All members shall be provided reasonable advance notice of the time and place of the meetings. Statements of findings and release of material shall be made only with the approval of a majority of the committee. A member of the committee or the secretary may administer oaths. (RCW 41.06.120)

(e) Powers and duties. The committee shall have such powers, duties, and responsibilities as are required by the act, (RCW 41.06.140, 41.06.150) assigned by the board, or otherwise required.

(2) The Personnel Director. (a) Appointment. Upon the recommendation of the president, the board shall designate a qualified, full-time, nonacademic employee who shall act as director of personnel for the classified staff service. (RCW 41.06.050)

(b) Powers and duties. The director shall direct and supervise all of the administrative and technical personnel activities for the classified staff service in accordance with the act (RCW 41.06.130(4)) and rules and regulations approved and promulgated thereunder. [Rule III (codified as WAC 132T-08-030), filed 11/21/67; Emergency Order, filed 8/23/67.]

WAC 132T-08-040 Classification plan. (1) Content. The director shall maintain a classification plan for all positions in the classified service. The plan shall consist of specifications for each class, including a title, description of the duties and responsibilities, and the qualifications required and/or desired of an incumbent.

(2) Amendment. The classification plan may be amended by action of the committee as provided in the Act (RCW 41.06.140).

(3) Allocation. Each position in the classified service shall be allocated to an established class in the classification plan. An appointment may be made only to a position that has been classified.

(a) New allocation. Whenever an employing official desires to fill a new position, a notice of such proposed

action together with a description of the duties of the position shall be submitted to the director. The director shall allocate such position and notify the employing official of the allocation.

(b) Reallocation. Whenever an employing official makes a permanent and substantial change in the duties or responsibilities of a position, written notification of the changes shall be submitted to the director for determination of the proper allocation of the position. The director shall notify the employing official of such allocation. The director upon his own initiative or at the request of an employing official or an employee, may study the duties of any position to determine if its allocation is proper. Following such studies, the director may reallocate the position to the appropriate class.

(c) Effect of reallocation. An employee occupying a position which has been reallocated shall continue in the position only if he possesses the minimum qualifications or training and experience established for such position as measured by a qualifying examination. A reallocated position shall otherwise be considered the same as a vacant position and shall be filled in accordance with the provisions governing appointment, promotion, demotion, or transfer of employees. When an incumbent is ineligible to continue in the position and is not transferred, promoted, or demoted, the layoff provisions of these rules shall apply.

(d) Appeal of allocation. If an employee believes his position to be improperly allocated, or if an employing official believes a position under his supervision to be improperly allocated, he may appeal the allocation.

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

(ii) The appeal shall be sent to the director whose decision shall be final.

(4) Class Specifications. (a) Interpretation of specifications. The definitions in class specifications are descriptive and not restrictive. They are intended to indicate the kinds of positions that are allocated to the several classes as determined by their duties and responsibilities, and are not to be construed as declaring what the duties or responsibilities of any position may be or as limiting or modifying the power of any employing official to assign, direct, and control the work of the employees under his supervision. The use of a particular expression or illustration as to duties shall not be held to exclude others not mentioned but which are of similar kind or quality, nor shall any specific omission necessarily mean that such factor is not included.

(b) Use in allocation. In determining the class to which any position should be allocated, the specifications describing each class shall be considered as a whole. Consideration shall be given to the general duties, specific tasks, responsibilities, education and experience requirements, and relationships to other classes, as a composite description of the kind of employment that the class is intended to embrace.

(c) 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.

(d) Statements of general qualifications. Qualifications commonly required of all incumbents of positions of different classes, such as acceptable physical condition and freedom from disabling defects, honesty, sobriety, and industry, shall be deemed to be implied as entrance requirements to each class, and need not be specifically mentioned in the specifications.

(e) Authority. The specifications for any class as interpreted herein shall constitute the basis and source of authority for the tests to be included in an examination for the class and for the evaluation of the qualifications of applicants.

(5) Use of Class Titles. The class title shall be the official title of every position allocated to the class for the purpose of personnel actions and shall be used on all payroll, budget, and other official records and reports relating to the position. Any abbreviation or code symbols approved by the director may be used in lieu of the class title to designate the class of a position for official records. Other working titles may be authorized by the employing official to be used as a designation of a position for purposes of internal administration or in oral or written contacts [contracts] with the public or students. [Rule IV (codified as WAC 132T-08-040), filed 11/21/67; Emergency Order, filed 8/23/67.]

WAC 132T-08-050 Compensation plan. (1) General Policies. A compensation plan for classified positions shall be maintained to provide for equitable pay for classified employees. Pay rates shall be linked directly to the classification plan and shall be determined with due regard to the rates of pay in force for similar employment in private business and in governmental jurisdictions in the area, to pay rates for other classes, the relative difficulty and responsibility of the work in these several classes, the recruiting experiences of the institution, the availability of employees in particular occupational categories, living costs, the financial policies of the institution, and other economic considerations. The pay rates assigned to the several classes shall be those which most equitably reflect the foregoing factors.

(2) Content. The compensation plan for the classified staff service shall consist of schedules of rates or ranges in monthly amounts showing the assignment of such pay rates to the classes of positions. It shall also consist of such paragraphs as are necessary to describe basic compensation policies.

(3) Amendment. The compensation plan may be amended by action of the committee as provided in the act. It is the responsibility of the director to maintain a continuing review of the adequacy and equity of the compensation plan, and he shall propose amendments that are required to adjust it. He shall periodically secure comparative wage information with one such inquiry to be conducted the year prior to the convening of each regular session of the state legislature. (RCW 41.06.140, 41.06.160)

(4) Payroll Certification. Salary payment to classified employees may not be approved until the director has

certified that their appointment has been made in accordance with the act (RCW 41.06.270). [Rule V (codified as WAC 132T-08-050), filed 11/21/67; Emergency Order, filed 8/23/67.]

WAC 132T-08-060 Hours of work and leaves of absence. (1) Hours of Work. Hours of work shall be specified by job class. They may vary for different classes but shall be uniform for all employees in the same class.

(a) Two general work schedules are recognized. The assignment of an employee to a particular schedule will be stated in the class specifications as described in the classification plan, WAC 132T-08-040. The employee shall be notified of such assignment in the terms of his appointment.

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

(ii) Plan B. Employees whose duties are primarily professional or supervisory, or who are assigned the responsible charge of a work program that cannot be restricted to a specific schedule of hours, shall work during such periods as their duties require.

(2) Rest Periods. Each employee shall be entitled to a fifteen 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.

(3) Holidays. The following holidays with pay, in addition to other days designated under the authority of the board, shall be allowed employees working on a continuous basis or on leave with pay on the last working day preceding the holiday:

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

(a) Holiday time worked shall be treated as overtime work as defined in the compensation plan.

(b) When a holiday falls on an employee's scheduled day off, he shall be given a day of compensatory time off.

(4) Annual Leave. Classified employees shall earn annual leave at rates based on the schedule of their duties.

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

(i) One day of annual leave is earned for each month in which a full-time employee is in pay status for fifteen or more calendar days.

(ii) With each of the second, third, and fifth years of continuous employment, one additional working day of annual leave shall be allowed.

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

(b) Annual leave with pay shall accrue to employees whose work is scheduled under Plan B of these rules at the rate of twenty-two working days.

(c) Where less than full-time service is required, annual leave shall accrue at the appropriate fraction of the rates set forth under these rules.

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

(e) Annual leave shall be scheduled by the employing department at a time most convenient to the work of the department, the determination of which shall rest 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.

(f) Unused annual 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 and a statement of the necessity is filed with the director, then the maximum of thirty days' accrual shall be extended for each month that the leave is deferred. Annual leave earned by the employee must be allowed him during the period it is available to him. No extra compensation in lieu of annual leave shall be paid the employee.

(g) Upon separation from the classified service after six months of continuous employment, annual leave pay may be allowed to the extent of the employee's accrued and unused annual leave credits as shown by the records of the director.

(5) Sick Leave. Sick leave with full pay shall accrue to classified employees at the rate of one working day per month of completed service in which an employee is in pay status for fifteen or more calendar days.

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

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

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

(iii) Because of emergencies caused by serious illness or death in the immediate family of the employee requiring the attendance of the employee. Immediate family shall include only persons related by blood or marriage or legal adoption in the degree of consanguinity of grandparent, parent, wife, husband, brother, sister,

child, or grandchild; and any relative living in the employee's household. Leave for such reason shall be limited to three days in any one instance, unless it can be demonstrated to the appointing authority that additional time is necessary by reason of travel distance; in such case up to five days may be authorized.

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

(b) Sick leave shall not be allowed for maternity purposes.

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

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

(e) A physician's certificate of illness or injury satisfactory to the employing official may be required for approval of sick leave.

(f) Sick leave shall accumulate to a maximum of one hundred thirty-two working days of unused leave.

(g) Upon separation of the employee from the classified service for any cause, compensation shall not be paid for accrued sick leave credits. Employees who have been laid off will have previous sick leave credits reinstated upon their return to active service.

(6) Military Leave of Absence. (a) Military training leave with pay. An employee in the classified staff service shall be entitled to military leave of absence without loss of pay for active duty in the Washington National Guard, or in the Army, Air, Marine, or Naval Reserve Forces of the United States for purposes of attending annual field training exercises or otherwise discharging reserve obligations. Military training leave shall not exceed fifteen calendar days in any one year as provided by statute.

(b) Military leave without pay. A classified employee shall be entitled to military leave of absence without pay for service in the armed forces of the United States or the state, and to reinstatement upon application to the director within ninety days after the expiration of such period of military service, to his former position or to one of like class in accordance with state law governing this matter.

(7) Leave for Civil Duty. Leave of absence for jury duty, to serve as a witness at trials, or to exercise other civil duties may be granted an employee. In such cases a salary adjustment shall be made to deduct any amount received for such civil duty, less expenses, from the employee's monthly salary warrant, so that there is neither a financial gain or loss to the employee.

(8) Leave of Absence Without Pay. Leave of absence without pay may be allowed for a classified employee for

specific periods for any of the reasons applicable for leave with pay and for maternity leave.

(a) Leave of absence without pay may be allowed, upon the approval of the employing official and the director, in an amount not to exceed twelve months.

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

(c) Annual leave or sick leave credits will not accrue during a leave of absence without pay which exceeds ten working days in any calendar month.

(9) Absence Without Authorized Leave. Leave of absence whether with or without pay, must be authorized in writing by the employing official and the director. Absence other than on duly authorized leave, shall be treated as leave without pay, and in addition, may be grounds for disciplinary action. [Rule VI (codified as WAC 132T-08-060), filed 11/21/67; Emergency Order, filed 8/23/67.]

WAC 132T-08-070 Recruitment and examination.

(1) Selection by Examination. Appointments to positions in the classified staff service shall be made according to merit and suitability. Merit and suitability in the competitive service shall be ascertained by examination which shall be selected or specified by the director and shall relate to those matters which will test fairly the capacity and fitness of the candidates to discharge efficiently the duties of the position.

(a) Announcement of examinations.

(i) Content of announcements. Announcements shall specify the title and salary range of the class for which the examination is announced; the nature of the work to be performed; the experience and training required; the time, place, and manner of making application; the necessary qualifications established for admission to the examination; the number of candidates to be admitted to the examination; and other pertinent information consistent with the Act and these rules.

(ii) Distribution of announcements. Public notice of examinations shall be given at least one calendar week in advance of the last date for filing of applications by means of announcements posted on bulletin boards. Announcements of examinations shall be given such other publicity as the director deems warranted in the interest of attracting adequate numbers of qualified applicants.

(b) Eligibility to compete in examinations.

(i) Open competitive examinations. Examinations designed to establish employment lists shall be open to all who appear to meet the qualifications and other requirements for the class as set forth in the examination announcement. Probationary employees may be admitted to open competitive examinations.

(ii) Promotional examinations. Promotional examinations shall be open to any permanent employee in the classified staff service who meets the necessary qualifications.

(2) Applications. (a) Forms of application. Applications for an examination shall be filed on such application forms as may be prescribed by the director. To be accepted for review, applications must be delivered to

the office of the director prior to the closing date specified in the announcement or postmarked before midnight of that date. Applications shall include a statement from the applicant with all pertinent information regarding his education, experience, and other personal data which the director deems necessary. Applications must be signed by the applicants, and the truth of all statements contained therein certified by such signature. The director may require such proof of age, residence, education, experience, veterans' preference and other claims as he deems appropriate.

(b) Freedom from bias. No question in any application form or any examination shall be so framed as to elicit any information concerning political or religious opinions or affiliations or the race of any applicant nor shall any inquiry be made concerning such opinions or affiliations. The foregoing shall not prevent any inquiry as to whether the applicant, employee, or eligible, advocates or is a member of any organization which advocates the overthrow of or resistance by force to our form of government where the conditions of the employment in question require such inquiry.

(c) Admission to examination. Persons who submit applications on or before the last date of filing and whose applications clearly show that they meet the requirements for admission to the examination shall be admitted to compete in the examination for which they are applying. No person shall be permitted to take an examination without an authorization or other satisfactory evidence of acceptance or conditional acceptance of his application. Any applicant who, for illness or other good cause, is unable to appear as notified may be given the examination at a later date, but only if the candidate advised the director of his inability prior to the time he was originally scheduled to appear.

(d) Disqualification of applicants. The director may reject the application of any person for admission to an examination, or decline the applicant who:

(i) is found to lack the qualifications prescribed for admission to the examination;

(ii) is physically unfit to perform effectively the duties of the class;

(iii) is addicted to the habitual use of alcoholic beverages and to excess or to the use of narcotics;

(iv) has been adjudged guilty of a crime involving moral turpitude, or infamous or disgraceful conduct, or who has been dismissed from a position for delinquency or misconduct;

(v) has used or attempted to use influence or bribery to secure an advantage in an examination or appointment;

(vi) has made a false statement of any material fact or has practiced or attempted to practice deception or fraud in his application or examination; or

(vii) has otherwise violated provisions of the law or these rules. Whenever the director refuses an applicant under the provisions of these rules, he shall furnish him a statement of the reasons therefor.

(3) Character of Examinations. (a) Original examinations. Examinations for original appointment to the classified service shall relate to those matters which fairly

test the capacity and suitability of the persons examined to discharge duties of positions sought. Examinations may be assembled or unassembled and may include written, oral, physical, or performance tests, evaluations of training and experience, or any combination of these. They may take into consideration such factors as education, experience, aptitude, knowledge, skills, abilities, character, physical fitness, or any other qualifications or attributes which in the judgment of the director shall enter into the determination of the relative fitness of applicants.

(b) Promotional examinations. Promotional examinations shall be of like kind and character to those for original appointment to the service. In addition to other factors, promotional examinations shall take into consideration quality and nature of experience as well as the length of service.

(c) Noncompetitive examinations. The director may conduct for the noncompetitive service, an examination which consists only of the determination of whether or not the applicant meets the minimum qualifications for the position for use in positions declared to be in the noncompetitive service. An unranked eligible list will be established from such examinations.

(d) Open-continuous examinations. When it is necessary to meet continued requirements for filling positions and there is not available a sufficient number of qualified applicants for a class, the closing date for an examination may be indefinite and applicants may be tested continuously as they appear in such manner and at such times and places as the director may provide. The closing date for any open-continuous examination may be set at any time by the director, but notice of this action shall be posted in a public place at least one week prior to the effective date of closing.

(4) Examination Administration. (a) Conduct of examinations. Examinations shall be held at such times and places as, in the judgment of the director, most nearly meet the convenience of applicants, practicability of administration, and needs of the service. The examination shall be conducted either by the director or by persons designated by him.

(b) Anonymity of applicants. All reasonable precautions shall be taken to preserve the anonymity of applicants in the conduct and scoring of examinations.

(c) Rating of examinations. In all examinations the minimum ratings by which eligibility may be achieved shall be set by the director. The final examination grade shall be based on all factors of the examination and shall be determined by the ratings on each part of the examination in accordance with the weights established for each part by the director prior to the date of the examination. All competitors may be required to obtain a minimum rating in one or each part of the examination in order to achieve a final passing grade or to be rated on the remaining parts of the examination.

(d) Veteran's preference. A veteran shall be entitled to have up to ten percent added to his final rating in any open competitive examination; provided that his rating before such an addition was at least equal to the minimum passing score. (RCW 41.06.150)

In unranked eligible lists derived from noncompetitive examinations veterans will be identified to the employing official.

(i) Definition. The term veteran as used in this rule shall include any person who has served in any branch of the armed forces of the United States during any war including any military campaign for which a campaign ribbon shall have been awarded; provided that such person has received an honorable discharge, a physical discharge under honorable conditions or was relieved of active duty under honorable circumstances.

(ii) Limitations on preference. The provisions of this section shall not apply to promotional examinations except that when a veteran was employed in the classified staff service at the time of his entry into military service and returned to that same employment, he shall be entitled to the preference provided above on his first promotional examination; provided further that a person who receives veteran's preference in an entrance examination may not receive preference in a promotional examination.

(iii) Proof of eligibility. Proof of eligibility for preference shall be provided by a veteran in the form of his discharge certificate, certified or photostatic copy thereof, or other satisfactory evidence of service and conditions of discharge.

(5) Notification of Examination Results. Each person competing in an examination shall be given at his request notice of his rating and his relative standing on the eligible list or of his failure to obtain a place on the list. Within thirty days after his final rating, any competitor may have his examination and rating review [reviewed] by the director. If an error has been made, it will be corrected and eligible's name will be placed at the appropriate place on the list. A correction so made shall not invalidate any employment previously made from the list. Request for review of an applicant's examination shall be limited to the applicant, his authorized representative, and an interested employing official.

(6) Medical Examination. Candidates for employment or promotion shall take a medical examination if prescribed for the position to which appointment is sought. All candidates must conform with medical regulations for state employment established by the Washington state board of health. A medical examination may also be required where a question arises concerning the fitness of the incumbent of a position in the classified service for the performance of his duties. [Rule VII (codified as WAC 132T-08-070), filed 11/21/67; Emergency Order, filed 8/23/67.]

WAC 132T-08-080 Eligible lists. (1) Establishment and Maintenance. The director shall establish and maintain eligible lists necessary to carry out the purpose of the act and these rules.

(a) Organizational units. The director shall establish organizational units for purposes of employment or lay-off. The director shall notify employing officials of the establishment of organizational units, who in turn will notify affected employees of such units. The director may modify or cancel established organizational units

upon notice to the employing officials concerned at any time when such action is in the best interest of the classified service.

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

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

(ii) Institution-wide promotional lists. Institution-wide promotional lists shall be established by class of employment and shall consist of the names of permanent employees who have passed a promotional examination for the class for which the list is established.

(iii) Organizational unit promotional lists. Organizational unit promotional lists shall consist of names of all permanent employees in an organizational unit who have passed the promotional examination for the class for which the list is established. Promotional lists shall be established for an organizational unit only after such subdivision has been approved by the director prior to the date of the examination.

(c) Layoff lists. Names shall be placed on the following lists in order of the length of the employees' previous service in the class for which the list is established:

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

(ii) Institution-wide layoff list. An institution-wide layoff list shall contain the names of all permanent and probationary employees in the class of employment for which the list is established.

(d) Unranked lists. Names shall be placed unranked on the following lists:

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

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

(iii) Noncompetitive service lists. A noncompetitive list shall include the names of applicants who successfully met the minimum requirements for the class of employment for which the list is established, where the class has been previously declared by the director to be a part of the noncompetitive service.

(e) Duration of eligible lists. The director shall determine the period during which promotional or open competitive lists shall remain in effect. When an eligible list exists for any class, and the director deem it necessary to establish another such list for the same class, the existing list ordinarily shall be canceled. If the director finds it necessary to cancel a promotional list, notice will be given to the eligibles on the list canceled. At his discretion the director may combine a new list with an existing one by placing the names of eligibles in order of rank as provided in this rule.

Layoff and reemployment lists shall be deemed to be in continuous existence. The eligibility of individual names placed on such a list shall expire one year after placement on the list, but the director at his discretion may extend such eligibility for an additional period or periods, provided that no such extension shall continue the name of any individual on such a list to a date beyond three years after placement on the list.

(f) Removal of names from eligible lists. The director may remove names from eligible list permanently or temporarily for any of the following reasons subject to appeal rights as provided in WAC 132T-08-120:

(i) Appointment through certification of such lists to fill a permanent position or appointment to fill a permanent position through certification from another list for the same or higher salary. A person whose name is so removed may have his name restored for the duration of such list other than the one from which appointments were made by making written application for such action to the director.

(ii) Failure to respond within ten days to a written inquiry or within three days to a telegraphed inquiry from the director or employing official relative to availability for appointment.

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

(iv) Failure to report for duty within the time prescribed by the employing official.

(v) Expiration of the term of eligibility on the eligible list.

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

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

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

(ix) In the case of institution-wide promotional lists and transfer lists, upon separation from the classified service.

(g) Comparable lists. If a vacancy exists in a class for which there is no existing list, the director may prepare an appropriate list for the class from one or more existing related lists. For this purpose the director shall select

lists from classes for which the examination and qualifications are similar to those required for the class in which the vacancy exists.

(h) Availability of eligibles. It shall be the responsibility of eligibles to notify the office of the director in writing of any change affecting availability for employment. However, the director may circularize lists or use other methods to determine at any time the availability of eligibles.

When an eligible submits a written statement restricting the conditions under which he will be available for employment, his name shall be withheld from all certifications which do not meet the conditions he has specified. An eligible may file a new written statement at any time within the duration of an employment list modifying any prior statement as to conditions under which he will be available for employment. [Rule VIII (codified as WAC 132T-08-080), filed 11/21/67; Emergency Order, filed 8/23/67.]

WAC 132T-08-090 Certification and appointment.

(1) Request for Employees. When a vacancy in the classified staff service is to be filled, the employing official shall submit a requisition to the director on such form in such manner as the director may prescribe. This requisition shall state the class title, the number of positions to be filled, and other appropriate information. In addition, desirable or necessary special or outstanding qualifications for the position under consideration may be indicated and the reasons therefor. Eligibles shall be certified in strict order of standing on the appropriate list except in the cases where the director has determined that he should certify eligibles with special qualifications. In the latter case, eligibles meeting the special qualifications shall be certified in the order of their standing on the list. Any permanent employee who is adversely affected by such certification may appeal the action to the committee.

(2) Method of Certification. Upon receipt of a personnel requisition, the director shall certify in writing the names of available eligibles. The following eligible list shall be used by the director in the order of priority indicated below:

- Organizational unit layoff lists
- Institution-wide layoff lists
- Organizational unit promotional lists
- Transfer lists
- Institution-wide promotional lists
- Reemployment lists
- Open competitive and noncompetitive lists

(a) Ranked lists. Where ranked lists are used, the director shall certify in writing the three names highest on the appropriate list. If more than one vacancy in the same class is to be filled by an organizational unit, he shall submit two more names of eligibles than there are vacancies. If there are not sufficient names on any single list to provide the proper number for certification, additional names may be certified from the list of next lower priority.

(b) Related lists. The director may at his discretion certify from eligible lists for higher classes to vacancies occurring in lower classes or from eligible lists for one

class to vacancies in another class when no appropriate list exists where he determines the examination reasonably measures the ability of the eligible to perform the duties in the class to which certification is made.

(c) Urgency certification. If a promotion, transfer, or demotion is applied for by a classified employee for compelling reasons, such as a handicapping injury that no longer permits him to work in his present job or for similar circumstances that, in the judgment of the director, justify a priority certification, the director may certify such employee in preference over eligibles on any list or lists described above. An employee so certified must meet the minimum qualifications for the classification for which he is certified.

(3) Selection. The employing official shall return the list of names certified indicating his action on the certification, within a time limit set by the director from the date of certification.

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

(b) When an eligible declines an offer of appointment, an additional name may be requested for consideration.

(c) When an eligible is considered not satisfactory because of valid and pertinent reasons directly connected with the position as determined by the director from a written report by the employing official, an additional name may be requested for consideration.

(4) Appointments. (a) Probationary appointments. Probationary appointments shall be made only after certification from eligible lists. The director shall be notified of the selection made as provided in subsection (3) of this section.

(b) Provisional appointments. When an employing official certifies to the director that there is urgent need to fill a position and no qualified eligibles exist, the director may authorize him to fill the position by provisionally appointing any person who meets the minimum requirements for the class of work. Such an appointment shall be terminated within six months or upon certification and appointment from an eligible list whichever occurs first. No person shall receive more than one provisional appointment nor serve more than six months in any twelve-month period as a provisional appointee. No seniority shall be gained as the result of a provisional appointment except for continuance of seniority in a lower class upon provisional promotion to a higher class.

In situations wherein qualified eligibles are available but less than three required for certification, a provisional appointment of an eligible may be made. If the director is unable within thirty days of the effective date of the provisional appointment to attract the number of candidates necessary full certification, the person holding the provisional appointment may be given a probationary appointment providing he passed the examination for the class. Such probationary appointment shall be retroactive to the date of the provisional appointment.

(c) In-training appointments. In the event that it is impossible to establish an eligible list for a class, the director may approve the "in-training appointment" of an

applicant who does not fully meet the minimum requirements of training and experience, provided that the organizational unit establishes and carries on a program of in-service training which will satisfy the deficiency in training and experience within one year. Applicants shall be certified for such appointments either from an eligible list for a lower rated class or from an eligible list established specifically for in-training purposes. The employee shall be compensated at a lower grade than that of the class for which training is being given. At the end of the training period the employee shall be placed on a probationary period status in the position for which he is being trained upon certification of the appropriate employing officials as to his competence, but the director may require a qualifying examination.

(d) Transfer. A position may be filled by transferring an employee from another position of the same class or similar class with essentially the same basic qualifications and having essentially the same maximum salary. Interdepartmental transfers must be approved by the employing official accepting the transfer and the director.

(e) Demotion. A position may be filled by the demotion of an employee in accordance with the procedures as set forth in these rules, [Rule IX (codified as WAC 132T-08-090), filed 11/21/67; Emergency Order, filed 8/23/67.]

WAC 132T-08-100 Probationary period. (1) Purpose. A probationary or working test period shall be an integral part of the examination process and shall be utilized as an opportunity to observe an employee's work, to train and aid the employee in adjustment to his position, and to reject any employee whose work performance fails to meet required work standards.

(2) Duration. All original and all promotional appointments shall be tentative and subject to a probationary period of six months of actual service which starts upon the effective date of an appointment. Any interruption of service during the probationary period shall not be counted as a part of such period. (RCW 41.06.150)

(3) Dismissal During Probationary Period. At any time during the trial period the employing official may remove an employee whose performance does not meet the required standards, provided that he shall report the removal and the reasons therefor in writing before the effective date of separation to the director and to the employee concerned. Notice of two weeks will normally be given an employee who is removed. No more than three employees shall be removed successively from the same position during their trial service period without the approval of the director. Dismissal during the probationary period is not appealable by the employee.

(4) Demotion During Probationary Period. At any time during the probationary period when an employee is about to be laid off because of reduction in force, the employing official, with the consent of the employee, may demote such employee in lieu of layoff if he is otherwise eligible and work is available in a lower class. The name of such an employee shall be restored to the

lists from which it was removed at the time of appointment. The probationary period of an employee demoted in lieu of layoff during that period shall include the period of probation in the higher class. No demotion of this kind shall be made if it will result in the separation of any other employee with greater length of service.

An employee serving as a result of appointment from a promotional list, who is removed from the new position for reasons other than misconduct or delinquency and who was a permanent employee in another position in the classified staff service immediately prior to his promotional appointment, shall be reinstated in his former position or in one of like status and pay.

(5) Notification of End of Probationary Period. The employing official shall notify the director in writing whether the services of the employee have been satisfactory and whether the employee will be continued in his position. Upon receipt by the director of a favorable report, the appointment of the employee shall be made permanent at the expiration of the probationary period. [Rule X (codified as WAC 132T-08-100), filed 11/21/67; Emergency Order, filed 8/23/67.]

WAC 132T-08-110 Separation and disciplinary actions. (1) Separation. Resignation, retirement, layoff, dismissal, or abandonment of the position shall constitute separation from service.

(a) Resignation. Any employee may resign from service and should present his resignation in writing to the employing official. To resign in good standing an employee must give at least two calendar weeks' notice, unless the director waives the notice requirement. Such resignation shall be promptly forwarded to the director by the employing official.

(b) Retirement. Classified employees are required to participate in a comprehensive retirement plan as a condition of employment. Provisions and stipulations of the retirement plan are promulgated by the board. Separation from employment by retirement shall be in accordance with regulations adopted by the board.

(c) Reduction in force—Layoff. An employing official may separate an employee without prejudice because of lack of funds, reorganization, or curtailment of work. Notice of at least two calendar weeks must be given to such employee.

(i) Order of layoff. Layoff of permanent employees will be made in inverse order of seniority in the class of work and the organizational unit involved. Seniority shall be measured by the period of unbroken service in the class and organizational unit, including authorized leaves of absence. Where two or more employees in the same class have equal seniority, layoff will be in alphabetic order of last names of the employees affected.

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

(iii) Modification of order of layoff. Where a reduction in force on the basis of seniority can be shown to impair seriously the program of the employing unit, the employing official may modify the order of layoff. The reasons for such modification must be furnished in writing to any employee affected at least twenty days in advance of the proposed reduction in force, a copy of which shall be sent to the director. The employee laid off under these circumstances may appeal to the provisions of WAC 132T-08-120.

(iv) Laid-off employees on layoff register. The names of permanent and probationary employees who have [been] laid off shall be placed on the appropriate layoff list in accordance with these rules.

(d) Dismissal. An employing official may dismiss for cause any permanent employee under his jurisdiction by delivering at least fifteen calendar days before the effective date thereof a written statement of reasons by certified mail to the employee with a copy to the director. If the employing official, because of the reasons for the dismissal, desires to make an immediate separation from the service, he may effect a suspension without pay pending dismissal. By so notifying the director in writing, such action shall automatically result in permanent separation at the end of the period of suspension. Suspensions pending dismissal shall be subject to limitations provided in WAC 132T-08-110. The employing official may withdraw or modify a dismissal within fifteen calendar days after the original written notice is filed. A permanent employee so dismissed shall have the right to appeal in writing within thirty calendar days of the date of receipt of the letter of dismissal to the committee and shall be granted a hearing as provided in WAC 132T-08-120. (RCW 41.06.170)

(e) Abandonment of position. An employee who is absent from his position for three consecutive days without notice to the employing official may be considered to have abandoned his position. A recognition notice of such abandonment shall be sent by certified mail to the last known address of the employee within seven calendar days after the three consecutive days of absence.

(2) Disciplinary Action. Any action which reflects discredit upon the employer or is a direct hindrance to the effective performance of institutional functions shall be considered sufficient cause for disciplinary action.

(a) Reprimand. An employing official may reprimand an employee for cause. If such reprimand is to be put in writing, it shall be addressed to the employee and a signed copy shall be sent to the director for inclusion in the employee's personnel file. A permanent employee who is reprimanded in this manner may appeal for a hearing in writing to the director within five calendar days of receipt of the reprimand. (RCW 41.06.170)

(b) Suspension. An employing official may suspend an employee without pay for cause for a period or periods not exceeding thirty calendar days in any twelve months and not exceeding fifteen calendar days for single offense. The employing official shall notify the employee concerned in writing by certified mail, with a copy to the director, not later than one day after the suspension is made effective. Such notice shall include the reasons for

and the duration of the suspension. Any permanent employee who is suspended shall have the right to appeal to the committee not later than thirty calendar days after the effective date of such action. (RCW 41.06.170)

(c) Demotion. An employing official may demote an employee for cause. A written statement of the reasons for any such action shall be furnished to the employee by certified mail and a copy filed with the director at least fifteen calendar days prior to the effective date of the action. No demotion shall be made as a disciplinary action unless the employee to be demoted is eligible for employment in the lower class, and shall not be made if any permanent employee in the lower class will be laid off by reason of the action. A permanent employee who is demoted shall have the right to appeal to the committee not later than thirty calendar days after receipt of such notice. (RCW 41.06.170(2)) [Rule XI (codified as WAC 132T-08-110), filed 11/21/67; Emergency Order, filed 8/23/67.]

WAC 132T-08-120 Appeals from disciplinary actions. (1) Who May Appeal. Any permanent employee who is suspended, demoted, or dismissed shall have the right to appeal to the committee not later than thirty calendar days after the effective date of such action. The request for an appeal must be in writing, setting forth the reasons why such disciplinary action is improper, and must be filed through the director. The committee will hear such appeals within thirty calendar days of the receipt of such request. (RCW 41.06.170)

(2) Procedures for Hearing Appeals. The following provisions of sections 18, 19, 20, 21 and 22 of the act (RCW 41.06.180 through 41.06.220) govern the conduct of appeal hearings by the committee as well as appellate hearings by civil courts:

Section 18. (RCW 41.06.180) Hearings on such appeals shall be open to the public, except for cases in which the (committee) determines there is substantial reason for not having an open hearing, or in cases where the employee so requests, and shall be informal with technical rules of evidence not applying to the proceedings except the rules of privilege recognized by law. Both the employee and his appointing agency shall be notified reasonably in advance of the hearing and may select representatives of their choosing, present and cross-examine witnesses and give evidence before the (committee). Members of the (committee) may, and shall at the request of either party, issue subpoenas and subpoenas duces tecum. All testimony shall be on oath administered by a member of the (committee). The board shall certify to the superior court the facts of any refusals to obey a subpoena, take the oath, or testify. The court shall summarily hear the evidence on such refusal and if the evidence warrants punish such refusal in the same manner and to the same extent as for contempt committed before, or in connection with the proceedings of, the court. The (committee) shall prepare an official record of the hearing, including all testimony, recorded manually or by mechanical device, and exhibits; but it shall not be required to transcribe such record unless requested by the employee, who shall be furnished with a complete transcript upon payment of a reasonable charge

therefor. Payment of the cost of a transcript used on appeal shall await determination of the appeal, and shall be made by the employing agency if the employee prevails.

Section 19. (RCW 41.06.190) Within thirty days after the conclusion of the hearing the (committee) shall make and fully record in its permanent records findings of fact, conclusions of law when the construction of a rule, regulation or statute is in question, reasons for the action taken and its order based thereon, which shall be final subject to action by the court on appeal as hereinafter provided, at the same time sending a copy of the findings, conclusions and order by registered mail to the employing agency and to the employee at his address as given at the hearing or to a representative designated by him to receive the same.

Section 20. (RCW 41.06.200) (1) Within thirty days after the recording of the order and the mailing thereof, the employee may appeal to the superior court of Thurston county, or in the case of an employee of an institution of higher learning to the superior court of the county in which such institution is located, on one or more of the grounds that the order was:

(a) Founded on or contained error of law, which shall specifically include error in construction or application of any pertinent rules or regulations;

(b) Contrary to a preponderance of the evidence as disclosed by the entire record with respect to any specific finding or findings of facts;

(c) Materially affected by unlawful procedure;

(d) Based on violation of any constitutional provision; or

(e) Arbitrary or capricious.

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

(3) Within thirty days after service of such notice, or within such further time as the court may allow, the (committee) shall transmit to the court a certified transcript, with exhibits, of the hearing; but by stipulation between the employing agency and the employee the transcript may be shortened, and either party unreasonably refusing to stipulate to such limitation may be ordered by the court to pay the additional cost involved. The court may require or permit subsequent corrections or additions to the transcript.

Section 21. (RCW 41.06.210) (1) The court shall review the hearing without a jury on the basis of the transcript and exhibits, except that in case of alleged irregularities in procedure before the (committee) not shown by the transcript the court may order testimony to be given thereon. The court shall upon request by either party hear oral argument and receive written briefs.

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

Section 22. (RCW 41.06.220) (1) An employee who is terminated from state service may request the (committee) to place his name on an appropriate reemployment list and the (committee) shall grant this request where the circumstances are found to warrant reemployment.

(2) Any employee, when fully reinstated after appeal, shall be guaranteed all employee rights and benefits, including back pay, sick leave, vacation accrual, retirement and OASDI credits. [Rule XII (codified as WAC 132T-08-120), filed 11/21/67; Emergency Order, filed 8/23/67.]

WAC 132T-08-130 Representation and grievances.

(1) Employee Representation. Classified employees may organize, be represented, and collectively negotiate with respect to grievances, wages, hours, and other conditions of employment within the scope permitted by these rules and the law. (RCW 41.06.150)

(2) Grievances. Classified employees may seek settlement, if practical during working hours, of any grievance arising over differences involving working conditions or application, by employing officials, of the rules set forth herein. The aggrieved employee himself shall first attempt to settle a difference with his immediate supervisor. If unsuccessful, he shall observe the following procedure in presenting his grievance and may be represented or accompanied by another person.

Unless a department head or other principal mentioned in the subsequent steps of the grievance procedure is the immediate supervisor, he may not consider an employee's complaint or grievance until the requirements of the earlier steps of the grievance procedure have been observed.

(a) A complaint shall first be taken up by the aggrieved employee with his immediate supervisor. The supervisor shall make his decision within five working days.

(b) If these parties fail to reach a mutually satisfactory solution of the problem, the employee may next present his case to the appropriate department head who shall make his decision on the matter within five working days.

(c) If, at the conclusion of the second step ((b) above), a satisfactory settlement has not been reached between the employee and his employing officials, the grievance shall be reduced to writing on forms approved by the director and submitted to him within fifteen working days.

(d) The director shall, within fifteen working days arrange to meet with the aggrieved employee and/or his representative and with the department head in an effort to reach a satisfactory settlement of the grievance. A written record of such settlement shall be distributed to all interested parties.

(e) If the employee is not satisfied with the decision of the director, he may, within fifteen working days make a formal written request to the committee asking for a review of his grievance before such hearing officer or officers as the committee shall designate.

(3) Questions and Inquiries. Classified employees may consult with the office of the director concerning matters

of classification, compensation, conditions of employment, interpretation of these rules, or concerning other personnel matters and problems. Such questions and inquiries are not to be construed as grievances and may be made without reference to the grievance procedure described above. [Rule XIII (codified as WAC 132T-08-130), filed 11/21/67; Emergency Order, filed 8/23/67.]

WAC 132T-08-140 Service ratings and training. (1) Service Ratings. The director may in cooperation with the employing officials, provide for the rating of the service performance of employees in the classified staff service. Such service ratings shall be made in such manner and upon such forms as the director may prescribe and may be used as a means of evaluating the employee's performance.

(2) Education and Training. An employee may enroll in course work not to exceed six credit hours during any one quarter, with the approval of his employing official and the director. Participating employees must meet regular academic and admissions regulations and are subject to fee schedules established by the board.

(a) An employee who has completed his probationary period may enroll in course work of his choice, to be taken outside of working hours or with an adjusted schedule of working hours and compensation.

(b) An employee may enroll in course work judged to be directly related to improvement of the effectiveness of the employee's work with the approval of, or at the request of, his employing official and the director. Classes for such work may be attended during normal working hours without adjustment of compensation, but if such classes do not occur during normal working hours, compensating time off duty will not be allowed for class hours attended. Such course work must be taken for credit and a satisfactory grade point average maintained.

(c) Special training programs may be conducted to improve employee's service and to assist employees to enhance their opportunities for promotion. Such programs may be offered during the normal working hours and the participating employee may attend the sessions without adjustment of compensation. [Rule XIV (codified as WAC 132T-08-140), filed 11/21/67; Emergency Order, filed 8/23/67.]

WAC 132T-08-150 Prohibitions and penalties. (1) Political Activity. Solicitation for or payment to any partisan, political organization or for any partisan, political purpose of any compulsory assessment or involuntary contribution is prohibited. No person shall solicit on state property any contribution to be used for partisan, political purposes.

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

Nothing in this section shall prohibit appointment, nomination or election to part-time public office in a

political subdivision of the state when the holding of such office is not incompatible with, nor substantially interferes with, the discharge of official duties in state employment. (RCW 41.06.250)

(2) Outside Employment. No employee in the classified staff service shall undertake employment other than his position in the classified staff service if such employment brings discredit to the institution or has an adverse effect upon the employee's performance of his duty.

(3) Employment of More Than One Member of a Family. The appointment of more than one member of a family as a permanent employee in the classified staff service requires special justification in terms of personnel requirements and the unusual qualifications of the individual. Such appointment must have the prior approval of the director and is subject to periodic review. Two persons who are related by blood ties or by marriage may not be appointed to positions where one might exert any influence or produce any consequence upon the employment of the other. In general, people who are so related may not be employed in the same organizational unit.

(4) General Prohibition. (a) No person shall make any false statement, certificate, mark, rating or report with regard to any test, certification, or appointment made under any provision of the act or these rules, or in any manner commit any fraud preventing the impartial execution of the act and these rules.

(b) No person seeking appointment to or promotion in the classified staff service shall give, render or pay any money, service or any other valuable thing to any person in connection with his test, appointment or promotion.

(c) No employee of the office of the director, examiner, or other person shall defeat, deceive, or obstruct any person in his right to his examination, eligibility, certification or appointment under the act and these rules or furnish to any person any special or privileged information for the purpose of affecting the rights or prospects of any person with respect to employment in the classified service.

(5) Penalties. Any person who wilfully violates any of the provisions of the act of [or] these rules shall be subject to dismissal and such other punishment as may be provided by law.

(6) Discrimination. No question in any examination shall be so framed as to elicit information concerning the political or religious opinions or affiliations of any applicant, nor shall any inquiry be made concerning such opinions or affiliations and all disclosures thereof shall be discountenanced. No discrimination shall be exercised, threatened or promised by any employee or employing official against or in favor of any applicant, eligible, or employee because of his political, or religious opinions or affiliations or of his race. No discrimination shall be exercised because of the age or sex of any applicant, eligible or employee. [Rule XV (codified as WAC 132T-08-150), filed 11/21/67; Emergency Order, filed 8/23/67.]

WAC 132T-08-160 Records and reports. (1) Personnel Records. The office of the director shall be the

central repository of all such personnel files and records as the director deems necessary and as are required by the act and these rules.

(2) Roster. The director shall establish and maintain a roster of all employees in the classified staff service showing for each employee the class title, the organizational unit assignment, salary rate, date of employment, employment history, and such other employment data as he deems pertinent.

(3) Reports to the Personnel Director. Every appointment, transfer, termination, promotion, demotion, dismissal, leave of absence, change of salary rate, and other temporary or permanent change in the status of employees in the classified staff service shall be reported to the office of the director in writing. The director is authorized to prescribe the time, manner, form, and method of making any written report that may be stipulated in any of these rules.

(4) Public Records. Records of the office of the director such as examination, personal history, and other papers, disclosure of which could render harm to the employee without serving a necessary and useful purpose, shall be considered confidential. The use of such documents will be specified by the director. Such records of the office as may be defined by law as public record shall be open to inspection by legitimately interested parties only during regular office hours for reasonable periods of time and in accordance with such procedures as the director may provide. [Rule XVI (codified as WAC 132T-08-160), filed 11/21/67; Emergency Order, filed 8/23/67.]

WAC 132T-08-990 Appendix—Secretarial and clerical compensation plan.

**SECRETARIAL & CLERICAL
COMPENSATION PLAN**

	A	B	C	D	E	F	G	H	I	J
GROUP I	289	301	312	324	335					
II	312	324	335	347	358	370				
III	335	347	358	370	381	393	405			
IV	367	379	390	402	413	425	436	448		
V	379	390	402	413	425	436	448	460	471	

- GROUP I Receptionist
- Clerk Typist I
- II Clerk Typist II
- III Bookkeeper I
- Cashier I
- Bookstore Manager
- Secretary I
- IV Secretary II
- V Executive Secretary

[Appendix (codified as WAC 132T-08-990), filed 11/21/67; Emergency Order, filed 8/23/67.]

WAC 132T-08-99001 Appendix—Custodial and maintenance compensation plan.

**CUSTODIAL & MAINTENANCE
COMPENSATION PLAN**

STEP I	4224 4393 4570 4744
II	4675 4867 5068 5250
III	4867 5058 5250 5442 5633
IV	4941 5133 5324 5517 5708 5900 6092 6283 6475 6667
V	5082 5273 5465 5657 5848 6040 6232 6423 6615 6807
VI	5222 5414 5605 5797 5989 6180 6372 6564 6755 6947
VII	5479 5671 5862 6054 6246 6437 6629 6821 7013 7204
STEP I	Sweeper, Yardman
II	Custodian I
III	Custodian II
IV	Custodian III
V	Custodian IV
VI	Custodian V
VII	Custodian VI

[Appendix (codified as WAC 132T-08-99001), filed 11/21/67; Emergency Order, filed 8/23/67.]

**Chapter 132T-09 WAC
PRACTICE AND PROCEDURE**

WAC	
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132T-09-005	Definitions.
132T-09-010	Appearance and practice before agency.
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132T-09-270	Depositions and interrogatories in contested cases—Protection of parties and deponents.
132T-09-280	Depositions and interrogatories in contested cases—Oral examination and cross-examination.
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132T-09-330	Depositions upon interrogatories—Submission of interrogatories.
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132T-09-410	Hearing procedures.
132T-09-420	Duties of hearing officers.
132T-09-430	Stipulations and admissions of record.
132T-09-440	Definition of issues before hearing.
132T-09-450	Continuances.
132T-09-460	Rules of evidence—Admissibility criteria.
132T-09-470	Tentative admission—Exclusion—Discontinuance—Objections.
132T-09-480	Form and content of decisions in contested cases.

WAC 132T-09-001 Formal hearing policy. In each instance that a formal hearing is required by institutional policy, regulation or chapter 28B.19 RCW, the provisions of WAC 132T-09-001 through WAC 132T-09-480 shall be applicable. [Order 72-8, § 132T-09-001, filed 5/2/72.]

WAC 132T-09-005 Definitions. As used herein, the term "agency" shall mean the Board of Trustees of Community College District No. 20 and Walla Walla Community College. [Order 72-8, § 132T-09-005, filed 5/2/72.]

WAC 132T-09-010 Appearance and practice before agency. No person may appear in a representative capacity before the agency other than the following:

(1) Attorneys at law duly qualified and entitled to practice before the supreme court of the state of Washington.

(2) Attorneys at law duly qualified and entitled to practice before the highest court of record of any other state, if the attorneys at law of the state of Washington are permitted to appear in a representative capacity before administrative agencies of such other state, and if not otherwise prohibited by our state law.

(3) Persons otherwise qualified as possessing the requisite skill to appear and expertly represent others who have applied to the agency and have been duly authorized by the agency to appear in a representative capacity before the agency.

(4) A bona fide officer, partner, or full time employee of an individual firm, association, partnership, or corporation who appears for such individual firm, association, partnership or corporation. [Order 72-8, § 132T-09-010, filed 5/2/72.]

WAC 132T-09-080 Notice and opportunity for hearing in contested cases. In any contested case all parties shall be served with a notice at least ten days before the date set for the hearing. The notice shall be signed by the President of Walla Walla Community College or his designee and shall state the time, place and issues involved as required by RCW 28B.19.120. [Order 72-8, § 132T-09-080, filed 5/2/72.]

WAC 132T-09-090 Service of process—By whom served. The agency shall cause to be served all orders, notices and other papers issued by it, together with any other papers which it is required by law to serve. Every other paper shall be served by the party filing it. [Order 72-8, § 132T-09-090, filed 5/2/72.]

WAC 132T-09-100 Service of process—Upon whom served. All papers served by either the agency or any party shall be served upon all counsel of record at the time of such filing and upon parties not represented by counsel or upon their agents designated by them or by law. Any counsel entering an appearance subsequent to the initiation of the proceeding shall notify all other counsel then of record and all parties not represented by counsel of such fact. [Order 72-8, § 132T-09-100, filed 5/2/72.]

WAC 132T-09-110 Service of process—Service upon parties. The final order, and any other paper required to be served by the agency upon a party, shall be served upon such party or upon the agent designated by him or by law to receive service of such papers, and a copy shall be furnished to counsel of record. [Order 72-8, § 132T-09-110, filed 5/2/72.]

WAC 132T-09-120 Service of process—Method of service. Service of papers shall be made personally or, unless otherwise provided by law, by first-class, registered, or certified mail or by telegraph. [Order 72-8, § 132T-09-120, filed 5/2/72.]

WAC 132T-09-130 Service of process—When service complete. Service upon parties shall be regarded as complete: by mail, upon deposit in the United States mail properly stamped and addressed, by telegraph, when deposited with a telegraph company properly addressed and with charges prepaid. [Order 72-8, § 132T-09-130, filed 5/2/72.]

WAC 132T-09-140 Service of process—Filing with agency. Papers required to be filed with the agency shall be deemed filed upon actual receipt by the secretary of the agency at Walla Walla, Washington, accompanied by proof of service upon parties required to be served. [Order 72-8, § 132T-09-140, filed 5/2/72.]

WAC 132T-09-230 Depositions and interrogatories in contested cases—Right to take. Except as may be otherwise provided, any party may take the testimony of any person, including a party, by deposition upon oral examination or written interrogatories for use as evidence in the proceeding, except that leave must be obtained if notice of the taking is served by a proponent within twenty days after the filing of a complaint, application or petition. Depositions shall be taken only in accordance with this rule. [Order 72-8, § 132T-09-230, filed 5/2/72.]

WAC 132T-09-240 Depositions and interrogatories in contested cases—Scope. Unless otherwise ordered, the deponent may be examined regarding any matter not privileged, which is relevant to the subject matter involved in the proceeding. [Order 72-8, § 132T-09-240, filed 5/2/72.]

WAC 132T-09-250 Depositions and interrogatories in contested cases—Officer before whom taken. Within the United States or within a territory or insular possession subject to the dominion of the United States

depositions shall be taken before an officer authorized to administer oaths by the laws of the state of Washington or of the place where the examination is held; within a foreign country, depositions shall be taken before a secretary of an embassy or legation, consul general, vice consul or consular agent of the United States, or a person designated by the agency or agreed upon by the parties by stipulation in writing filed with the agency. Except by stipulation, no deposition shall be taken before a person who is a party or the privy of a party, or a privy of any counsel of a party, or who is financially interested in the proceedings. [Order 72-8, § 132T-09-250, filed 5/2/72.]

WAC 132T-09-260 Depositions and interrogatories in contested cases—Authorization. A party desiring to take the deposition of any person upon oral examination shall give reasonable notice of not less than three days in writing to the agency and all parties. The notice shall state the time and place for taking the deposition, the name and address of each person to be examined, if known, and if the name is not known, a general description sufficient to identify him or the particular class or group to which he belongs. On motion of a party upon whom the notice is served, the agency may for cause shown, enlarge or shorten the time. If the parties so stipulate in writing, depositions may be taken before any person, at any time or place, upon any notice and in any manner and when so taken may be used as other depositions. [Order 72-8, § 132T-09-260, filed 5/2/72.]

WAC 132T-09-270 Depositions and interrogatories in contested cases—Protection of parties and deponents. After notice is served for taking a deposition, upon its own motion or upon motion reasonably made by any party or by the person to be examined and upon notice and for good cause shown, the agency or its designee may make an order that the deposition shall not be taken, or that it may be taken only at some designated place other than that stated in the notice, or that it may be taken only on written interrogatories, or that certain matters shall not be inquired into, or that the scope of the examination shall be limited to certain matters, or that the examination shall be limited to certain matters, or that the examination shall be held with no one present except the parties to the action and their officers or counsel, or that after being sealed, the deposition shall be opened only by order of the agency, or that business secrets or secret processes, developments, or research need not be disclosed, or that the parties shall simultaneously file specified documents or information enclosed in sealed envelopes to be opened as directed by the agency; or the agency may make any other order which justice requires to protect the party or witness from annoyance, embarrassment, or oppression. At any time during the taking of the deposition, on motion of any party or of the deponent and upon a showing that the examination is being conducted in bad faith or in such manner as unreasonably to annoy, embarrass, or oppress the deponent or party, the agency may order the officer conducting the examination to cease forthwith from taking the deposition, or may limit the scope and manner of

the taking of the deposition as above provided. If the order made terminates the examination, it shall be resumed thereafter only upon the order of the agency. Upon demand of the objecting party or deponent, the taking of the deposition shall be suspended for the time necessary to make a motion for an order. [Order 72-8, § 132T-09-270, filed 5/2/72.]

WAC 132T-09-280 Depositions and interrogatories in contested cases—Oral examination and cross-examination. Examination and cross-examination shall proceed as at an oral hearing. In lieu of participating in the oral examination, any party served with notice of taking a deposition may transmit written cross interrogatories to the officer who, without first disclosing them to any person, and after the direct testimony is complete, shall propound them seriatim to the deponent and record or cause the answers to be recorded verbatim. [Order 72-8, § 132T-09-280, filed 5/2/72.]

WAC 132T-09-290 Depositions and interrogatories in contested cases—Recordation. The officer before whom the deposition is to be taken shall put the witness on oath and shall personally or by someone acting under his direction and in his presence, record the testimony by typewriter directly or by transcription from stenographic notes, wire or record recorders, which record shall separately and consecutively number each interrogatory. Objections to the notice, qualifications of the officer taking the deposition, or to the manner of taking it, or to the evidence presented or to the conduct of the officer, or of any party, shall be noted by the officer upon the deposition. All objections by any party not so made are waived. [Order 72-8, § 132T-09-290, filed 5/2/72.]

WAC 132T-09-300 Depositions and interrogatories in contested cases—Signing attestation and return. (1) When the testimony is fully transcribed, the deposition shall be submitted to the witness for examination and shall be read to or by him, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed, unless on a motion to suppress the agency holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

(2) The officer shall certify on the deposition that the witness was duly sworn by him and that the deposition is a true record of the testimony given by the witness. He shall then securely seal the deposition in an envelope endorsed with the title of proceeding and marked "Deposition of (here insert name of witness)" and shall promptly

send it by registered or certified mail to the agency for filing. The party taking the deposition shall give prompt notice of its filing to all other parties. Upon payment of reasonable charges therefor, the officer shall furnish a copy of the deposition to any party or to the deponent. [Order 72-8, § 132T-09-300, filed 5/2/72.]

WAC 132T-09-310 Depositions and interrogatories in contested cases—Use and effect. Subject to rulings by the agency upon objections a deposition taken and filed as provided in this rule will not become a part of the record in the proceeding until received in evidence by the agency upon its own motion or the motion of any party. Except by agreement of the parties or ruling of the agency, a deposition will be received only in its entirety. A party does not make a party, or the privy of a party, or any hostile witness his witness by taking his deposition. Any party may rebut any relevant evidence contained in a deposition whether introduced by him or any other party. [Order 72-8, § 132T-09-310, filed 5/2/72.]

WAC 132T-09-320 Depositions and interrogatories in contested cases—Fees of officers and deponents. Deponents whose depositions are taken and the officers taking the same shall be entitled to the same fees as are paid for like services in the superior courts of the state of Washington, which fees shall be paid by the party at whose instance the depositions are taken. [Order 72-8, § 132T-09-320, filed 5/2/72.]

WAC 132T-09-330 Depositions upon interrogatories—Submission of interrogatories. Where the deposition is taken upon written interrogatories, the party offering the testimony shall separately and consecutively number each interrogatory and file and serve them with a notice stating the name and address of the person who is to answer them and the name or descriptive title and address of the officer before whom they are to be taken. Within ten days thereafter a party so served may serve cross-interrogatories upon the party proposing to take the deposition. Within five days thereafter, the latter may serve re-direct interrogatories upon the party who served cross-interrogatories. [Order 72-8, § 132T-09-330, filed 5/2/72.]

WAC 132T-09-340 Depositions upon interrogatories—Interrogation. Where the interrogatories are forwarded to an officer authorized to administer oaths as provided in WAC 132T-09-250, the officer taking the same after duly swearing the deponent, shall read to him seriatim, one interrogatory at a time and cause the same and the answer thereto to be recorded before the succeeding interrogatory is asked. No one except the deponent, the officer and the court reporter or stenographer recording and transcribing it shall be present during the interrogation. [Order 72-8, § 132T-09-340, filed 5/2/72.]

WAC 132T-09-350 Depositions upon interrogatories—Attestation and return. The officer before whom interrogatories are verified or answered shall:

(1) certify under his official signature and seal that the deponent was duly sworn by him, that the interrogatories and answers are a true record of the deponent's testimony, that no one except deponent, the officer and the stenographer were present during the taking, and that neither he nor the stenographer to his knowledge, is a party, privy to a party, or interested in the event of the proceedings, and

(2) promptly send by registered or certified mail the original copy of the deposition and exhibits with his attestation to the agency, one copy to the counsel who submitted the interrogatories and another copy to the deponent. [Order 72-8, § 132T-09-350, filed 5/2/72.]

WAC 132T-09-360 Depositions upon interrogatories—Provisions of deposition rule. In all other respects, depositions upon interrogatories shall be governed by the previous deposition rule. [Order 72-8, § 132T-09-360, filed 5/2/72.]

WAC 132T-09-400 Hearing officers. In each instance that a formal hearing is required by institutional policy or chapter 28B.19 RCW, and upon receipt of a request for a formal hearing filed in accordance with chapter 28B.19 RCW, the Chairman, Vice Chairman, or another member of the Board of Trustees, on the basis of longevity and in the preceding order, may appoint one or more hearing officers, not to exceed three for any one hearing, to preside over, conduct and make proposals for decisions, including findings of fact and conclusions of law, in each instance, and shall afford an opportunity for a formal hearing after not less than ten days notice and provide such individual requesting formal hearing with notice of the hearing in accordance with the provisions of chapter 28B.19 RCW. [Order 72-8, § 132T-09-400, filed 5/2/72.]

WAC 132T-09-410 Hearing procedures. Each hearing shall be conducted in the manner provided for in these rules and in chapter 28B.19 RCW. [Order 72-8, § 132T-09-410, filed 5/2/72.]

WAC 132T-09-420 Duties of hearing officers. (1) All hearing officers appointed in accordance with WAC 132T-09-400 shall conduct hearings in the same manner and shall have the same authority as provided in hearings by the Board of Trustees as set forth in these rules and in chapter 28B.19 RCW: *Provided*, That hearing officers shall only make proposals for decisions.

(2) The proposals for decisions and findings of fact and conclusions of law shall be forthwith served upon the parties and transmitted to the Board of Trustees, together with a record of the proceeding. Within ten days of service of such proposal for decisions, any party adversely affected may file exceptions and thereafter all parties may present written argument to the Board of Trustees, which shall consider the whole record or such portions as may be cited by the parties, and after such review the Board shall announce its decision and final action to be taken.

(3) If a hearing officer is designated by the Board of Trustees of Walla Walla Community College to conduct

a hearing pursuant to these rules, the Board in its discretion may allow oral or written argument before making a final adjudication of the matter after it has received the proposal from the hearing officer. The Board may limit the length of oral or written argument and impose reasonable limitations regarding the time and place of where arguments may be presented. [Order 72-8, § 132T-09-420, filed 5/2/72.]

WAC 132T-09-430 Stipulations and admissions of record. The existence or non-existence of a material fact, as made or agreed in a stipulation or in an admission of record, will be conclusively presumed against any party bound thereby, and no other evidence with respect thereto will be received upon behalf of such party, provided:

(1) Upon Whom Binding. Such a stipulation or admission is binding upon the parties by whom it is made, their privies and upon all other parties to the proceeding who do not expressly and unequivocally deny the existence or non-existence of the material fact so admitted or stipulated, upon the making thereof, if made on the record at a pre-hearing conference, oral hearing, oral argument or by a writing filed and served upon all parties within five days after a copy of such stipulation or admission has been served upon them;

(2) Withdrawal. Any party bound by a stipulation or admission of record at any time prior to final decision may be permitted to withdraw the same in whole or in part by showing to the satisfaction of the agency that such stipulation or admission was made inadvertently or under a bona fide mistake of fact contrary to the true fact and that its withdrawal at the time proposed will not unjustly prejudice the rights of other parties to the proceeding. [Order 72-8, § 132T-09-430, filed 5/2/72.]

WAC 132T-09-440 Definition of issues before hearing. In all proceedings the issues to be adjudicated shall be made initially as precise as possible, in order that the agency may proceed promptly to conduct the hearings on relevant and material matter only. [Order 72-8, § 132T-09-440, filed 5/2/72.]

WAC 132T-09-450 Continuances. Any party who desires a continuance, shall immediately upon receipt of notice of a hearing, or as soon thereafter as facts requiring such continuance come to his knowledge, notify the agency of said desire, stating in detail the reasons why such continuance is necessary. The agency, in passing upon a request for continuance, shall consider whether such request was promptly and timely made. For good cause shown, the agency may grant such a continuance and may at any time order a continuance upon its motion. During a hearing, if it appears in the public interest or in the interest of justice that further testimony or argument should be received, the agency may in its discretion continue the hearing and fix the date for introduction or additional evidence or presentation of argument. Such oral notice shall constitute final notice of such continued hearing. [Order 72-8, § 132T-09-450, filed 5/2/72.]

WAC 132T-09-460 Rules of evidence—Admissibility criteria. Subject to the other provisions of these rules, all relevant evidence is admissible which, in the opinion of the agency is the best evidence reasonably obtainable, having due regard for its necessity, availability and trustworthiness. In passing upon the admissibility of evidence, the agency shall give consideration to, but shall not be bound to follow, the rules of evidence governing civil proceedings, in matters not involving trial by jury, in the superior court of the state of Washington. [Order 72-8, § 132T-09-460, filed 5/2/72.]

WAC 132T-09-470 Tentative admission—Exclusion—Discontinuance—Objections. When objection is made to the admissibility of evidence, such evidence may be received subject to a later ruling. The agency may, in its discretion, either with or without objection, exclude inadmissible evidence or order cumulative evidence discontinued. Parties objecting to the introduction of evidence shall state the precise grounds of such objection at the time such evidence is offered. [Order 72-8, § 132T-09-470, filed 5/2/72.]

WAC 132T-09-480 Form and content of decisions in contested cases. Every decision and order, whether proposed, initial or final, shall:

- (1) Be correctly captioned as to name of agency and name of proceeding;
- (2) Designate all parties and counsel to the proceeding;
- (3) Include a concise statement of the nature and background of the proceeding;
- (4) Be accompanied by appropriate numbered findings of fact and conclusions of law;
- (5) Whenever practical, the conclusions of law shall include the reason or reasons for the particular order or remedy afforded;
- (6) Wherever practical, the conclusions and/or order shall be referenced to specific provisions of the law and/or regulations appropriate thereto, together with reasons and precedents relied upon to support the same. [Order 72-8, § 132T-09-480, filed 5/2/72.]

Chapter 132T-12 WAC MISCELLANEOUS

WAC

- 132T-12-010 Minimum standard for admission to Walla Walla Community College.
132T-12-020 Faculty records.

WAC 132T-12-010 Minimum standard for admission to Walla Walla Community College. Any applicant for admission to Walla Walla Community College shall be admitted when, as determined by the president of the college, or by his authorized representative, such applicant:

- (1) Is competent to profit from the curricular offerings of the college; and
- (2) Would not, by his presence or conduct, create a disruptive atmosphere within the community college inconsistent with the purposes of the institution; and

(3) Is eighteen years of age or older or who is a graduate of high school or whose application, if under eighteen years of age and not a graduate of a high school, has been approved, insofar as acquisition of approval is feasible, by the principal of the high school he is attending or which he last attended: *Provided*, That an applicant transferring from another institution of higher education who meets the above criteria, but who is not in good standing at the time of his transfer, may be conditionally admitted to the college on a probationary status as determined by the president of the college or by his authorized representative. [Order 71-12, § 132T-12-010, filed 4/7/71.]

WAC 132T-12-020 Faculty records. (1) All records relating to the performance and qualifications of any member of the faculty or administrative staff shall not be deemed public records. However, the president and members of the faculty and administrative staff may use the information contained in such records as the basis for the recommendation or nonrecommendation for any purpose of a present or former administrative or faculty employee, or in any dismissal proceeding.

(2) Members of the faculty or administrative staff to whom such records pertain shall be guaranteed access to their individual records at any reasonable time. Such persons shall be authorized to file any rebuttal statement in their official files or records in the event the individual faculty or administrative staff member so desires to file such rebuttal. [Order 71-13, § 132T-12-020, filed 4/7/71.]

Chapter 132T-16 WAC

NEGOTIATIONS BY CERTIFICATED PERSONNEL

WAC

- 132T-16-003 Purpose.
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132T-16-012 Contents of notice of election—Designation of chief election officer—Duties.
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132T-16-030 Folding ballot—Ballot box.
132T-16-033 Challenged ballot—Procedure.
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132T-16-039 Election inspectors duties after voting has terminated.
132T-16-042 Disposition of challenged ballots—Tally sheets—Investigation by chief election officer.
132T-16-045 Counting of ballots—Procedure—Certification of results of election—Retention of ballots—Signed voting lists.
132T-16-046 Electioneering within the polls forbidden.
132T-16-048 Contest of election—Time for filing objections—Investigation of objections.
132T-16-051 Persons eligible to vote—Definition "certificated employee".

- 132T-16-054 Election determined by majority of valid votes cast—Run-off election.
 132T-16-057 Time lapse for new election.

WAC 132T-16-003 Purpose. Pursuant to chapter 143, Laws of 1965, the Board of Trustees of Community College District No. 20 establishes the following rules to strengthen methods of administering employer-employee relations through the establishment of orderly methods of communication between certificated employees of Community College District No. 20 and the Board of Trustees of Community College District No. 20. [Order 1, § 132T-16-003, filed 4/22/68.]

Reviser's Note: Chapter 143, Laws of 1965, first codified as chapter 28.72 RCW was reenacted as chapter 28A.72 RCW by chapter 223, Laws of 1969 ex. sess., and was subsequently repealed by chapter 288, Laws of 1975 1st ex. sess.

WAC 132T-16-006 Request for election—Canvass of certificated employees by independent and neutral person or association. Any organization of certificated employees of Community College District No. 20 desiring to be recognized as the majority organization representing such employees pursuant to chapter 143, Laws of 1965, RCW 28.72.010-090 [RCW 28.72.010-28.72.090], shall request in writing of the Board of Trustees of Community College District No. 20 that an election be held to determine whether a majority of such employees desire to designate it as their representative for the purpose of the Act. Upon the receipt of such a request the Board of Trustees of the Community College District No. 20 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. 20 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. [Order 1, § 132T-16-006, filed 4/22/68.]

Reviser's Note: Chapter 143, Laws of 1965, first codified as chapter 28.72 RCW was reenacted as chapter 28A.72 RCW by chapter 223, Laws of 1969 ex. sess., and was subsequently repealed by chapter 288, Laws of 1975 1st ex. sess.

WAC 132T-16-009 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. 20 have indicated that they desire to be represented by that organization for such purposes, the Board of Trustees of Community College District No. 20 will publish a notice that it will hold an election to determine whether the certificated employees of Community College District No. 20 desire the requesting organization or any other organization to represent them for the purposes of chapter 143, Laws of 1965, RCW 28.72.010-090 [RCW 28.72.010-28.72.090]. Any other organization of certificated employees desiring to be designated as the majority organization representing such employees shall, within

seven days after the publication of such notice by the Board of Trustees of Community College District No. 20, file with the Board of Trustees a request in writing that its name be included on the ballot in the election to be held. No organization shall be permitted to have its name placed on the ballot used in the election unless such a request has been received within seven days after the publication of the notice that an election will be held. [Order 1, § 132T-16-009, filed 4/22/68.]

Reviser's Note: Chapter 143, Laws of 1965, first codified as chapter 28.72 RCW was reenacted as chapter 28A.72 RCW by chapter 223, Laws of 1969 ex. sess., and was subsequently repealed by chapter 288, Laws of 1975 1st ex. sess.

WAC 132T-16-012 Contents of notice of election—Designation of chief election officer—Duties. The Notice published by the Board of Trustees of Community College District No. 20, pursuant to WAC 132T-16-030, shall state the date, hours, and polling places for the election. The notice shall also designate a chief election officer of the election and charge him with the duty of preparing the ballots and promulgating instructions concerning the details of the election to be conducted pursuant to these rules. [Order 1, § 132T-16-012, filed 4/22/68.]

WAC 132T-16-015 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 1, § 132T-16-015, part, filed 4/22/68.]

WAC 132T-16-016 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 1, § 132T-16-016, part, filed 4/22/68.]

WAC 132T-16-018 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 143, Laws of 1965, a Majority Organization to Represent Certificated Employees of Community College District No. 20.

Vote for one

- ORGANIZATION X
- ORGANIZATION Y
- NO ORGANIZATION

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

[Order 1, § 132T-16-018, filed 4/22/68.]

WAC 132T-16-021 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 1, § 132T-16-021, filed 4/22/68.]

WAC 132T-16-024 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 1, § 132T-16-024, filed 4/22/68.]

WAC 132T-16-027 Privacy for voter—Equipment. Voters shall be provided with tables or desks so arranged that a voter may mark his ballot without making it possible for other persons to observe the manner in which he has marked it. [Order 1, § 132T-16-027, filed 4/22/68.]

WAC 132T-16-030 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. [Order 1, § 132T-16-030, filed 4/22/68.]

WAC 132T-16-033 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 1, § 132T-16-033, filed 4/22/68.]

WAC 132T-16-036 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 1, § 132T-16-036, filed 4/22/68.]

WAC 132T-16-039 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, and (4) the sealed ballot box containing all ballots cast. [Order 1, § 132T-16-039, filed 4/22/68.]

WAC 132T-16-042 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 1, § 132T-16-042, filed 4/22/68.]

WAC 132T-16-045 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 1, § 132T-16-045, part, filed 4/22/68.]

WAC 132T-16-046 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 any organization whether on the ballot or otherwise, nor shall any person in that room engage in any other form of electioneering. [Order 1, § 132T-16-045, part, filed 4/22/68.]

WAC 132T-16-048 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 132T-16-012 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 1, § 132T-16-048, filed 4/22/68.]

WAC 132T-16-051 Persons eligible to vote—Definition "certificated employee". An employee of Community College District No. 20 will be determined eligible to vote in the election as designated in RCW 28.72.020, (section 2, chapter 143, Laws of 1965). For the purposes of this Part, the term "certificated employee" means any person currently employed by Community College District No. 20 and holding a valid Washington State teaching license or certificate regularly issued by the State Office of Public Instruction or State Community College Board. [Order 1, § 132T-16-051, filed 4/22/68.]

Reviser's Note: Chapter 143, Laws of 1965, first codified as chapter 28.72 RCW was reenacted as chapter 28A.72 RCW by chapter 223, Laws of 1969 ex. sess., and was subsequently repealed by chapter 288, Laws of 1975 1st ex. sess.

WAC 132T-16-054 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. 20 pursuant to RCW 28.72.010-.090 [RCW 28.72.010-28.72.090]. 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 1, § 132T-16-054, part, filed 4/22/68.]

Reviser's Note: Chapter 143, Laws of 1965, first codified as chapter 28.72 RCW was reenacted as chapter 28A.72 RCW by chapter 223, Laws of 1969 ex. sess., and was subsequently repealed by chapter 288, Laws of 1975 1st ex. sess.

WAC 132T-16-057 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 1, § 132T-16-054, part, filed 4/22/68.]

Chapter 132T-20 WAC

RULES OF CONDUCT AND PROCEDURES OF ENFORCEMENT

WAC

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WAC 132T-20-010 Purpose. The purpose of these rules is to prescribe standards of student conduct, the violation of which may constitute cause for expulsion or suspension from the college. The board subscribes to the principles and methods of student discipline prescribed in the Judicial Code which has heretofore been approved by the board. Accordingly, it is the intent of the board to prescribe standards of student conduct pursuant to the requirements of the Administrative Procedure Act and to by written order delegate to the president of the college authority to administer appropriate disciplinary action after a hearing consistent with the requirements of procedural due process before the appellate court according to procedural rules heretofore established and approved by the board as contained in the Student Judicial Code. [Order 70-6, § 132T-20-010, filed 3/2/70.]

WAC 132T-20-020 Definitions. As used in this chapter 132T-20 WAC, the following words and phrases shall mean:

(1) "Board" shall mean the Board of Trustees of Community College District No. 20, state of Washington.

(2) "College" shall mean Walla Walla Community College, or any additional community college hereafter established within Community College District No. 20, 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 hereafter 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) "Assembly" 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 expulsion, delayed expulsion, suspension, delayed suspension or probation of any student by the college president pursuant to WAC 132T-20-120 for a 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 132T-20 WAC as now exist or which may be hereafter amended, the violation of which subject a student to disciplinary action.

(11) "Appellate Court" shall mean the court established in WAC 132T-20-110 to hear all matters which are subject to disciplinary action and whose duties are specifically enumerated in the Student Judicial Code.

(12) "Judicial Board" shall mean the Judicial Board established in the Student Judicial Code.

(13) "Student Judicial Code" shall mean the Judicial Code of associated students, Walla Walla Community College as heretofore approved by the board. [Order 70-6, § 132T-20-020, filed 3/2/70.]

WAC 132T-20-030 Liquor. The possession or 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 70-6, § 132T-20-030, filed 3/2/70.]

WAC 132T-20-040 Drugs. Any student who shall use or possess or sell any drug as defined in WAC 132T-20-020 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 70-6, § 132T-20-040, filed 3/2/70.]

WAC 132T-20-050 Assembly rights. (1) Students may conduct or may participate in any assembly as defined in WAC 132T-20-020 on college facilities which are generally available to the public provided such assemblies:

(a) Are conducted in an orderly manner; and

(b) Do not unreasonably interfere with vehicular or pedestrian traffic; or

(c) Do not unreasonably interfere with classes, scheduled meetings or ceremonies, or with the general educational processes of the college; or

(d) Do not unreasonably interfere with regular college functions.

(2) A student who conducts or participates in an assembly 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 70-6, § 132T-20-050, filed 3/2/70.]

WAC 132T-20-052 Distribution of materials. (1) Handbills, leaflets, newspapers and similarly related published matter may be distributed free of charge upon college facilities designated by the dean of student personnel services by any student or students or members of any recognized student organization. The dean of student personnel services shall be required to permit distribution of materials at reasonable times and places: *Provided*, That such distribution does not interfere with the ingress or egress of persons or interfere with the free flow of regular pedestrian traffic.

(2) Newspapers, leaflets, handbills and other similarly related published material may be offered for sale by any student or student organization through the college bookstore: *Provided*, That such newspapers, leaflets and handbills which are sold must bear identification as to the publishing agency and distributing individual or organization.

(3) All nonstudents shall be required to register with a coordinator of student activities prior to the distribution of any handbill, leaflet, newspaper or related published matter: *Provided*, That such registration shall not be applied as a prior restraint by the coordinator of student activities in denying to any nonstudent the opportunity to distribute any handbill, leaflet, newspaper or similar published matter: *Provided further*, That such nonstudents shall only be entitled to distribute handbills, leaflets, newspapers or similar published matter in an area designated by the dean of student personnel services which is available to students for the distribution of similar matters.

(4) Any student who shall distribute or offer for sale any handbill, leaflet, newspaper or similar published matter which is obscene as defined by case law most recently promulgated by the United States Supreme

Court, or which advocates the imminent destruction of college property or other similarly unlawful and violent acts, shall be subject to disciplinary action. [Order 71-11, § 132T-20-052, filed 4/7/71.]

WAC 132T-20-054 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 student council: *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 132T-20-052. [Order 71-11, § 132T-20-054, filed 4/7/71.]

WAC 132T-20-058 Outside speakers. The trustees, the administration, the faculty, and the students of the college subscribe to the proposition that an important aspect of the education of college students is the opportunity to listen to speakers representing a wide variety of opinions and beliefs. The appearance of an invited speaker at the college campus does not constitute an endorsement of the speaker's views by the college, its students, faculty, administration, or board of trustees. In conformity with the American tradition of free speech and free inquiry, the following policies are established governing the appearance of on-campus speakers who are not members of the college community.

(1) Any recognized organization, with knowledge of its advisor, may invite speakers to the campus subject to restraints imposed by the laws of the United States and the state of Washington.

(2) No off-campus speaker shall be entitled to appear at the college unless the scheduling of such appearance meets with the following procedures:

(a) The event and date approved by the activities planning board.

(b) The event and date approved by the student council.

(c) At least one week prior to the approved date, the activities vice president will schedule the event with the business office, student services, the custodian and the cafeteria.

(d) Exceptions to the one-week notice provision may be made by the dean of student personnel services.

(3) The executive council and/or the dean of students may arrange to have views other than those of the invited speaker represented at the meeting, or at a subsequent meeting.

(4) The college president may, at his discretion, assign a faculty member to cochair with a student representative over any meeting where a speaker has been invited. [Order 71-11, § 132T-20-058, filed 4/7/71.]

WAC 132T-20-060 Criminal violations. (1) Any student who shall commit larceny of the property of another, as defined in RCW 9.54.010 upon college facilities 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 facilities shall be subject to disciplinary action.

(3) Any student who engages in acts of forgery as defined by RCW 9.44.010 upon college facilities shall be subject to disciplinary action.

(4) Any student who commits any other act on college facilities which is punishable as a gross misdemeanor or a felony under the laws of the state of Washington and which act is not a violation of any other provision of the rules of student conduct, shall be subject to disciplinary action. [Order 70-6, § 132T-20-060, filed 3/2/70.]

WAC 132T-20-070 Damaging property. Any student who shall wilfully attempt to damage or destroy or who in fact does damage or destroy any property owned, controlled or operated by the college shall be subject to disciplinary action. [Order 70-6, § 132T-20-070, filed 3/2/70.]

WAC 132T-20-080 Cheating. A classroom instructor may take any and all reasonable summary action against any student who is deemed to have cheated or against any student who is deemed to have aided and abetted such act of cheating. [Order 70-6, § 132T-20-080, filed 3/2/70.]

WAC 132T-20-090 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 disruptive of order or which the president deems impedes the movement of persons or vehicles or which the president deems to disrupt or threatens to disrupt the ingress and/or egress of persons from facilities owned and/or operated by the college, then the president acting through the dean of student personnel services or such other person designated by the president, shall have the power and authority, subject to WAC 132T-20-050, 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 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) 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 70-6, § 132T-20-090, filed 3/2/70.]

WAC 132T-20-095 Identification. For the purpose of determining whether probable cause exists for the application of any section of the code of student conduct by any person on college facilities, any faculty member or other college employee, expressly authorized by the president, may demand that any person on college facilities produce evidence of student enrollment at the college by tender of said person's student identification card to the faculty member or authorized college employee. The refusal by a student to produce a student identification card or to take the steps necessary to establish his status as a student upon proper request shall be cause for disciplinary action. [Order 71-11, § 132T-20-095, filed 4/7/71.]

WAC 132T-20-100 Initiation of disciplinary action.

(1) The dean of student personnel services with the concurrence of the student attorney general shall initiate disciplinary action for a violation of the student rules of conduct if such dean of student personnel services with the concurrence of the student attorney general deems such violation warrants disciplinary action to be imposed by the college president after a hearing before the appellate court: *Provided*, That any student accused of violating a provision of the rules of student conduct may in writing waive his right to a hearing before the appellate court and elect to have disciplinary action directly imposed by the college president.

(2) Request for the imposition of disciplinary action for a violation of the rules of student conduct shall be referred to the dean of student personnel services and student attorney general and may be made by:

- (a) Any member of the administration or faculty of the college; or
- (b) Any student; or
- (c) Student managers. [Order 70-6, § 132T-20-100, filed 3/2/70.]

WAC 132T-20-110 Appellate court. (1) Any disciplinary action against a student which is initiated pursuant to the requirements of WAC 132T-20-100 shall be heard by the appellate court pursuant to procedures previously approved in the student judicial code. In addition to the requirements denominated in the student judicial code, the student who is accused of violating any of the rules of student conduct shall be given twenty days notice of any hearing before the appellate court.

(2) The appellate court shall be composed of three students nominated by the student council and four faculty members, one of whom shall be chosen by the court as presiding justice and who shall only vote in the occurrence of a tie. The president of the college shall nominate six faculty members to serve on the appellate court and the student council shall choose four of said six nominees to so serve on the said appellate court.

(3) The appellate court shall hear all disciplinary actions referred to it and shall examine all evidence and may call any witnesses and cause examination of those witnesses that appear and shall, at the conclusion of the

hearing, determine whether a student charged with misconduct has in fact violated any rules of student conduct. The appellate court shall make findings of fact appropriate to such court's decision. Additionally, the appellate court shall make a recommendation to the college president as the proper disciplinary action to be imposed against the student who is found by the appellate court to have violated a rule or rules of the rules of student conduct. [Order 71-11, § 132T-20-110, filed 4/7/71; Order 70-6, § 132T-20-110, filed 3/2/70.]

WAC 132T-20-120 Imposition of discipline. (1)

The board, acting pursuant to RCW 28.85.140(14), does by written order delegate to the president of the college authority to administer disciplinary action prescribed in this section. All disciplinary actions in which there is a recommendation that a student receive any form of expulsion, suspension or probation, shall be acted upon by the president and the said president shall have no authority to delegate this decision.

(2) The president shall review all actions for which the appellate court has recommended disciplinary action and determine whether or not disciplinary action shall be imposed against a student. The president shall have no authority to impose any disciplinary action against a student unless disciplinary action has been recommended by the appellate court against such student or unless the student has waived his right to a hearing before such appellate court. Disciplinary action imposed by the president shall not exceed the recommendation of the appellate court.

(3) In determining whether or not to impose disciplinary action against a student, the president shall review the summary of the evidence and the facts presented to the appellate court, the findings and conclusions of the appellate court and the recommendation of the appellate court and then the president shall determine whether or not to impose disciplinary action in any form.

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

(a) Expel such student permanently from the college, or delay the permanent expulsion from the college for 60 days or until the end of one quarter; or

(b) Suspend the right of such student to attend the college for a maximum of three consecutive quarters or delay the suspension of such student for a maximum of three consecutive academic quarters for 60 days or one quarter; or

(c) Place such student on probation for a maximum of 60 days or one quarter during which period such student shall be liable for expulsion or suspension at the discretion of the president for a violation of any rule of the rules of student conduct. [Order 70-6, § 132T-20-120, filed 3/2/70.]

WAC 132T-20-130 Student appeal. Any student feeling aggrieved by the findings of the appellate court

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 fifteen days following receipt of the order of the said president imposing disciplinary action. The board may, at its discretion, suspend any disciplinary action pending determination of the merits of the findings of the appellate court and the disciplinary action imposed by the president. [Order 70-6, § 132T-20-130, filed 3/2/70.]

WAC 132T-20-140 Civilian prosecution. The board, acting through the college president, may refer any violation of the rules of student conduct which involve violations of federal, state, county or municipal law to civilian authorities for proper disposition. [Order 70-6, § 132T-20-140, filed 3/2/70.]

WAC 132T-20-150 Readmission after dismissal. Any student dismissed from the college for disciplinary reasons may be readmitted only on written petition of the dean of student personnel services who initiated the action resulting in his dismissal. Such petitions must indicate how specified conditions have been met and, if the term of the dismissal has not expired, any reasons which support a reconsideration of the matter. Because the president of the college participates in all disciplinary actions dismissing students from the college, decisions on such petitions for readmission must be reviewed and approved by the president before readmission is granted. [Order 70-6, § 132T-20-150, filed 3/2/70.]

WAC 132T-20-160 Reporting, recording and maintenance of records. (1) All records which are required by state or federal law to be compiled and maintained by the college are deemed to be public records. Such public records shall be available and subject to public inspection, if a member of the public as deemed by the appropriate custodian of the record has a legitimate purpose and has shown necessity for examination of a particular record. All nonpublic records are not for public inspection.

(2) The maintenance, custody, and access to all records, both public and nonpublic, shall be deemed divided into the following divisions:

- (a) Office of the president;
- (b) Office of the dean of instruction;
- (c) Office of the dean of students;
- (d) Office of the business manager.

(3) Records of all disciplinary cases shall be kept by the office of student personnel services. Except in proceedings wherein the student is exonerated, all documentary or other physical evidence produced or considered in disciplinary proceedings and all recorded testimony shall be preserved insofar as possible for at least five years. No record of proceedings wherein the student is exonerated, other than the fact of exoneration, shall be maintained in the student's file or other college repository after the date of the student's graduation.

(4) The office of student personnel services shall keep accurate records of all disciplinary actions taken by, or reported to, that office. All disciplinary action will be entered on the student's record and may be removed at

the time of graduation or earlier, at the discretion of the office initiating the action, if special terms and conditions have been met or if other circumstances warrant the removal. The office which initiated the action is responsible for ordering the removal of temporary notations of any disciplinary action on the student's record. A student may petition to that office for removal of such a notation at any time.

(5) All records maintained by the registrar and admissions office are deemed not to be public records; however, information from such records shall be available to members of the faculty and administration of Walla Walla Community College. The name, address, phone number, and guardian of each student of the college shall be deemed a matter of public record and available to any interested person upon request. Such information as name, address, and phone number will not be divulged for commercial solicitation.

(6) Transcripts of academic records shall contain only information about academic status. Academic records will not be released without the consent of the student.

(7) Information from disciplinary or counseling files will not be available to unauthorized persons on campus or to any person off campus without the written consent of the student involved, except under legal compulsion or in cases where the safety of persons or property is involved.

(8) Student financial aid records which are not public records shall only be made available to faculty and administration of the college. The custodian of such records must obtain the prior written consent of the student to whom the record relates before such custodian is authorized to disclose any information contained in such records to a member of the public at large. [Order 71-11, § 132T-20-160, filed 4/7/71; Order 70-6, § 132T-20-160, filed 3/2/70.]

WAC 132T-20-170 Exclusiveness. The rules contained within chapter 132T-20 WAC shall only supersede the provisions of the student judicial code which are in conflict therewith. The board deems that all rights conferred to students pursuant to the student judicial code are consistent with procedural due process and shall be applied in any and all actions in which disciplinary action is imposed. [Order 70-6, § 132T-20-170, filed 3/2/70.]

WAC 132T-20-180 Judicial board jurisdiction. The board approves the judicial board that is established in the student judicial code and delegates to such judicial board the authority to determine all minor violations for which disciplinary action as defined in WAC 132T-20-020(7) is not warranted. The judicial board may impose any punishment as authorized in the student judicial code. [Order 70-6, § 132T-20-180, filed 3/2/70.]

WAC 132T-20-190 Severability. If any provision or part of these rules of student conduct are deemed unconstitutional by a court of law, the remainder of such rules shall continue in effect. [Order 70-6, § 132T-20-190, filed 3/2/70.]

WAC 132T-20-200 Effective date. The rules contained within this chapter 132T-20 WAC shall become effective upon the date the same are filed with the code reviser. [Order 70-6, § 132T-20-200, filed 3/2/70.]

Chapter 132T-24 WAC SUMMARY SUSPENSION PROCEDURES

WAC

132T-24-010	Definitions.
132T-24-020	Initiation of summary suspension proceedings.
132T-24-030	Notice of summary proceedings.
132T-24-040	Procedures of summary suspension hearing.
132T-24-050	Decision by dean of student personnel services.
132T-24-060	Notice of suspension.
132T-24-070	Appeal.
132T-24-080	Nature of the proceedings.

WAC 132T-24-010 Definitions. As used in this chapter, 132T-24 WAC, the following words and phrases shall mean:

(1) "Board" shall mean the Board of Trustees of Community College District No. 20, State of Washington.

(2) "College" shall mean Walla Walla Community College and any other community college which may be created by the Board of Trustees of Community College District No. 20, State of Washington.

(3) "College Facilities" shall mean and include any or all real property controlled or operated by the Board of Trustees of Community College District No. 20, State of Washington, and shall include all building and appurtenances affixed thereon or attached thereto.

(4) "President", unless otherwise designated, shall mean the duly appointed president or in such president's absence, the acting president.

(5) "Rules of Student Conduct" shall mean those rules of student conduct as contained in chapter 132-20 WAC.

(6) "Student" shall mean and include any person who is regularly enrolled in the college. [Order 70-7, § 132T-24-010, filed 3/2/70.]

WAC 132T-24-020 Initiation of summary suspension proceedings. If the president has cause to believe that any student has violated any law of the state or the United States, or any of the rules of student conduct contained in chapter 132T-20 WAC, and the president also has further cause to believe that the student's violation involves:

(1) Participation in any mass assembly violative of WAC 132T-20-050 and that immediate disciplinary action is necessary to restore order on any college facilities; or

(2) Violation of any other rule of student conduct and there also appears to be a significant probability that said violation or violations will continue to the great injury of the college, so as to render the disciplinary proceeding process contained in chapter 132T-20 WAC ineffectual.

Then the president or his designee shall, pursuant to the following rules, have authority to suspend said student for a maximum of twenty consecutive days prior to

any subsequent disciplinary proceeding initiated under the rules of student conduct contained in chapter 132T-20 WAC. [Order 70-7, § 132T-24-020, filed 3/2/70.]

WAC 132T-24-030 Notice of summary proceedings.

(1) If the president desires to exercise the authority conferred by WAC 132T-24-030 against any student, he shall direct the dean of student personnel services to cause notice thereof to be served upon said student by registered or certified mail at the student's last known address, or by causing personal service of such notice upon said student.

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

(a) The charges against the student, including reference to the law and/or rules of student conduct involved and

(b) That the student charged must appear before the dean of student personnel services or such dean's designee at a time to be set by the dean, but not later than 24 hours from the date and time of receipt of the "Notice of Summary Suspension Proceeding". [Order 70-7, § 132T-24-030, filed 3/2/70.]

WAC 132T-24-040 Procedures of summary suspension hearing.

(1) At such summary suspension hearing, the dean of student personnel services and the president shall determine whether probable cause exists to believe that a student has committed the violation as specified in the Notice of Summary Suspension, and whether probable cause exists to believe that the immediate suspension of said student is necessary, pursuant to WAC 132T-24-020(1) or (2).

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

(3) The dean of student personnel services shall at the time of such summary suspension proceeding determine whether there is probable cause to believe that a violation of law or of the rules of student conduct has occurred, and whether there is cause to believe that immediate suspension is necessary pursuant to WAC 132T-24-020(1) and (2). In making such a decision, said dean may only consider the sworn affidavits or oral testimony of persons who have alleged that the student charged has committed a violation of law or of the rules of student conduct and the oral testimony and sworn affidavits submitted by the student charged. [Order 70-7, § 132T-24-040, filed 3/2/70.]

WAC 132T-24-050 Decision by dean of student personnel services. If the dean of student personnel services, following the conclusion of such summary suspension proceeding, finds that there is probable cause to believe that:

(a) The student against whom specific violations of law or of the rules of student conduct are alleged has committed one or more such violations upon any college facility; and

(b) That such violations are grounds for summary suspension pursuant to WAC 132T-24-020(1) or (2); and

(c) Such violation or violations of the law or of the rules of student conduct constitute grounds for disciplinary probation or dismissal pursuant to chapter 132T-20 WAC.

Then the dean of student personnel services may, with the written approval of the president, suspend such student from college for a maximum of twenty consecutive days. If a student against whom a summary suspension procedure has been initiated fails to appear at the time and place designated in the "Notice of Summary Suspension Proceeding", the dean of student personnel services shall be authorized to suspend such student after making the specific findings as required by this section. [Order 70-7, § 132T-24-050, filed 3/2/70.]

WAC 132T-24-060 Notice of suspension. (1) If any student is suspended pursuant to the procedures of this chapter, such student will be provided with a written copy of the dean of student personnel services' findings of fact and conclusions, as expressly concurred in by the president, as to whether said dean had probable cause to believe that the conditions for summary suspension outlined [outlined] in WAC 132T-20-040 exists and whether immediate suspension of said student should issue.

(2) The student suspended pursuant to the authority of this rule shall be served a copy of the notice of suspension by personal service or by registered mail. Notice by mail shall be sent to said student's last known address. The suspension shall be effective from the day that such notice of suspension is mailed or personal service accomplished. [Order 70-7, § 132T-24-060, filed 3/2/70.]

WAC 132T-24-070 Appeal. (1) Any student aggrieved by an order issued at the summary suspension proceeding may appeal the same to the board of trustees. No such appeal shall be entertained, however, unless written notice of the appeal, specifically describing alleged errors in the findings of the dean of personnel services and the president, is tendered at the office of the president within 72 hours following the date notice of summary suspension was served or mailed to the student.

(2) The board shall, as soon as reasonably possible, examine the allegations contained within the Notice of Appeal, along with the findings of the dean and president, the record of the summary suspension proceeding, and determine therefrom whether the summary suspension order is justified. Following such examination, the board may, at its discretion, suspend the summary suspension pending determination of the merits of the appeal.

(3) The board shall notify the appealing student within 48 hours following its consideration of the notice of appeal, as to whether the summary suspension shall be maintained or stayed pending disposition of the disciplinary proceeding pursuant to the rules of student conduct. [Order 70-7, § 132T-24-070, filed 3/2/70.]

WAC 132T-24-080 Nature of the proceedings. (1) Nothing contained within this chapter 132T-24 WAC shall be construed to supplant the provisions of the rules of student conduct as contained in chapter 132T-20 WAC, and the provisions of chapter 132T-24 WAC shall be deemed supplementary to such rules of student conduct by providing a method of suspension during the pendency of the investigation and prosecution for a violation of any of the provisions of the rules of student conduct.

(2) Any disciplinary proceeding initiated against the student because of violations alleged against any student in the course of the summary suspension proceeding provided for in this chapter shall be de novo; provided, that the records made and evidence presented during the course of any facet of a summary suspension proceeding brought against the student shall be available for the use of the student and of the college in any disciplinary proceeding initiated pursuant to chapter 132T-20 WAC. [Order 70-7, § 132T-24-080, filed 3/2/70.]

Chapter 132T-28 WAC APPOINTING AUTHORITY

WAC

132T-28-010 Designation of appointing authority.
132T-28-020 Classified employee exemptions.

WAC 132T-28-010 Designation of appointing authority. Pursuant to WAC 251-04-020(2), the position of "appointing authority" at Walla Walla Community College is designated:

(1) The president or the person occupying the position of president at Walla Walla Community College is designated as the "appointing authority" for purposes of chapter 28.75 [28B.16] RCW at Walla Walla Community College.

(2) The president of Walla Walla Community College is delegated authority by written order of the board of trustees to terminate, suspend, reduce or demote any classified employee at Walla Walla Community College without the prior approval of the board of trustees. Additionally, the president of Walla Walla Community College, as the appointing authority, is authorized to make such appointments of eligible persons to classified positions at Walla Walla Community College. [Order 70-24, § 132T-28-010, filed 6/8/70.]

WAC 132T-28-020 Classified employee exemptions. Pursuant to RCW 28.75.040 [28B.16.040] the following positions at Walla Walla Community College and in Community College District No. 20, State of Washington, are deemed exempt from the provisions of chapter 28.75 [28B.16] RCW:

- (1) Members of the board of trustees
- (2) President
- (3) Major administrative officers:
 - (a) Dean of instruction
 - (b) Administrative dean
 - (c) Dean of students
 - (d) Business manager

(4) All employees of Community College District No. 20 who are either probationary faculty appointees or tenured faculty appointees pursuant to RCW 28.85.850 through RCW 28.85.869 [RCW 28B.50.850 through 28B.50.869].

(5) All directors and assistants to the president and major administrative officers, including:

- (a) Registrar
- (b) Director of admissions
- (c) Director of guidance
- (d) Director of placement
- (e) Director of student affairs
- (f) Director of athletics
- (g) Director of financial aid
- (h) Associate dean of instruction
- (i) Associate dean of occupational instruction
- (j) Associate dean or director of adult education
- (k) Director of evening division
- (l) Executive secretary to the president
- (m) All other heads of major administrative or academic divisions.

(6) Positions involved in research, counseling of students, activities director, multi-media technician and data processing coordinator.

(7) Professional consultants under contract.

(8) All student employees, all part time and temporary employees. [Order 70-24, § 132T-28-020, filed 6/8/70.]

Chapter 132T-32 WAC

INTEGRATION OF STATE ENVIRONMENTAL POLICY ACT POLICIES AND PROCEDURES INTO CAPITAL CONSTRUCTION PROJECTS

WAC

132T-32-010 Capital projects to comply with SEPA —Responsible official.

WAC 132T-32-010 Capital projects to comply with SEPA—Responsible official. (1) It shall be the policy of Community College District No. 20 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 76-6, § 132T-32-010, filed 5/28/76.]

Chapter 132T-38 WAC

REDUCTION IN FORCE FOR CLASSIFIED PERSONNEL

WAC

132T-38-010 Purpose of rules.
132T-38-020 Definitions.

132T-38-030 Initial procedures for reduction in force.
132T-38-040 Initial order of layoff.
132T-38-050 Options in lieu of layoff.
132T-38-060 Procedures for establishing order of layoff and notice of requirements.
132T-38-070 Distribution of layoff notice.
132T-38-080 Re-employment rights of laid off employees.

WAC 132T-38-010 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. 20 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 72-1, § 132T-38-010, filed 8/25/71.]

WAC 132T-38-020 Definitions. As used in this chapter, 132T-08 WAC, the following words and phrases are defined:

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

(2) All other 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 as promulgated by the Washington State Higher Education Personnel Board. [Order 72-1, § 132T-38-020, filed 8/25/71.]

WAC 132T-38-030 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, which shall 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 Walla Walla Community College shall be considered as one layoff unit. [Order 72-1, § 132T-38-030, filed 8/25/71.]

WAC 132T-38-040 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 shall be separated last.

(3) Permanent status employees shall be laid off in inverse order of the period of service. 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, trial service 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 72-1, § 132T-38-040, filed 8/25/71.]

WAC 132T-38-050 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.

(2) Permanent status employees, according to seniority, shall be offered employment options in classifications in which the employee has held permanent status; lower classifications in same class series for which the employee is qualified provided that the employee being replaced is the least senior in that classification and has less layoff seniority than the employee replacing him.

(3) No permanent status employee shall be separated through layoff without being offered those positions in classes for which he meets the minimum requirements and passes the qualifying examination currently being held by temporary, provisional or probationary employees provided that all layoff option rights have been exhausted as provided in WAC 251-10-030(4).

(4) Eligible veterans and their unmarried widows as defined in WAC 251-10-050 shall be provided veterans preference. [Order 72-1, § 132T-38-050, filed 8/25/71.]

WAC 132T-38-060 Procedures for establishing order of layoff and notice of 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 but within three (3) 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 calendar days prior to the effective date of the layoff.

(d) Advise each employee of his right to appeal his layoff per WAC 251-12-080. [Order 72-1, § 132T-38-060, filed 8/25/71.]

WAC 132T-38-070 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 72-1, § 132T-38-070, filed 8/25/71.]

WAC 132T-38-080 Re-employment rights of laid off employees. (1) Reduction in force lists are established by classification and maintained by the personnel officer. The name of an employee who has been laid off will appear on those employment lists for all classes in which he has held permanent status or in which he has held a probationary appointment or a trial service appointment; his name will also appear on those lists for all lower classifications in the same class series for which he is qualified.

(2) The personnel officer may extend or re-establish employment lists as long as these actions do not jeopardize the re-employment of any employee separated by a reduction in force. Employees separated by reason of reduction in force shall have their names maintained on applicable eligible list for a period on [of] not less than two (2) years from the date of their termination. 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 additional year by written request to the personnel officer. [Order 72-1, § 132T-38-080, filed 8/25/71.]

Chapter 132T-90 WAC

IMPLEMENTATION OF THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

WAC

132T-90-010	Purpose.
132T-90-020	Definitions.
132T-90-030	Right of inspection.
132T-90-040	Availability of directory information.
132T-90-050	Access permitted to college and certain other officials without consent.
132T-90-060	Distribution of information to others.
132T-90-070	Notice of rights given under family educational rights and privacy act of 1974.
132T-90-080	Requests for access to student records.
132T-90-090	Determination regarding records.
132T-90-100	Hearing procedure.
132T-90-110	Right of students to register objections.

WAC 132T-90-010 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 indication in the aforesaid law, its purpose is to assure that students attending institutions of higher education such as Walla Walla 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 75-5, § 132T-90-010, filed 5/20/75.]

WAC 132T-90-020 Definitions. The following definitions shall apply in interpreting these regulations:

(1) "His" when used throughout these regulations shall accomplish reference to both the 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.

(3) "Student" is defined as a person who is currently enrolled or has ever been 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 at any other location at which the college confers residence credit. [Order 75-5, § 132T-90-020, filed 5/20/75.]

WAC 132T-90-030 Right of inspection. A student or the student's parent shall have a right, subject to the procedural requirements outlined in WAC 132T-90-080 through 132T-90-100 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. A parent wishing to obtain information from these education records or to grant consent for the release of these records without consent of the student must submit an affidavit stating that the student is a dependent for income tax purposes. [Order 78-5, § 132T-90-030, filed 10/24/77; Order 75-5, § 132T-90-030, filed 5/20/75.]

WAC 132T-90-040 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 75-5, § 132T-90-040, filed 5/20/75.]

WAC 132T-90-050 Access permitted to college and certain other officials without consent. (1) The following persons, individuals, agencies, or organizations shall be entitled to access to official records, files, and data of any student, subject to the limitations outlined in subpart (2) of this section, WAC 132T-90-050, without the 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 132T-90-100;

(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 Council on Higher Education, 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 students' 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 75-5, § 132T-90-050, filed 5/20/75.]

WAC 132T-90-060 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 132T-90-050 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 75-5, § 132T-90-060, filed 5/20/75.]

WAC 132T-90-070 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 Procedure Act, notices accomplished through the Fourth Estate, and such other publications and media that the college deems appropriate. [Order 75-5, § 132T-90-070, filed 5/20/75.]

WAC 132T-90-080 Requests for access to student records. (1) No personally identifiable information relating to a student's education record 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 identify such student, college identification card, and any other official identifying document that is 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 132T-90-050, 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 deem sufficient to ascertain the official capacity of such requesting party. [Order 75-5, § 132T-90-080, filed 5/20/75.]

WAC 132T-90-090 Determination regarding records. (1) The college reserves the right to determine that a record regarding a student is not an education

record or material defined in WAC 132T-90-020 or that the provision of personally identifiable information relating to a student was properly given to an authorized agency per WAC 132T-90-050. Such determination shall be made in writing and may be accomplished in consultation with any of the Records Officers of the college. For purposes of this chapter the records officer shall be the Dean of Student Services and the Director of Admissions or the Registrar. [Order 75-5, § 132T-90-090, filed 5/20/75.]

WAC 132T-90-100 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 any one of the Public Records Officers who are listed in WAC 132T-90-090;
- (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 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 his designee shall consider such petition.

(3) The president or his designee may at the end of the ten 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 days after the objecting party served his objections on the college's Public Records Officer(s) 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, or by anyone appointed by the president or his designee, the person conducting the 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 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 75-5, § 132T-90-100, filed 5/20/75.]

WAC 132T-90-110 Right of students to register objections. Any student who objects to the accuracy or truthfulness of any information contained in any Walla Walla Community College education records or portions thereof that is related to him may submit to the college's Public Records Officer(s) 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 transcript. [Order 75-5, § 132T-90-110, filed 5/20/75.]

**Chapter 132T-104 WAC
CONSTITUTION AND BYLAWS OF THE
ASSOCIATED STUDENTS**

WAC

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WAC 132T-104-010 Constitution and purpose. We, the associated students of Walla Walla Community College, in order to bring about in the students an appreciation and understanding of democratic values and processes through participation in student government and to develop in the students free expression and a realization of his rights; to provide a means to bring and interpret student attitudes and opinions to the teaching faculty and the college administration and further to provide a means whereby adult social responsibilities can be developed in the students by a maximum of self-

control and self-direction in all areas of student life, do hereby adopt and establish the following constitution. [Order 76-1, § 132T-104-010, filed 8/28/75; Order 73-4, § 132T-104-010, filed 1/4/73.]

WAC 132T-104-020 The Associated Students. The government organization of the students of Walla Walla Community College shall be known as the Associated Students of Walla Walla Community College. [Order 76-1, § 132T-104-020, filed 8/28/75; Order 73-4, § 132T-104-020, filed 1/4/73.]

WAC 132T-104-030 Legislative body of associated students of Walla Walla Community College. (1) The legislative authority of the associated students shall be vested in the associated student senate.

(2) The voting members of the associated student senate shall be the executive vice-president, activities vice-president, business vice-president, and the publicity vice-president of the associated students; senators and representatives from other segments of the A.S.B. as recognized and defined by the associated student senate. The president shall vote in the occurrence of a tie.

(3) Candidates for associated student senate and representatives shall be members of the associated students, shall be full-time students while in office, and shall have a cumulative average of 2.0 at the time of nomination.

(4) Each representative shall be entitled to only one seat at any associated student senate meeting.

(5) Impeachment:

(a) An impeachment measure may be moved against any member of the associated student senate by petition of two-fifths (2/5) of the membership of the associated student senate. Conviction shall require two-thirds (2/3) of the tabulated vote of the associated student body.

(b) An impeachment measure moved against any member shall disqualify him from participation in voting in his impeachment proceedings.

(c) The impeachment hearing must be held within one (1) week of the passage of the motion for impeachment.

(6) Vacancies occurring in an associated student senate position may be filled by an appointee of the group to be represented by the vacant position until the time of an election in the representative group. This election shall be held not later than four (4) weeks after the vacancy occurs and the person elected shall permanently fill the vacancy.

(7) The associated student senate shall have the power to initiate and amend the associated student judicial code. Other duties and regulations of the legislature shall be set forth in the by-laws. [Order 76-1, § 132T-104-030, filed 8/28/75; Order 73-4, § 132T-104-030, filed 1/4/73.]

WAC 132T-104-040 Executive body of associated students of Walla Walla Community College. (1) The executive authority of the associated student body shall be vested in the offices of president, executive vice-president, activities vice-president, business vice-president, and publicity vice-president.

(2) Candidates for the offices of president, executive vice-president, activities vice-president, and business

vice-president shall be members of the associated students, shall have completed one (1) quarter in residence at the time of nomination, shall have and maintain a minimum cumulative grade point average of 2.0, and shall have completed a minimum of 24 credit hours at the time of nomination, except the candidate of president, who shall have completed a minimum of 36 credit hours at the end of the spring quarter of his nomination.

(3) The candidates for the office of business vice-president shall be screened by the student senate and then by the administration prior to the primary elections.

(4) Candidates for the offices of the associated student body executive council shall file their names with the associated student secretary within the first week of spring quarter.

(5) Office shall be filled by the associated student body through a primary and final election.

(a) The primary election shall be held during the fourth week of the spring quarter.

(b) The two candidates receiving the most votes in the primary election for an office shall be candidates for the office in the final election.

(c) The general (final) election shall be held two (2) weeks following the primary election.

(d) The candidates receiving the most votes for an office shall be considered elected to that office in the final election. In case of a tie, a run-off shall take place not earlier than five (5) days and not later than seven (7) days after the final election.

(e) The officers of the executive council shall hold office from the end of spring quarter to the end of the following spring quarter.

(6) Members of the associated student executive council shall not hold any other office in clubs or classes.

(7) Vacancies occurring in the executive council shall be filled by an associated student election not later than four (4) weeks after such vacancy occurs or by appointment of executive council with the approval of the associated student senate. The election of a candidate to fill the vacancy will be by majority vote.

(8) The duties and regulations of the executive council shall be set forth in the by-laws. [Order 76-1, § 132T-104-040, filed 8/28/75; Order 73-4, § 132T-104-040, filed 1/4/73.]

WAC 132T-104-050 Judicial function of associated students of Walla Walla Community College. (1) The judicial authority of the associated student body shall be vested in the judicial board of justice and the presiding appellate court.

(2) The judicial board shall have the power of final review over all actions arising under this constitution.

(a) The judicial board shall consist of the chief justice and four (4) associate justices.

(b) The chief justice shall be appointed annually from the members of the judicial board by the executive council with the consent of the associated student senate.

(c) An impeachment measure may be brought against an associate justice or chief justice by a petition signed by 100 members of the associated student body of Walla

Walla Community College, or by a majority vote of the associated student senate.

(d) The associate justices shall be appointed by the executive council with the consent of the associated student senate for the remainder of their college careers at Walla Walla Community College and shall possess the same qualifications as stated in WAC 132T-104-030(3), and shall be subject to impeachment.

(e) The judicial board of justice shall have original jurisdiction over disciplinary cases.

(3) The appellate court will be an appeal court for those found guilty by the judicial board.

(a) The appellate court will handle any cases involving suspension of students or student-faculty relations.

(b) The appellate court shall consist of three (3) students and four (4) faculty members. A faculty member shall be presiding justice and shall vote only in the occurrence of a tie. The college president shall nominate six (6) faculty members to serve on the appellate court. Of these, the student senate will choose four (4) to serve on the appellate court.

(c) The appellate court shall refer all cases to the college president, and he shall have the power to reverse the decisions of the appellate court. [Order 76-1, § 132T-104-050, filed 8/28/75; Order 73-4, § 132T-104-050, filed 1/4/73.]

WAC 132T-104-060 Initiative, referendum, and recall. (1) The associated students shall have the right of initiative and recall and shall have the right of referendum.

(2) The procedure of initiative, referendum, and recall shall be set forth in the by-laws. [Order 76-1, § 132T-104-060, filed 8/28/75; Order 73-4, § 132T-104-060, filed 1/4/73.]

WAC 132T-104-070 Standing committees. (1) The standing committees of the associated students shall be designated by the by-laws. The by-laws shall also set forth the purpose and membership of such committees.

(2) Committee membership shall be filled annually by appointments of the executive council subject to ratification by the associated student senate by a majority vote.

(3) Appointees to standing committees and the student membership of joint committees shall possess the same qualifications as set forth in WAC 132T-104-030(3), provided that, the freshman members of the elections, legislative action, activities promotion, homecoming, finance, and academic affairs committees shall not be bound by such qualifications.

(4) The standing committees and the student membership of joint committees shall be responsible to the associated student senate and shall be administered by the executive council. [Order 76-1, § 132T-104-070, filed 8/28/75; Order 73-4, § 132T-104-070, filed 1/4/73.]

WAC 132T-104-080 Amendments. (1) Amendments to this constitution and by-laws shall be proposed by either a majority of the associated student senate or

by a petition presented to the associated student secretary containing the valid signatures of at least ten per cent (10%) of the members of the associated student body.

(2) The constitution shall be amended by a majority of the votes cast by the members of the associated students who vote in an election and the approval of the Board of Trustees of Walla Walla Community College.

(3) The by-laws shall be amended by a two-thirds (2/3) majority of the associated student senate and shall then be referred to the associated student body to be passed by a majority vote of the associated students who vote in an election and the approval of the Board of Trustees of Walla Walla Community College.

(4) A proposed constitutional amendment or amendment of the by-laws shall be submitted to an election within four (4) weeks after its proposal or presentation.

(5) Approved constitutional amendments and by-laws shall be incorporated into this constitution and the by-laws to which they refer. [Order 76-1, § 132T-104-080, filed 8/28/75; Order 73-4, § 132T-104-080, filed 1/4/73.]

WAC 132T-104-090 Constitutional precedence. The provisions of this constitution shall govern all charters and constitutions of student organizations of this college and shall take precedence over them in case of conflict. This constitution shall become effective upon adoption by the members of the associated student body and shall supersede all previous associated student constitutions. All standing orders, associated student council recognized constitutions, or legislation of any type in conflict with this constitution shall be void upon adoption by the associated student body. [Order 76-1, § 132T-104-090, filed 8/28/75; Order 73-4, § 132T-104-090, filed 1/4/73.]

WAC 132T-104-100 Parliamentary authority. (1) The parliamentary authority of this organization shall be the most current revision of Robert's Rules of Parliamentary Procedure, except in such cases as are covered by the by-laws of this constitution or by special rules adopted by the associated student body.

(2) All meetings of all organizations and agencies established by this constitution shall be conducted under Robert's Rules of Parliamentary Procedure.

(3) All student government meetings will be conducted by parliamentary procedure. A parliamentarian may be present at all meetings. The president of the associated student body may appoint a parliamentarian pro-tem in the absence of the parliamentarian.

(4) Parliamentarian for student senate is chief justice of our student court. The parliamentarian (chief justice) does not have a vote in student senate. He is required to attend all student senate meetings. [Order 76-1, § 132T-104-100, filed 8/28/75; Order 73-4, § 132T-104-100, filed 1/4/73.]

WAC 132T-104-110 Allocation of money. (1) The associated student body president and the business vice-president may allocate expenditures of amounts up to twenty-five (25) dollars.

(2) The executive council of the associated student body may authorize expenditures of amounts up to one hundred (100) dollars.

(3) Authorizations for expenditures of amounts over one hundred (100) dollars must come from the associated student senate.

(4) Each club shall submit a budget to the finance committee spring quarter. The committee shall then appropriate the amount they (finance committee) deem necessary for the club to function during the next year.

(5) Requests for money exceeding twenty-five (25) dollars must be put in writing and presented to the business vice-president giving a detailed breakdown of what the money is to be spent for before any money is to be allocated.

(6) Authorizations for expenditures of amounts over one hundred fifty (150) dollars require a two-thirds (2/3) majority vote of the student senate.

(7) Authorization for expenditures of amounts over one hundred (100) dollars will be automatically tabled for one week. If extenuating circumstances arrive, student senate may move to an immediate vote on the authorization. This motion requires all present members of student senate and the chair to agree that an immediate vote is necessary. If there is even 1 vote in opposition the motion fails. [Order 76-1, § 132T-104-110, filed 8/28/75; Order 73-4, § 132T-104-110, filed 1/4/73.]

WAC 132T-104-120 Walla Walla Community College clubs and organizations. (1) Each club, which has been approved by the associated student senate, shall have one (1) voting seat in the associated student senate, providing the club has ten (10) active members.

(2) Each club will be required to have a constitution. A faculty advisor is not required, but advised.

(3) Any new club wishing to have a voting seat in student senate is required to have been in existence (active) for a minimum of five (5) successive weeks.

(4) All monies which have been allocated and spent by a club shall be accounted for in a written report to be submitted to the executive council no later than two (2) weeks after the expenditures have occurred. [Order 76-1, § 132T-104-120, filed 8/28/75; Order 73-4, § 132T-104-120, filed 1/4/73.]

WAC 132T-104-121 CORP. (1) The executive vice-president of Walla Walla Community College shall represent the associated students of Walla Walla Community College in CORP (Council of Representatives and Presidents).

(2) Executive Council may appoint with student senate approval an individual to keep correspondence and/or generally abreast of what the organization is doing. The appointed individual may never vote or state what stand our campus has on any issue unless 2/3 of student senate give their express approval. This may never be broad voting powers, but only on specific items to be decided on by CORP where our vote and or opinion is desired. [Order 76-1, § 132T-104-121, filed 8/28/75.]

WAC 132T-104-130 Compensation for officers of the Walla Walla Community College associated student body. (1) The associated student body officers (executive council) shall receive full tuition and thirty (30) dollars books per quarter.

(2) At the end of every quarter executive council and the A.S.B. advisor meet to determine the job done by sophomore and freshman senators and cheerleaders. This will be a closed meeting. Executive council may make the following recommendations.

- (a) Changes in specific jobs.
- (b) Having individuals switch jobs.
- (c) Requesting that a student senator resign.
- (d) Reimburse a student senator for 1/2 of last quarter's tuition (\$41.50).
- (e) Recommend students or student for Outstanding Student for the past quarter.

(3) Executive council's recommendations shall be printed in the weekly bulletin prior to the student senate meeting where action on said recommendation is to be made. Students under section (d) must turn into the student senate a summary form of what they did for the quarter before they are to receive their money.

(4) Candidates that are selected by the executive council must be ratified by a vote of 2/3 majority of student senate. [Order 76-1, § 132T-104-130, filed 8/28/75; Order 73-4, § 132T-104-130, filed 1/4/73.]

WAC 132T-104-200 By-laws. WAC 132T-104-210 through WAC 132T-104-280 now or as hereafter amended are hereby declared to be the by-laws of this constitution. [Order 76-1, § 132T-104-200, filed 8/28/75; Order 73-4, § 132T-104-200, filed 1/4/73.]

WAC 132T-104-210 Duties of officers of Walla Walla Community College associated student body. (1) ASB President shall preside over all meetings of the executive council and joint meetings with the associated student senate. The president shall make all appointments subject to the approval of executive council and/or student senate unless otherwise provided for in this constitution and its by-laws. He shall be responsible for the coordination of the entire associated student senate. He shall be an ex-officio non-voting member of the associated student senate and committees with the exception of executive council or Athletic Planning Committee or in the occurrence of a tie. The president shall be the official representative of the associated student senate and the executive council. He is chairman of the Athletic Activities Budget Committee. He is required to assist with:

- (a) Fairbooth
- (b) Registration
- (c) A.S.B. elections
- (d) Freshman orientation
- (e) Tri-college organization
- (f) Spring week and homecoming activities
- (g) Spring retreat
- (h) Presidents meetings
- (i) Student handbook
- (j) Attend Board of Trustee's meetings

(2) Executive Vice President – He shall assist the president in his duties and shall assume the duties of the president in his absence. His most important job is to get more people involved in student government. He is to keep up-to-date and precise records of clubs' officers and all people in student government (names and phone no. etc.). He is a student representative on all school committees (example: CORP, curriculum, graduation, etc.). He is required to attend all Club Council meetings. Failure to attend 5 meetings unexcused is grounds for impeachment. He is required to assist with:

- (a) Fairbooth
- (b) He is chairman of registration
- (c) A.S.B. elections
- (d) Freshman orientation
- (e) Tri-college organization
- (f) Spring retreat
- (g) Spring week and homecoming activities
- (h) President meetings
- (i) Student handbook
- (j) Athletic Activities Budget Committee

(3) Activities Vice-President – He shall be responsible for the activities program at WWCC and shall serve as chairman and preside over the Club Council. He shall appoint all necessary officers and have a vote in the event of a tie. He shall be an ex-officio, non-voting member of all committees of the Club Council. He must assist with:

- (a) Fairbooth
- (b) Registration
- (c) A.S.B. elections
- (d) Freshman orientation
- (e) Tri-college organization
- (f) Spring retreat
- (g) Student handbook
- (h) Athletic Activities Budget Committee
- (i) Budget Committee

(4) Publicity Vice-President – He shall be responsible for promoting Walla Walla Community College. He is also in charge of the fairbooth, tri-college game, and promoting our school to the community, especially the seniors in our district. He is required to assist with:

- (a) Registration
- (b) A.S.B. elections
- (c) Freshman orientation
- (d) Spring retreat
- (e) Student handbook
- (f) Athletic Activities Budget

(5) Business Vice-President – The associated student body business vice-president shall be responsible for all financial matters of the associated student body of WWCC, and shall act as financial advisor to all subsidiary organizations of the WWCC associated student body. The business vice-president shall maintain in an efficient manner all financial records of the WWCC associated student body and shall submit a financial report to the executive council and the associated student senate at the termination of each academic quarter or at their request. The business vice-president shall prepare the WWCC associated student body budget with the aid of a budget committee appointed by the associated student senate. The business vice-president must have

qualifications such as bookkeeping and accounting, necessary to effectively manage the student budget. Must assist with:

- (a) Fairbooth
- (b) Registration
- (c) A.S.B. elections
- (d) Freshman orientation
- (e) Tri-college organization
- (f) Spring retreat
- (g) Student handbook
- (h) Athletic Activities Budget Committee
- (i) Budget Committee

(6) Executive council, student senators, and representatives are required to pass a minimum of 12 credits per quarter.

(7) Executive council officers are required to be in the A.S.B. offices an average minimum of 1 hour a day. (It is recommended that they work a minimum of 10 hours a week for A.S.B.)

(8) Executive council, student senators, and representatives are required to attend all student senate meetings. Three unexcused absences may mean impeachment or expulsion with loss of all rights and monies.

(9) Executive council officers may not take more than 18 credit hours without the express approval of student senate.

(10) Executive council officers attempting to get a grade for being an officer must submit to student senate a summary report form of what they did for last quarter. Student senate then votes on what grade the officer should receive. The grade also must meet the approval of the Dean of Students. [Order 76-1, § 132T-104-210, filed 8/28/75; Order 73-4, § 132T-104-210, filed 1/4/73.]

WAC 132T-104-220 Judicial board of Walla Walla Community College. (1) The office of chief justice will be a full-time job. He will have his own desk and mailbox. He will report to the associated student body president at least once a day on school days.

(2) The executive council may call for a judicial board meeting on 24 hours notice any time it deems such a meeting necessary.

(3) The chief justice may call for a judicial board meeting on 24 hours notice when he deems it necessary.

(4) The chief justice is responsible only to the constitution and the dean of students.

(5) The judicial board shall meet within one (1) week after receiving business brought before it.

(6) The chief justice will have the power to make decisions without a board meeting where a precedent has been made. This shall be open to challenge. If the chief justice is challenged, the case will be brought before the board.

(7) Any case, before being brought before the judicial board, must first be appealed by the student to the teacher who is concerned. If satisfaction is not received from this appeal, the student then may appeal to the dean of students. If the student is still not satisfied, he may then appeal through the judicial board. Proof that the above steps have been carried out must be submitted by the student to the judicial board.

(8) Chief Justice as A.S.B. parliamentarian, is an ex-officio non-voting member of student senate. [Order 76-1, § 132T-104-220, filed 8/28/75; Order 73-4, § 132T-104-220, filed 1/4/73.]

WAC 132T-104-230 The appellate court of Walla Walla Community College. (1) The judicial board may call for an appellate court meeting on 48 hours notice.

(2) The president of the college may call an appellate court meeting on 24 hours notice.

(3) The appellate court presiding justice may call an appellate court meeting on 24 hours notice.

(4) The appellate court shall be responsible only to the associated student body constitution and the president of the college, and shall perform their duties in a just manner.

(5) No names brought before the appellate court will be made known to anyone except the president of the college, the dean of students, and the president of the associated student body.

(6) The principle involved in any appellate court proceedings may and should be made known to all members of the college. A record of the court proceedings shall be known in public in writing to the associated student body. [Order 76-1, § 132T-104-230, filed 8/28/75; Order 73-4, § 132T-104-230, filed 1/4/73.]

WAC 132T-104-240 Sophomore and freshman senators. (1) There shall be a minimum of five sophomore and five freshman senators, however, there may be more than ten sophomore and freshman senators in the student senate.

(2) There shall be 4 sophomore senators appointed by A.S.B. in the spring prior to their year in office. They officially take office when the new executive council takes office. Sophomore and freshman senators will be appointed in the following manner.

(a) Executive council announces that they are seeking sophomore and/or freshman senators in the school newspaper and weekly bulletin.

(b) Persons wishing to seek a position, turn into an executive officer a resume within two weeks after the first announcement is made.

(c) Executive council screens the people applying for the positions. They then recommend to student senate the people that they feel are qualified for the positions. They may recommend as many people to a position as they feel are qualified, example: 2 or more people may be recommended for position 1.

(d) Student senate then votes on the person desired for that position. A student senator must receive a 2/3 majority vote from student senate to be sophomore or freshman senator.

(3) Positions:

(a) Position 1 - Sophomore and freshman senators. They are intramural directors. They plan intramural programs with the intramural coach. They assist the publicity vice-president at the tri-college game. They are required to attend all A.S.B. meetings. Missing five A.S.B. meetings is grounds for removal from office.

(b) Position 2 - Sophomore and freshman senators. They are activities senators. They attend all A.S.B.

meetings. Missing five A.S.B. meetings is grounds for impeachment.

(c) Position 3 – Sophomore and freshman senators. Their duties would include buying equipment, campus beautification, improving the constitution, and getting more people involved in our school activities. They are required to attend all A.S.B. meetings. Missing five A.S.B. meetings is grounds for impeachment.

(d) Position 4 – Sophomore or freshman senator. Only one person has this office. If a sophomore has this position then position 4 for a freshman is under section 7 and vice versa. The publicity senator is in charge of making posters, approving them, and making sure that all posters are taken down within 24 hours after their use has been fulfilled. Missing five A.S.B. meetings is grounds for impeachment.

(e) Position 4 – Freshman or sophomore senator. This person is responsible for publishing the weekly bulletin and assisting the school newspaper whenever possible. He must attend all A.S.B. meetings. Missing five A.S.B. meetings is grounds for impeachment.

(f) Positions 5 and on – These are left up to the imagination of the people applying. They may be varied as to the needs of the associated student body. Missing five meetings is grounds for impeachment. [Order 76-1, § 132T-104-240, filed 8/28/75; Order 73-4, § 132T-104-240, filed 1/4/73.]

WAC 132T-104-250 Leadership awards. (1) Five (5) awards, consisting of \$20.00, will be awarded.

(2) Voting members of the executive council shall be excluded.

(3) Candidates shall exhibit enthusiasm and shall participate in school activities.

(4) Candidates shall have, at the time of the award, a 2.0 cumulative grade average.

(5) The candidates shall have exhibited a willingness to sacrifice his personal time to participate in the planning and organizing of school activities.

(6) Candidates will be selected by the executive council and ratified by a vote of two-thirds (2/3) majority of student senate. [Order 76-1, § 132T-104-250, filed 8/28/75; Order 73-4, § 132T-104-250, filed 1/4/73.]

WAC 132T-104-260 Elections. (1) There shall be two (2) persons at the place of polling at all times. One (1) shall be a member of the executive council and one (1) shall be a member of the judicial board.

(2) The chief justice of the judicial board, or the chief justice pro-tem, and two (2) executive council members shall be present at the counting of the ballots.

(3) All persons holding an associated student body card shall be eligible to vote. This includes part-time students, faculty, administration, and classified employees.

(4) The elections shall be held from 1:00 p.m. to 9:00 p.m. on the first election day, and from 9:00 a.m. to 3:00 p.m. on the second (last) election day. There shall be no election held on Friday.

(5) An associated student body card must be presented and punched at the time of voting. A book must be signed by the student prior to voting.

(6) No campaigning will be permitted within the room, nor any loitering within twenty-five (25) feet from the voting area. Campaigning shall be defined to include posters and handbills.

(7) The results of the election shall be made known and posted in the student lounge no later than twenty-four (24) hours after the closing of the polls.

(8) Except in the case of a handicapped individual, only one person shall be admitted in the voting booth or machine at a time.

(9) All voting in associated student body, public, and special elections shall be done by secret ballot.

(10) There shall be an election committee composed of the judicial board and the executive council.

(11) The ten (10) members of the election committee shall be divided into two (2) groups of five (5) members each. The chief justice and two (2) members from each group shall compose the campaign committee. The associated student body president and two (2) members from each group shall compose the election committee. The members from the committees shall be chosen from the available by the associated student body president and the chief justice together.

(12) The election committee shall preside over all associated student body, public, and special elections. This committee shall enforce all rules of campaigning.

(13) Any challenge of the election committee shall be referred to the appellate court.

(14) Any challenge of the voting must be made within twenty-four (24) hours of the closing of the polls.

(15) All write-ins shall be permitted on both primary and general elections.

(16) A write-in vote will be acceptable and counted when it is recognizable as belonging to a certain person. [Order 76-1, § 132T-104-260, filed 8/28/75; Order 73-4, § 132T-104-260, filed 1/4/73.]

WAC 132T-104-270 Initiative and referendum. (1) If any legal voter or organization of legal voters of Walla Walla Community College desires to petition the associated student senate to enact a proposed measure, or to submit a proposed measure to the people, or to order that a referendum of any act, or any part thereof, passed by the associated student senate be submitted to the students, he or they shall file in the office of the associated student body secretary five (5) printed or type-written copies of the measure proposed, or of the act or part thereof on which a referendum is desired, accompanied by the name and address of the proposer, and by an affidavit that the proposer (if an individual) is, or that the members of the proposer (if an organization) are legal students.

(2) Initiative measures proposed to be submitted to the students must be filed with the associated student body secretary within two (2) months prior to the election at which they are to be submitted, and the petitions, therefore, must be filed with the associated student body secretary not less than one (1) month before the next general election.

(3) Petitions ordering that acts or parts of acts passed by the associated student senate be referred to the students at the next ensuing election, shall be substantially in the following form:

Warning: Every person who signs this petition with any other than his true name, or who knowingly signs more than one of these petitions, or who signs this petition when he is not a legal student, or who makes herein any false statement, shall nullify the petition.

Petition for Referendum

To the Honorable _____ Secretary of the Associated Students of Walla Walla Community College: We, the undersigned students of Walla Walla Community College and legal students set opposite our names, respectfully order and direct that Referendum Measure No. _____, entitled (here insert the established ballot title of the measure) being a (or part or parts of an) act passed by the _____ of Walla Walla Community College at the last special session of said legislature, shall be referred to the students of Walla Walla Community College for their approval or rejection at the special election to be held on the _____ day of _____, A.D., 19____ and each of us for himself says: I have personally signed this petition: I am a legal student of Walla Walla Community College, and my residence is correctly stated.

Petitioner's Signature Address
1.
2.
etc.

(4) When the person or organization proposing any initiative measure has secured upon any such initiative petition the signatures of legal students equal in number to or exceeding eight (8) per cent of the whole number of legal students.

(5) The time for submitting initiative or referendum petitions to the associated student body secretary for filing is as follows:

(a) A referendum petition ordering and directing that the whole or some part of [or] parts of an act passed by the student senate be referred to the students for their approval or rejection at the next ensuing general election or a special election ordered by the student senate, must be submitted not more than ninety (90) days after the final adjournment of the session of the student senate which passed the act.

(b) An initiative petition proposing a measure to be submitted to the students for their approval or rejection at the next ensuing general election must be submitted not less than two (2) months before the date of such election.

(6) Upon any initiative or referendum petition being submitted to the associated student body secretary for filing, he may refuse to file it upon any of the following grounds:

(a) That the petition is not in proper form.
(b) That the petition clearly bears insufficient signatures.

(c) That the time within which the petition may be filed has expired.

(7) In case of refusal, the associated student body secretary shall endorse on the petition the word "submitted" and the date, and retain the petition pending appeal. If none of the grounds for refusal exists, the associated student body secretary must accept and file the petition. [Order 76-1, § 132T-104-270, filed 8/28/75; Order 73-4, § 132T-104-270, filed 1/4/73.]

WAC 132T-104-280 The recall. (1) Initiating recall proceedings—statement—contents—verification. Whenever any legal student or committee or organization of Walla Walla Community College students desire to demand the recall and discharge or [of] any elective public officer of Walla Walla Community College, as the case may be, he or they shall prepare a printed or typewritten charge, reciting that such officer, naming him and giving the title of his office, has committed an act or acts of malfeasance while in office. The charge shall state the act or acts complained of in concise language, without unnecessary repetition, and shall be signed by the person or persons making the same, given their respective addresses, and be verified under oath that he or they believe the charge or charges to be true.

(2) The recall petition shall be filed in the office of the associated student body secretary.

(3) Upon being notified of the language of the ballot synopsis of the charge, the persons filing the charge shall cause to be printed for the recall and discharge of an officer substantially in the following form:

Warning: Every person who signs this petition with any other than his true name, or who knowingly signs more than one of these petitions, or who signs this petition when he is not a legal student of Walla Walla Community College, or herein makes a false statement, shall nullify the recall petition.

Petition for the recall of
(here insert name of the person
whose recall is petitioned for)

To the Honorable (here insert the name and title of the officer with whom the charge is filed):

We, the undersigned students of Walla Walla Community College set opposite our respective names, respectfully direct that a special election be called to determine whether or not (here insert the name of the person charged and the office which he holds) be recalled and discharged from his office for and on account of (his having committed the act or acts of malfeasance or misfeasance while in office, in the following particulars: (here insert the synopsis of the charge); and each of us for himself says: I have personally signed this petition; I am a

legal student of Walla Walla Community College; and my residence address is correctly stated.

Petitioner's Signature	Address
1.	
2.	
etc.	

(4) When the person, committee, or organization demanding the recall of a public officer has secured sufficient signatures upon the recall petition he or it may submit the same to the officer with whom the charge was filed for filing in his office. The number of signatures required shall be as follows: In the case of a member of the associated student senate, signatures of legal students equal to twenty-five (25) per cent of the total number of votes cast for all candidates for the office to when the office whose recall is demanded was elected at the preceding election.

(5) Upon the filing of a recall petition in his office, the officer with whom the charge was filed shall stamp on each petition the date of filing, and shall notify the persons filing them and the officer whose recall is demanded of the date when the petitions will be canvassed, which date shall be not less than five (5) or more than ten (10) days from the date of its filing.

(6) The special election to be called for the recall of officers shall be conducted in the same manner as primary or general elections, as the case may be, are conducted. The ballots at any recall election shall contain a full, true, and correct copy of the ballot synopsis of the charge, and shall be so arranged that any voter can, by making one cross (x) express his desire to have the officer charged recalled from his office, or retained therein.

(7) Upon the completion of the canvass of the returns of any recall election, the result shall be published in the manner required by law for the publication of the results of general elections. If a majority of all votes cast at the recall election is for the recall of the officer charged, he shall be dismissed from his office, and the office shall thereupon become and be vacant. [Order 76-1, § 132T-104-280, filed 8/28/75; Order 73-4, § 132T-104-280, filed 1/4/73.]

Chapter 132T-113 WAC LEGISLATIVE LIAISON

WAC

132T-113-010 Designation of legislative liaisons.
132T-113-020 Responsibility.

WAC 132T-113-010 Designation of legislative liaisons. In accordance with the implementation of Initiative 276, passed by the voters of the state of Washington on November 7, 1972, and effective January 1, 1973, those persons holding the following positions within Community College District No. 20 are designated legislative liaisons for Community College District No. 20:

- (1) Members of the Board of Trustees;
- (2) College president; and
- (3) All those persons designated in writing by the president of Community College District No. 20, which writing shall be made available among the records

maintained by the office of the president of Community College District No. 20. [Order 73-8, § 132T-113-010, filed 3/23/73.]

WAC 132T-113-020 Responsibility. Such persons designated in WAC 132T-113-010 shall be responsible for making available through official channels requests for legislation or seeking such appropriations as the college may deem necessary for the official conduct of its business. [Order 73-8, § 132T-113-020, filed 3/23/73.]

Chapter 132T-175 WAC PUBLIC RECORDS

WAC

132T-175-010 Purpose.
132T-175-020 Definitions.
132T-175-030 Description of central and field organization of Community College District No. 20.
132T-175-040 Operations and procedures.
132T-175-050 Public records available.
132T-175-060 Public Records Officer.
132T-175-070 Office hours.
132T-175-080 Requests for public records.
132T-175-090 Copying.
132T-175-100 Exemptions.
132T-175-110 Review of denials of public records requests.
132T-175-120 Protection of public records.
132T-175-130 Records index.
132T-175-140 District's address.
132T-175-150 Adoption of form.
132T-175-990 Appendix A—Request for public record.

WAC 132T-175-010 Purpose. The purpose of this chapter shall be to ensure compliance by the Community College District No. 20 with the provisions of chapter 1, Laws of 1973 (Initiative 276), Disclosure-Campaign-Finances-Lobbying-Records; and in particular with §§ 25-32 of that act, dealing with public records. [Order 73-7, § 132T-175-010, filed 3/23/73.]

WAC 132T-175-020 Definitions. (1) PUBLIC RECORDS

"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

"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. 20

Community College District No. 20 was established pursuant to the Community College Act of 1967. Community College District No. 20 shall hereinafter be referred to as the "District". Where appropriate, the term Community College District No. 20 also refers to the staff and employees of the Community

College District No. 20. [Order 73-7, § 132T-175-020, filed 3/23/73.]

WAC 132T-175-030 Description of central and field organization of Community College District No. 20.
(1) COMMUNITY COLLEGE DISTRICT NO. 20

The Community College District No. 20 is an institution of higher education. The Administrative Office of the District and its staff are located at Walla Walla, Washington. [Order 73-7, § 132T-175-030, filed 3/23/73.]

WAC 132T-175-040 Operations and procedures. Community College District No. 20 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. 20 and on file in the office of the president of Walla Walla Community College. [Order 73-7, § 132T-175-040, filed 3/23/73.]

WAC 132T-175-050 Public records available. All public records of the District, as defined in WAC 132T-175-020, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided in section 31, chapter 1, Laws of 1973 and chapter 132T-175 WAC. [Order 73-7, § 132T-175-050, filed 3/23/73.]

WAC 132T-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 Administrative Office of the District. The Public Records Officer shall be responsible for the following: The implementation of the District's rules and regulations regarding release of public records, coordinating the staff of the District in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 1, Laws of 1973. [Order 73-7, § 132T-175-060, filed 3/23/73.]

WAC 132T-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 73-7, § 132T-175-070, filed 3/23/73.]

WAC 132T-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 73-7, § 132T-175-080, filed 3/23/73.]

WAC 132T-175-090 Copying. No fee shall be charged for the inspection of public records. The District shall charge a fee of five (5) 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 73-7, § 132T-175-090, filed 3/23/73.]

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

(2) In addition, pursuant to § 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 73-7, § 132T-175-100, filed 3/23/73.]

WAC 132T-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 decisions 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 73-7, § 132T-175-110, filed 3/23/73.]

WAC 132T-175-120 Protection of public records.

That the location of the public records officer appointed pursuant to WAC 132T-175-060 shall be in the Office of the Business Manager. 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 Walla Walla Community College);

(2) The Office of the President of Walla Walla Community College;

(3) The Office of the Dean of Instruction;

(4) The Office of the Dean of Student 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 132T-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 132T-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 132T-175-090. [Order 75-3, § 132T-175-120, filed 2/27/75; Order 73-7, § 132T-175-120, filed 3/23/73.]

WAC 132T-175-130 Records index. (1) INDEX

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 73-7, § 132T-175-130, filed 3/23/73.]

WAC 132T-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: Walla Walla Community College, Community College District No. 20, c/o Public Records Officer, 500 Tausick Way, Walla Walla, Washington 99362. [Order 75-3, § 132T-175-140, filed 2/27/75; Order 73-7, § 132T-175-140, filed 3/23/73.]

WAC 132T-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, entitled "Request for Public Record". [Order 73-7, § 132T-175-150, filed 3/23/73.]

WAC 132T-175-990 Appendix A--Request for public record.

APPENDIX "A"

COMMUNITY COLLEGE DISTRICT NO. 20 WALLA WALLA 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. 20 (Walla Walla Community College) pertaining to

Subject: -----

Dated on or about -----

Dated this ____ day ----- 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 73-7, Appendix A (codified as WAC 132T-175-990), filed 3/23/73.]

**Chapter 132T-180 WAC
COLLEGE PROFESSIONAL NEGOTIATIONS ACT**

WAC

- 132T-180-010 Purpose.
- 132T-180-020 Definitions.
- 132T-180-030 Communications with employees' representatives.
- 132T-180-040 Operating procedures.
- 132T-180-050 Requests for information.
- 132T-180-060 Action taken.

WAC 132T-180-010 Purpose. The following rules and regulations are hereby adopted by the Board of Trustees of Walla Walla Community College pursuant to RCW 28B.52.080 which directs the Board of Trustees to adopt reasonable rules and regulations for the administration of employer-employee relations under chapter 28B.52 RCW as now existing or hereafter amended. [Order 73-14, § 132T-180-010, filed 8/30/73.]

WAC 132T-180-020 Definitions. (1) "Academic employee" means any teacher, counselor, librarian, or department head, who is employed by any community college district, with the exception of the chief administrative officer of, and any administrator in, each community college district. Negotiated policies shall apply to all such employees and they shall be represented in negotiations with the Board by the Walla Walla Community College Education Association or any authorized

organization duly elected as provided for in RCW 28B.52.030. Nothing in this chapter however shall prohibit any academic employee from appearing in his own behalf on matters relating to his employment relations with the community college district.

(2) "Administrator" means any person employed either full or part time by the community college district and who performs administrative functions as at least fifty (50) percent or more of his assignments, and has responsibilities to hire, dismiss, or discipline other employees. Policies negotiated by Walla Walla Community College Education Association or any authorized organization duly elected to represent academic employees, as provided for in RCW 28B.52.030, shall not apply to any such personnel and they shall not be represented in negotiations with the Board of Walla Walla Community College Education Association or any authorized organization duly elected to represent academic employees as provided for in RCW 28B.52.030 unless they elect to join the association and the association elects to represent said administrators. [Order 73-14, § 132T-180-020, filed 8/30/73.]

WAC 132T-180-030 Communications with employees' representatives. The Board of Trustees of Community College District No. 20 recognizes that it is necessary to communicate effectively with its academic employees in the course of exercising its authority, duties and responsibilities imposed by law. Now, therefore, it is the intent of District No. 20 to comply with chapter 28B.52 RCW as now existing or hereafter amended, and meet, confer, and negotiate pursuant to these rules at the request of Walla Walla Community College Education Association (hereafter called the organization) prior to the adoption of policies proposed by the college relating, but not limited to curriculum, textbook selection, inservice training, student teaching programs, personnel, hiring and assignment practices, leaves of absence, salaries and salary schedules and noninstructional duties. Following such negotiations as are initiated by the organization on proposed policies the Board may adopt appropriate policies thereon as provided for in WAC 132T-180-060. [Order 73-14, § 132T-180-030, filed 8/30/73.]

WAC 132T-180-040 Operating procedures. Procedures for the conduct of negotiations meetings, the exchange of proposals and related data, and all other matters concerning the negotiating process shall be as determined mutually by the organization and the Board negotiating teams unless otherwise provided for by Title 132T WAC as now existing or hereafter amended. [Order 73-14, § 132T-180-040, filed 8/30/73.]

WAC 132T-180-050 Requests for information. The chairman of the organization's negotiation team shall be furnished, upon written request, a copy of all regularly and routinely prepared information concerning the financial condition of the college district including annual financial statement and adopted budget. In addition, the district will grant written requests for any other reasonably available information of public record which may

be relevant to negotiations. The organization shall grant written requests for any reasonably available information which may be relevant to negotiations. Nothing herein shall require either the district or organization to research or assemble information on behalf of the other and the cost of duplication of any materials shall be paid for by the association. [Order 73-14, § 132T-180-050, filed 8/30/73.]

WAC 132T-180-060 Action taken. The district hereby notifies the organization that it reserves the right to take action consistent with the exercise of its duties and responsibilities respecting the operation and maintenance of the district: *Provided*, That, the district shall, with the exception of emergencies, defer such action on proposed matters upon which the organization has a right to negotiate, but has not been afforded the opportunity to do so. With the exception of emergencies, in which case the time period will be shortened, seven (7) calendar days prior to the final adoption of any rule, regulation or policy which is negotiable under RCW 28B.52.030, the district shall submit such proposed rule, regulation or policy to the organization. Such submission shall be deemed an invitation to negotiate the proposed rule, regulation or policy. Failure of the association to request negotiations on the proposed rule, regulation or policy, in writing to the district within twenty-four (24) hours from the time of receipt of the proposed rule, regulation or policy, shall be deemed a waiver of such right to negotiate. [Order 73-14, § 132T-180-060, filed 8/30/73.]

Chapter 132T-190 WAC POLICY ON THE USE OF THE COLLEGE FACILITIES

WAC

132T-190-010	Use of college facilities.
132T-190-020	Limitation of use to school activities.
132T-190-030	Limitation of use.
132T-190-040	Administrative control.
132T-190-050	Trespass.

WAC 132T-190-010 Use of college facilities. Because the Walla Walla Community College is an educational institution provided and maintained by the people of the state, its campus, buildings, properties, and facilities shall be reserved at all times for those activities which either are related directly to its educational mission or are justifiable on the basis of their contributions to the cultural, social or economic development of the state. [Order 78-6, § 132T-190-010, filed 10/24/77.]

WAC 132T-190-020 Limitation of use to school activities. The college buildings, properties and facilities, including those of the associated student body, may be used only for:

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

(2) Cultural, educational or recreational activities of the students or of the faculty or staff.

(3) Short courses, conferences, seminars, or similar events, conducted either in the public service or for the advancement of specific departmental professional interests, when arranged under the sponsorship of the college or its departments.

(4) Public events of a cultural or professional nature brought to the campus at the request of college departments or committees and presented with their active sponsorship and active participation.

(5) Activities or programs sponsored by educational institutions, by state or federal agencies, by charitable agencies or civic or community organizations whose activities are of widespread public service and of a character appropriate to the college. [Order 78-6, § 132T-190-020, filed 10/24/77.]

WAC 132T-190-030 Limitation of use. (1) Primary consideration shall be given at all times to activities specifically related to the college's mission, and no arrangements shall be made that may interfere with, or operate to the detriment of, the college's own teaching, research or public service programs.

(2) In general, the facilities of the college shall not be rented to, or used by, private or commercial organizations or associations, nor shall the facilities be rented to persons or organizations conducting programs for private gain.

(3) College facilities may not be used for commercial sales, advertising or promotional activities except when such activities clearly serve educational objectives (as in display of books of interest to the academic community or in the display or demonstration of technical or research equipment) and when they are conducted under the sponsorship or at the request of a college department or office or of the associated student body.

(4) College facilities may not be used for purposes of political campaigning by or for candidates who have filed for public office except for student-sponsored activities.

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

(6) Because of limitations imposed by the Constitution of the state of Washington, the facilities of the college may not be used for the purpose of religious worship, exercise or instruction.

(7) College facilities are available to recognized student groups, subject to these general policies and to the rules and regulations of the college governing student affairs.

(8) Handbills, leaflets and similar materials, except those which are religious, commercial, obscene, or unlawful in character, may be distributed on the campus by regularly enrolled students, members of recognized student organizations or college personnel. Materials may be distributed only in designated areas on the campus where, and at times when, such distribution shall not interfere with the orderly administration of the college

affairs or the free flow of traffic. Persons and organizations not connected with the college may not distribute handbills and similar materials.

(9) Exterior audio amplifying equipment is permitted only in locations and at times that will not interfere with the normal conduct of college affairs.

(10) No person or group may use or enter onto college facilities having in their possession firearms, even though licensed to do so, except commissioned police officers as prescribed by law. [Order 78-6, § 132T-190-030, filed 10/24/77.]

WAC 132T-190-040 Administrative control. The board hereby delegates to the president authority to set up administrative procedures for proper review of the use of college facilities; to establish, within the framework of these policies, regulations governing such use; and to establish rental schedules where appropriate. [Order 78-6, § 132T-190-040, filed 10/24/77.]

WAC 132T-190-050 Trespass. (1) Individuals who are not students or members of the faculty or staff and who violate these regulations will be advised of the specific nature of the violation, and if they persist in the violation, they will be requested by the campus president, or his designee, to leave the college property. Such a request will be deemed to prohibit the entry of, withdraw the license or privilege to enter onto or remain upon any portion of the college facilities by the person or group of persons requested to leave, and subject such individuals to arrest under the provisions of RCW 9.88.080.

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

(3) Any person who violates or is in violation of a district policy may have the license or privilege to be on district property revoked and ordered to withdraw from and refrain from entering upon any district property. Remaining on or reentering district property after one's license or privilege to be on district property has been revoked shall constitute trespass and such individual shall be subject to arrest for criminal trespass. [Order 78-6, § 132T-190-050, filed 10/24/77.]