

# Title 132F WAC

## COMMUNITY COLLEGES--SEATTLE COMMUNITY COLLEGE

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#### Chapter 132F-08 WAC

#### PROCEDURE FOR CONTESTED CASE HEARINGS

### WAC

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- 132F-08-480** Form and content of decisions in contested cases.

**WAC 132F-08-001 Formal hearing policy.** In each instance that a formal hearing is required by institutional policy or chapter 28B.19 RCW, the provisions of WAC 132F-08-001 through 132F-08-999 shall be applicable. [Order 18, § 132F-08-001, filed 5/22/73.]

**WAC 132F-08-005 Definitions.** As used herein, the term "agency" shall mean the Board of Trustees of the Seattle Community College District or any duly appointed hearing officer or officers. [Order 18, § 132F-08-005, filed 5/22/73.]

**WAC 132F-08-010 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 18, § 132F-08-010, filed 5/22/73.]

**WAC 132F-08-080 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 Chairman of the Executive Committee of the Seattle Community College District or his designee and shall state the time, place, and issues involved, as required by RCW 28B.19.120. [Order 18, § 132F-08-080, filed 5/22/73.]

**WAC 132F-08-090 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 18, § 132F-08-090, filed 5/22/73.]

**WAC 132F-08-100 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 18, § 132F-08-100, filed 5/22/73.]

**WAC 132F-08-110 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 18, § 132F-08-110, filed 5/22/73.]

**WAC 132F-08-120 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 18, § 132F-08-120, filed 5/22/73.]

**WAC 132F-08-130 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 18, § 132F-08-130, filed 5/22/73.]

**WAC 132F-08-140 Filing with agency.** Papers required to be filed with the agency shall be deemed filed upon actual receipt by the Executive Secretary of the agency at 401 Queen Anne Avenue North, Seattle, Washington 98109, accompanied by proof of service

upon parties required to be served. [Order 18, § 132F-08-140, filed 5/22/73.]

**WAC 132F-08-230 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 18, § 132F-08-230, filed 5/22/73.]

**WAC 132F-08-240 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 18, § 132F-08-240, filed 5/22/73.]

**WAC 132F-08-250 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 18, § 132F-08-250, filed 5/22/73.]

**WAC 132F-08-260 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 18, § 132F-08-260, filed 5/22/73.]

**WAC 132F-08-270 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 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 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 18, § 132F-08-270, filed 5/22/73.]

**WAC 132F-08-280 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 18, § 132F-08-280, filed 5/22/73.]

**WAC 132F-08-290 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, electronic 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 18, § 132F-08-290, filed 5/22/73.]

**WAC 132F-08-300 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 18, § 132F-08-300, filed 5/22/73.]

**WAC 132F-08-310 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 18, § 132F-08-310, filed 5/22/73.]

**WAC 132F-08-320 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 18, § 132F-08-320, filed 5/22/73.]

**WAC 132F-08-330 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 redirect interrogatories upon the party who

served cross-interrogatories. [Order 18, § 132F-08-330, filed 5/22/73.]

**WAC 132F-08-340 Interrogation.** Where the interrogatories are forwarded to an officer authorized to administer oaths as provided in WAC 132F-08-250 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 18, § 132F-08-340, filed 5/22/73.]

**WAC 132F-08-350 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 18, § 132F-08-350, filed 5/22/73.]

**WAC 132F-08-360 Provisions of deposition rule.** In all other respects, depositions upon interrogatories shall be governed by the previous deposition rule. [Order 18, § 132F-08-360, filed 5/22/73.]

**WAC 132F-08-400 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 18, § 132F-08-400, filed 5/22/73.]

**WAC 132F-08-410 Hearing procedures.** Each hearing shall be conducted in the manner provided for in these rules and in chapter 28B.19 RCW. [Order 18, § 132F-08-410, filed 5/22/73.]

**WAC 132F-08-420 Duties of hearing officers.** (1) All hearing officers appointed in accordance with WAC

132F-08-400 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 thirty 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. [Order 18, § 132F-08-420, filed 5/22/73.]

**WAC 132F-08-430 Stipulations and admissions of record.** The existence or nonexistence 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 nonexistence 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 18, § 132F-08-430, filed 5/22/73.]

**WAC 132F-08-440 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 18, § 132F-08-440, filed 5/22/73.]

**WAC 132F-08-450 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 of additional evidence or presentation of argument. Such oral notice shall constitute final notice of such continued hearing. [Order 18, § 132F-08-450, filed 5/22/73.]

**WAC 132F-08-460 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 18, § 132F-08-460, filed 5/22/73.]

**WAC 132F-08-470 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 18, § 132F-08-470, filed 5/22/73.]

**WAC 132F-08-480 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 18, § 132F-08-480, filed 5/22/73.]

## Chapter 132F-20 WAC RELOCATION BENEFITS

### WAC

132F-20-010	Purpose.
132F-20-020	Adoption of rules.
132F-20-030	Definitions of terms.
132F-20-040	Reimbursement for moving expenses.

132F-20-050	Written statement of expenses.
132F-20-060	Moving expense allowance—Dwelling.
132F-20-070	Moving expense allowance—Business.
132F-20-080	Utilization of other agencies.
132F-20-090	Review of eligibility—Grievance.

**WAC 132F-20-010 Purpose.** It is the purpose of these Rules to give effect to chapter 236, Laws of 1969 ex. sess. It is the further purpose of these Rules to provide for relocation assistance and reimbursement of expenses and payments to individuals displaced as a result of acquisitions of property for college purposes. These Rules are published to inform displaced persons of their rights and responsibilities regarding such relocation benefits and to assure that the same shall be reasonable, fair, and uniform. [Order 1970-2, § 132F-20-010, filed 3/27/70.]

**WAC 132F-20-020 Adoption of rules.** Upon adoption by the Board of Trustees of Seattle Community College, Community College District VI, these Rules shall be in full force and effect. [Order 1970-2, § 132F-20-020, filed 3/27/70.]

**WAC 132F-20-030 Definitions of terms.** (1) "Person" means:

- (a) Any individual, partnership, corporation or association which is the owner of a business;
- (b) Any owner, part owner, tenant, or sharecropper who operates a farm;
- (c) An individual who is the head of a family;
- (d) An individual not a member of a family.

(2) "Family" means two or more persons living together in the same dwelling unit who are related to each other by blood, marriage, adoption or legal guardianship.

(3) "Displaced person" means any person who moves from real property as a result of the acquisition or reasonable expectation of acquisition of such real property, or as the result of the acquisition of other real property on which such person conducts a business or farm operation.

(4) "Business" means any lawful activity conducted primarily

(a) For the purpose of resale, manufacture, processing or marketing of products, commodities, or other personal property;

(b) For the sale of services to the public; or

(c) By a nonprofit organization.

(5) "Farm operation" means any activity conducted solely or primarily for the production of one or more agricultural products or commodities for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

(6) "Condemnation" means the acquisition of property by the College by eminent domain or by consent under threat thereof, pursuant to chapters 8.04 and 8.25 RCW. [Order 1970-2, § 132F-20-030, filed 3/27/70.]

**WAC 132F-20-040 Reimbursement for moving expenses.** Any displaced person is entitled to be reimbursed

by the College as provided in this section for the actual reasonable expenses necessarily incurred in moving himself, his family, and personal property, such costs to include temporary lodging and transportation of himself and his family and dismantling, removing, packing, loading, transporting, insuring, reinstalling, unpacking and temporary storage of personal property, but not a devaluation of such personal property incurred in or caused by such moving. Such reimbursement payments shall be subject to and conditioned upon the following limitations.

(1) The allowable compensable distance of a move shall be no farther than one hundred (100) miles by road from the property acquired. In the event the displaced person actually moves to a place farther therefrom, the College shall deduct from the actual reasonable moving expenses that portion of the expense for temporary lodging and transportation of himself and his family and the transporting, insuring and temporary storage of personal property caused by that portion of the move in excess of one hundred (100) miles.

(2) The maximum compensable allowable time for temporary storage of personal property shall be sixty (60) days.

(3) In the event a displaced person elects to be reimbursed under this section (section 5(1), chapter 236, Laws of 1969 ex. sess.,) he shall, within ninety (90) days following the removal of his personal property from the real property condemned, file with the College a written statement under oath including the material specified in WAC 132F-20-050.

(4) In the event the displaced person utilizes a motor vehicle of his own ownership for such move he shall be paid a reasonable amount for its operation not, however, to exceed ten cents per mile. The determination of reasonable expense shall be made by the Director of Facilities Development and Plant Services of the College. [Order 1970-2, § 132F-20-040, filed 3/27/70.]

**Reviser's note:** Section 5, chapter 236, Laws of 1969 ex. sess. (codified as RCW 8.25.040) was repealed by section 22, chapter 240, Laws of 1971 ex. sess. For later enactment, see chapter 8.26 RCW.

**WAC 132F-20-050 Written statement of expenses.** Within ninety (90) days following acquisition of the real property, removal of the personal property or the time of moving, whichever last occurs, the person claiming reimbursement shall serve upon the College a written verified statement of his expenses, including therein the following information:

(1) The date the removal was commenced and the date completed;

(2) The location from which and to which the personal property was moved, and the location to which the displaced person moved;

(3) The place where personal property was stored and the proprietor thereof, and the time and duration of any temporary storage;

(4) An itemized statement of all costs incurred relative to the move to the new location for which reimbursement is claimed, together with supporting invoices for all expenses incurred which invoices shall identify the

invoicer, the invoicee, the exact charge, the services for which the charge is made and the basis for computation of the charge.

(5) The names and relationships of those displaced persons for whom reimbursement is claimed.

(6) The dates on which lodging and transportation expenses were incurred for each displaced person.

(7) The amount of total reimbursement claimed.

In the case of temporary storage of personal property, a claim shall be made for temporary storage incurred to the date of claim and include an estimate of future storage costs. [Order 1970-2, § 132F-20-050, filed 3/27/70.]

**WAC 132F-20-060 Moving expense allowance—Dwelling.** Any displaced person who moves from a dwelling who elects to accept the payments authorized by this section in lieu of the payments authorized by WAC 132F-20-040 may receive a moving expense allowance, in accordance with the average cost of moving from a comparable size dwelling determined according to the following schedule, not to exceed two hundred (\$200.00) dollars, and in addition thereto a dislocation allowance of one hundred (\$100.00) dollars:

SQUARE FOOT AREA OF DWELLING	AMOUNT
Less than 500 square feet	\$ 50.00
500 to 1000 square feet	100.00
1000 to 1500 square feet	150.00
1500 to 2000 square feet	175.00
More than 2000 square feet	200.00

[Order 1970-2, § 132F-20-060, filed 3/27/70.]

**WAC 132F-20-070 Moving expense allowance—Business.** Any displaced person who moves or discontinues his business or farm operation who elects to accept the payment authorized by this section in lieu of the payment authorized by WAC 132F-20-040 may receive a fixed relocation payment in an amount equal to the average annual net earnings of the business or farm operation, or five thousand (\$5,000.00) dollars, whichever is less. In the case of a business, no payment shall be made under this section if the business is a part of a commercial enterprise having at least one other establishment not being acquired, which is engaged in the same or similar business, or if the College is satisfied that the business can be relocated without a substantial loss of patronage. For purposes of this section, the term "average annual net earnings" means one-half of any net earnings of the business or farm operation, before federal, state, and local income taxes, during the two taxable years immediately preceding the taxable year in which such business or farm operation moves from the real property acquired and includes any compensation paid by the business or farm operation to the owner, his spouse, or his dependents during such two year period. To be eligible for the payment authorized by this section, the business or farm operation must make its income tax returns, financial statements, and accounting records available to the College for audit and confidential use to determine eligibility and the amount of any



payment authorized by this section. Such reimbursement payments shall be subject to and conditioned upon the following limitations:

(1) The College Director of Facilities Development and Plant Services shall determine whether the business can be relocated without a substantial loss of patronage. That decision shall be made in writing and placed in the files of the College and a copy thereof directed to the displaced person, certified mail, at his last known address.

(2) The displaced person must elect in writing to accept the payment authorized by this section in lieu of the payment authorized by WAC 132F-20-040, such election to be filed with the College within ninety (90) days after acquisition of the property is completed.

(3) Within sixty (60) days of a written request therefor by the College the displaced person must make its income tax returns, financial statements, and accounting records available to the College at the College's principal place of business for the uses hereinabove described. In the event such information is not supplied within the specified time, the displaced person may be compensated under either of the other sections hereof at the College's sole discretion. [Order 1970-2, § 132F-20-070, filed 3/27/70.]

**WAC 132F-20-080 Utilization of other agencies.** In order to minimize expenses and avoid duplication of functions, the College may, at the discretion of the Board of Trustees, make relocation payments or provide relocation assistance or otherwise carry out the functions required by Washington Session Laws, chapter 236, Laws of 1969 ex. sess., by utilizing the facilities, personnel, and services of any other federal, state, or local government agency authorized by law and having an established organization for conducting relocation assistance programs. [Order 1970-2, § 132F-20-080, filed 3/27/70.]

**Reviser's note:** Of chapter 236, Laws of 1969 ex. sess. (codified in chapter 8.25 RCW), only sections 8 and 13 (RCW 8.25.120 and 8.25.170) remain after much of the chapter was repealed by section 22, chapter 240, Laws of 1971 ex. sess. For later enactment, see chapter 8.26 RCW.

**WAC 132F-20-090 Review of eligibility—Grievance.** Any person aggrieved by a determination as to eligibility for a payment or the amount of a payment authorized by Washington Session Laws, chapter 236, Laws of 1969 ex. sess., or these rules and regulations, may have such determination reviewed by the President of the College subject to and conditioned upon observance of the following procedures:

(1) Such aggrieved person shall, within twenty (20) days of the receipt of a written notification of a determination made hereunder as to which a review is sought, file with the Secretary of the Board of Trustees a written Notice of Appeal from Administrative Determination, which notice of appeal shall contain the following:

(a) The name, address, and telephone number of the aggrieved person and any legal representative thereof.

(b) An identification of the subject matter of the claim including any reference number or code assigned thereto by the staff of the College.

(c) Identification of the determination from which appeal is taken including specific identification of the portion or portions thereof as to which the person feels aggrieved, together with a detailed statement of the grounds upon which such appeal is based.

(d) A declaration whether a hearing before the President is demanded. In the event no hearing is demanded it shall be deemed waived, in which case the matter shall be determined by the President on the basis of such affidavits, supporting data, and other written material as are submitted to him with such notice of appeal.

(2) The person aggrieved shall have the burden of proof as to any claim made by him.

(3) To the extent applicable, the hearing on the appeal shall be called, convened, conducted and the final disposition of the appeal made by the President in accordance with RCW 34.04.090, 34.04.100, 34.04.105, 34.04.115, and 34.04.120 as now or hereafter amended. [Order 1970-2, § 132F-20-090, filed 3/27/70.]

## Chapter 132F-104 WAC

### PROCEDURE GOVERNING APPEARANCE BEFORE THE BOARD—APPOINTING AUTHORITY

#### WAC

- 132F-104-010 Regular meeting of the Community College District VI Board of Trustees.
- 132F-104-020 Meeting schedule.
- 132F-104-030 Location of meeting.
- 132F-104-100 Appointing authority.
- 132F-104-110 Written contracts.
- 132F-104-120 Tenure.
- 132F-104-801 Board operational policies relative to meetings.
- 132F-104-810 Submission of items for board consideration.
- 132F-104-811 Review of agenda items.
- 132F-104-812 Deadlines.
- 132F-104-813 Submission routes.
- 132F-104-814 Informational materials.
- 132F-104-815 Board mailing list.
- 132F-104-816 Advance mailings for special meetings.
- 132F-104-817 Old business.
- 132F-104-818 New business.
- 132F-104-819 Notification to board office.

**WAC 132F-104-010 Regular meeting of the Community College District VI Board of Trustees.** The Board of Trustees will hold a regular meeting on the first Monday of each month, unless that day is a legal holiday or otherwise modified by board action. In the event that the Board of Trustees is unable to meet on the regular meeting date, the chairman of the board may order that the meeting be rescheduled or that no regular meeting of the board be held that month. The board shall maintain and announce a tentative meeting schedule approximately six months in advance showing the date, time, and location of each meeting. Advance notice of meetings shall be given in accordance with the Open Public Meetings Act of 1971, as amended. [Order 27, § 132F-104-010, filed 10/10/75; Order 20, § 132F-104-

010, filed 6/6/75; Order 6, § 132F-104-010, filed 12/12/72.]

**WAC 132F-104-020 Meeting schedule.** The action session of the Board of Trustees meeting will begin at 6:30 p.m. in accordance with the published meeting schedule. The report session of the agenda will commence following the conclusion of the action session. These meetings are open to the public according to the Open Public Meetings Act of 1971, as amended. [Order 30, § 132F-104-020, filed 6/11/76; Order 27, § 132F-104-020, filed 10/10/75; Order 20, § 132F-104-020, filed 6/6/75.]

**WAC 132F-104-030 Location of meeting.** The board meetings will be rotated among the three colleges and/or the District Office, in accordance with the published schedule:

- (1) North Seattle Community College  
9600 College Way North  
Seattle, WA 98103
- (2) Seattle Central Community College  
1718 Broadway  
Seattle, WA 98122
- (3) South Seattle Community College  
6000 - 16th Avenue S.W.  
Seattle, WA 98106
- (4) Seattle Community College District  
401 Queen Anne Avenue North  
Seattle, WA 98109

[Order 20, § 132F-104-030, filed 6/6/75.]

**WAC 132F-104-100 Appointing authority.** (1) The Board of Trustees of Community College District VI, pursuant to RCW 28B.50.140, is the appointing authority for employees of the district; and RCW 28B.10.528 provides that the board may delegate any of its powers and duties to the president or his designee; and RCW 28B.50.140(14) provides that the board may delegate any of its powers and duties to the district president. The district president has designated the three campus presidents as appointing authorities for their respective campuses.

(2) The board of trustees of Community College District VI delegates to the district president (or any acting district president or interim district president) the appointing authority for the campus presidents and the district office personnel.

(3) The president of Community College District VI designates, and the board of trustees delegates to the campus presidents (or any acting campus president or interim campus president) the appointing authority for their respective campuses. [Order 34, § 132F-104-100, filed 9/7/77; Order 28, § 132F-104-100, filed 10/10/75; Order 9, 132F-104-100, filed 3/27/73.]

**WAC 132F-104-110 Written contracts.** No new teacher, counselor, librarian, or administrator shall be employed, and no teacher, counselor, librarian, or administrator shall be employed in a different position

from his/her present position, except by written contract or notice of employment signed by the proper appointing authority, as defined in WAC 132F-104-100. [Order 9, § 132F-104-110, filed 3/27/73.]

**WAC 132F-104-120 Tenure.** The Board of Trustees of Community College District VI reserves to itself the final determination of the granting of tenure to any academic employee of the district; the dismissal of a tenured academic employee; or the dismissal of a probationer during the term of his/her contract, pursuant to the policies of the Board of Trustees, the agreement with Seattle Community College Federation of Teachers or the laws of the state of Washington. [Order 9, § 132F-104-120, filed 3/27/73.]

**WAC 132F-104-801 Board operational policies relative to meetings.** The provisions of WAC 132F-104-801 through 132F-104-849 shall constitute the operational policies relative to Community College District VI Board of Trustees meetings. [Order 14, § 132F-104-801, filed 5/22/73.]

**WAC 132F-104-810 Submission of items for board consideration.** Any individual, group of individuals, or organization may submit any item of concern to the board for consideration. [Order 14, § 132F-104-810, filed 5/22/73.]

**WAC 132F-104-811 Review of agenda items.** All items submitted for the board agenda will be previewed by the appropriate college president and the District Executive Committee. A standard cover sheet containing the Executive Committee's recommendation shall be attached and the item shall be assigned to the agenda for the appropriate board meeting. [Order 14, § 132F-104-811, filed 5/22/73.]

**WAC 132F-104-812 Deadlines.** Items for regular board meeting agendas should be in the board office two weeks before the board meeting. Advance materials, including the agenda, background materials, and other information will be mailed to the board members and an approved board meeting list six days in advance of regular meetings (including the day on which the materials are mailed and the day on which the meeting is held). [Order 14, § 132F-104-812, filed 5/22/73.]

**WAC 132F-104-813 Submission routes.** To allow the board to have the benefit of background information and research, and to permit access to the board, the following submission routes through the Executive Committee and to the board are available:

**Initiated By:**

**Submitted By:**

- (1) An individual student, group of students, or regular ASB organization.

Associated student body (ASB) government or other elected student representative to students' ex officio member on the board or to the dean of students and the college president.



## Initiated By:

## Submitted By:

- |  |  |
|--|--|
| (2) An individual faculty member, group of faculty members, or the faculty organization (SCCFT). This definition includes full- and part-time faculty. | Faculty representative organization (SCCFT) or to the faculty ex officio representative on the board, or to the college president via the dean of instruction. |
| (3) Individual full- or part-time classified employees, or the CPA organization  | Classified Personnel Association officers or ex officio representative for the classified employees' union to the college president or the Executive Committee |
| (4) An individual administrative employee, a group of administrative employees, or the administrative organization (SCCAA)                             | To immediate supervisor and then to either the college president or the Executive Committee  |
| (5) Individual citizens, groups, organizations, associations, agencies, or others who are not regular members of the district community.               | College president if the matter concerns only one college or to the Executive Committee if the matter concerns the entire district.                            |

[Order 14, § 132F-104-813, filed 5/22/73.]

**WAC 132F-104-814 Informational materials.** Written background materials, arguments, views, or supporting data are extremely helpful to the board's understanding of matters before it. Accordingly, the reviewing authorities in the colleges or at the district level may request or suggest these if they are not provided initially. [Order 14, § 132F-104-814, filed 5/22/73.]

**WAC 132F-104-815 Board mailing list.** The board mailing list will include the following:

	No.	Copies	Total
Regular Board Members	1	each	5
Ex Officio Board members (SCCFT, CPA, SCCAA, three students	1	"	6
College Presidents' Offices	2	"	6
Executive Committee	1	"	4
Assistant Attorney General	1	"	1
District Officers	1	"	5
ASB Presidents	1	"	3
Chairman, CPA	1	"	1
Chairman, SCCAA	1	"	1
President, SCCFT	1	"	1
Campus Vice-Presidents, SCCFT	1	"	3
College Library	1	"	3
Editor, <i>Polaris</i>	1	"	1
Editor, <i>City Collegian</i>	1	"	1
Education Editor, <i>Seattle Times</i>	1	"	1
Education Editor, <i>Seattle Post-Intelligencer</i>	1	"	1
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Individuals or groups who wish to read these materials may do so in the college presidents' offices or in the

board office anytime during regular working hours. They are also available in each college library. [Order 14, § 132F-104-815, filed 5/22/73.]

**WAC 132F-104-816 Advance mailings for special meetings.** Whenever possible, advance mailing of materials will also be made for special meetings of the board. [Order 14, § 132F-104-816, filed 5/22/73.]

**WAC 132F-104-817 Old business.** Items which have been previously discussed, either as a report or an action item, in a regular or special board meeting may be brought up under this portion of the agenda. [Order 14, § 132F-104-817, filed 5/22/73.]

**WAC 132F-104-818 New business.** Items not previously discussed may be presented by any individual or group at this time. Normally, no action may be taken at this time on any item which has not appeared on the printed agenda. [Order 14, § 132F-104-818, filed 5/22/73.]

**WAC 132F-104-819 Notification to board office.** Individuals or groups are requested to notify the board office by the Friday prior to the regular board meeting of the title and/or nature of any items which they wish to discuss under old or new business at the meeting. [Order 14, § 132F-104-819, filed 5/22/73.]

## Chapter 132F-112 WAC ELECTION RULES

## WAC

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|--------------|--|
| 132F-112-003 | Purpose.   |
| 132F-112-006 | Request for election—Canvass of academic employees by independent and neutral person or association.         |
| 132F-112-009 | Notice of election—Organizations to be included on ballot—Time for filing.                                   |
| 132F-112-012 | Contents of notice of election—Designation of chief election officer—Duties.                                 |
| 132F-112-015 | List of academic employees—Posting of list.  |
| 132F-112-018 | Election inspectors—Duties—Right to challenge voter—Improper conduct.  |
| 132F-112-021 | Ballots.   |
| 132F-112-024 | Record of vote—Signature—Challenge.  |
| 132F-112-027 | Incorrectly marked ballot.   |
| 132F-112-030 | Privacy for voter—Equipment.   |
| 132F-112-033 | Folding ballot—Ballot box.   |
| 132F-112-036 | Challenged ballot—Procedure.   |
| 132F-112-039 | Employees present entitled to vote—Sealing ballot box—Unused ballots.  |
| 132F-112-042 | Election inspectors' duties after voting has terminated.   |
| 132F-112-045 | Disposition of challenged ballots—Tally sheets—Investigation by chief election officer.                      |
| 132F-112-048 | Counting of ballots—Procedure—Certification of results of election—Retention of ballots—Signed voting lists. |
| 132F-112-051 | Electioneering within the polls forbidden.   |
| 132F-112-054 | Contest of election—Time for filing objections—Investigation of objections.                                  |
| 132F-112-057 | Persons eligible to vote—Definition of "academic employee."  |
| 132F-112-060 | Election determined by majority of valid votes cast—Runoff election.   |
| 132F-112-063 | Time lapse for new election.   |

**WAC 132F-112-003 Purpose.** Pursuant to chapter 196, Laws of 1971 ex. sess., the Board of Trustees of Community College District No. 6 establishes the following rules to strengthen methods of administering employer-employee relations through the establishment of orderly methods of communication between academic employees of Community College District No. 6 and the Board of Trustees of Community College District No. 6. [Order 3415, § 132F-112-003, filed 4/27/72.]

**WAC 132F-112-006 Request for election—Cavass of academic employees by independent and neutral person or association.** Any organization of academic employees of Community College District No. 6 desiring to be recognized as the majority organization representing such employees pursuant to chapter 196, Laws of 1971 ex. sess., shall request in writing of the Board of Trustees of Community College District No. 6 that an election be held to determine whether a majority of such employees desire to designate it as their representative for the purposes of the Act. Upon the receipt of such a request the Board of Trustees of Community College District No. 6 will request some independent and neutral person or association to determine whether thirty per cent or more of the academic employees of Community College District No. 6 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 3415, § 132F-112-006, filed 4/27/72.]

**WAC 132F-112-009 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 academic employees of Community College District No. 6 have indicated that they desire to be represented by that organization for such purposes, the Board of Trustees of Community College District No. 6 will publish a notice that it will hold an election as soon as practical to determine whether the academic employees of Community College District No. 6 desire the requesting organization or any other organization to represent them for the purposes of chapter 196, Laws of 1971 ex. sess. Any other organization of academic employees desiring to be designated as the majority organization representing such employees shall, within seven days after publication of such notice by the Board of Trustees of Community College District No. 6, file with the Board of Trustees a request in writing that its name be included on the ballot in the election to be held together with written proof of at least ten per cent representation of the academic employees of the District. The request by this organization shall be submitted to the same neutral person or association designated pursuant to WAC 132F-112-006 who shall rule according to the criteria stated therein as to each request received pursuant to this section. 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 3415, § 132F-112-009, filed 4/27/72.]

**WAC 132F-112-012 Contents of notice of election—Designation of chief election officer—Duties.** The notice published by the Board of Trustees of Community College District No. 6, pursuant to WAC 132F-112-009, 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 WAC 132F-112-003 through 132F-112-063. [Order 3415, § 132F-112-012, filed 4/27/72.]

**WAC 132F-112-015 List of academic employees—Posting of list.** In any election conducted pursuant to WAC 132F-112-003 through 132F-112-063, lists of academic employees eligible to vote shall be prepared by the Board of Trustees listing academic employees by voting places. Such lists shall be posted at least 24 hours before the election. Such lists shall be for informational purposes and shall not be conclusive as to the rights of an academic employee to vote in the election. [Order 3415, § 132F-112-015, filed 4/27/72.]

**WAC 132F-112-018 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 WAC 132F-112-024 and 132F-112-036 through 132F-112-048. 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 3415, § 132F-112-018, filed 4/27/72.]

**WAC 132F-112-021 Ballots.** The ballots used in any election held pursuant to WAC 132F-112-003 through 132F-112-063 shall be in the following form:

To select for Representation Purposes Pursuant to chapter 196, Laws of 1971 ex. sess., a Majority Organization to Represent Academic Employees of Community College District No. 6.

	Vote for one
ORGANIZATION X	<input type="checkbox"/>
ORGANIZATION Y	<input type="checkbox"/>
NO ORGANIZATION (Neither)	<input type="checkbox"/>

Do not sign your name or put other identifying marks on this ballot. Should you incorrectly mark this ballot or otherwise spoil it, you may return it to the chief election officer or his inspector and obtain a new ballot. [Order 3415, § 132F-112-021, filed 4/27/72.]

**WAC 132F-112-024 Record of vote—Signature—Challenge.** At the time of the election the name of each employee voting shall be recorded by his signature written beside his name on the voting list for the polling place at which he votes. Each academic employee may cast only one ballot in any election held pursuant to these rules, and the presence of a signature beside the name of an employee desiring to vote shall automatically constitute grounds for challenge to his right to cast a ballot in an election. [Order 3415, § 132F-112-024, filed 4/27/72.]

**WAC 132F-112-027 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 3415, § 132F-112-027, filed 4/27/72.]

**WAC 132F-112-030 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 3415, § 132F-112-030, filed 4/27/72.]

**WAC 132F-112-033 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 3415, § 132F-112-033, filed 4/27/72.]

**WAC 132F-112-036 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 3415, § 132F-112-036, filed 4/27/72.]

**WAC 132F-112-039 Employees present entitled to vote—Sealing ballot box—Unused ballots.** At the time for closing the polls, all academic 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 3415, § 132F-112-039, filed 4/27/72.]

**WAC 132F-112-042 Election inspectors' duties after voting has terminated.** When all voting has terminated at a polling place, the election inspectors will bring to the chief election officer at the Community College District Office the following: 1) signed voting list of eligible academic employees, 2) all unused ballots, 3) all challenged ballots, and 4) the sealed ballot box containing all ballots cast. [Order 3415, § 132F-112-042, filed 4/27/72.]

**WAC 132F-112-045 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 3415, § 132F-112-045, filed 4/27/72.]

**WAC 132F-112-048 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 each inspector designated by the organizations to serve at the Community College District Office shall indicate by his signature upon the tally sheet that he agrees with the count made, or in case of disagreement, he shall write a short statement of his grounds for disagreement with the count. The chief election officer shall certify to the Board of Trustees the results of the election within forty-eight hours after the polls have been closed. The used ballots, the unused ballots, the challenged ballots, and the signed voting lists of eligible academic employees shall be kept by the chief election officer or some person designated by him for one year after the election. [Order 3415, § 132F-112-048, filed 4/27/72.]

**WAC 132F-112-051 Electioneering within the polls forbidden.** No election signs, banners, or buttons shall be permitted in the room in which the balloting takes place,

nor shall any person in that room discuss the advantages or disadvantages of representation by an organization whether on the ballot or otherwise, nor shall any person in that room engage in any other form of electioneering. [Order 3415, § 132F-112-051, filed 4/27/72.]

**WAC 132F-112-054 Contest of election—Time for filing objections—Investigation of objections.** Any organization, the name of which appears on the ballot, or any academic employee may within five days after the certification of the results of an election under the provisions of WAC 132F-112-048, file objections to the conduct of the election with the chief election officer designated by the Board of Trustees pursuant to WAC 132F-112-012. 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 3415, § 132F-112-054, filed 4/27/72.]

**WAC 132F-112-057 Persons eligible to vote—Definition of "academic employee."** All academic employees of Community College District No. 6 shall be eligible to vote pursuant to WAC 132F-112-003 through 132F-112-063 who are employed at the time of the election provided for by such rules and who: 1) are employed on a full-time basis, or 2) if employed on a part-time basis, have been employed as an academic employee of the District for at least one other quarter (i.e. fall, winter, spring, or summer quarter) during either the current or the previous academic year. "Academic employee" shall mean any teacher, counselor, librarian, or department head, division head, or administrator, who is employed by Community College District No. 6, with the exception of the chief administrative officer of the District. [Order 3415, § 132F-112-057, filed 4/27/72.]

**WAC 132F-112-060 Election determined by majority of valid votes cast—Runoff election.** An organization of academic employees which receives a majority of the valid votes cast in an election held in accordance with WAC 132F-112-003 through 132F-112-063 shall be recognized as representing the academic employees of Community College District No. 6 pursuant to chapter 196, Laws of 1971 ex. sess. If more than one organization of academic employees has participated in an election and a majority of the valid votes cast have not been either for representation by one of the organizations or for no representation, a runoff election shall be held. In such a runoff, only those two choices receiving the highest number of valid votes cast in the initial election shall appear on the ballot. [Order 3415, § 132F-112-060, filed 4/27/72.]

#### **WAC 132F-112-063 Time lapse for new election.**

(1) Whether or not an organization of academic 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 such election.

(2) If an organization is selected pursuant to these rules, which organization: (a) enters into a written agreement concerning terms and conditions of employment with the District; (b) which written agreement is by its terms to expire on a specified date; and (c) that date is not more than three years from the effective date of the agreement, then no petition by a different organization to challenge the designated employee organization may be filed during the life of the agreement except during a period not more than 90 days nor less than 60 days prior to the expiration of a written collective bargaining agreement, or 30 days prior to the end of the quarter, or whichever falls within the school year.

(3) If a petition is filed and a different employee organization is selected, it shall become the recognized employee organization on the day after the termination of the agreement, provided, however, that the Trustees or their designees may meet, confer and negotiate with the newly elected organization prior to the expiration of the agreement to discuss matters relating to the time period commencing the day after the expiration of the agreement. [Order 15, § 132F-112-063, filed 5/22/73; Order 3415, § 132F-112-063, filed 4/27/72.]

### **Chapter 132F-113 WAC NEPOTISM POLICY**

#### **WAC**

- 132F-113-010 Nepotism policy.
- 132F-113-020 Definitions.
- 132F-113-030 Inclusive limits of the policy.
- 132F-113-040 Basic nepotism policy.

**WAC 132F-113-010 Nepotism policy.** WAC 132F-112-010 through 132F-112-040 shall be known as the Community College VI Nepotism Policy. [Order 15, § 132F-113-010, filed 4/24/74; Order 4, § 132F-113-010, filed 11/13/72.]

**WAC 132F-113-020 Definitions.** (1) Major Organizational Component: The following are considered major organizational components of the Seattle Community College District.

- (a) North Seattle Community College
- (b) Seattle Central Community College
- (c) South Seattle Community College

(d) Seattle Community College District Office, including the President's Office, Employee Relations, Office for Curriculum Services, Business Services, Facilities Management and Planning, and Systems and Computing Services.

(2) Employee: Any individual who receives payment for services rendered to the Seattle Community College District is considered an employee of the District, except for outside vendors and contractors.

(3) **Relatives:** A family relationship is considered to exist between an employee *and*: spouse, mother, father, child (including foster and adopted children), siblings, grandparents, cousins, uncles, aunts, nephews, nieces, and in-laws. [Order 15, § 132F-113-020, filed 4/24/74; Order 4, § 132F-113-020, filed 11/13/72.]

**WAC 132F-113-030 Inclusive limits of the policy.** This policy is intended to provide guidelines for the employment of all individuals by the District, except as modified by policies of the State Board for Community College Education, the Higher Education Personnel Board or by statute. [Order 15, § 132F-113-030, filed 4/24/74; Order 4, § 132F-113-030, filed 11/13/72.]

**WAC 132F-113-040 Basic nepotism policy.** In the appointment of its faculty and staff members, the Seattle Community College District seeks those persons qualified to fulfill the institution's teaching and service obligations. Accordingly, members of the same family may be appointed to District faculty and staff positions when it has been determined that they are the most qualified candidates for the position. However, according to State law a person may not be hired into a position that would result in a relationship where one individual is involved in the appointment, termination of appointment, promotion, demotion, approval of salary increase or decrease of a member of the individual's family or of a person with whom there is substantial economic interest. [Order 15, § 132F-113-040, filed 4/24/74; Order 4, § 132F-113-040, filed 11/13/72.]

## Chapter 132F-116 WAC TRAFFIC RULES AND REGULATIONS

### WAC

132F-116-010	Traffic rules and regulations.
132F-116-020	Permits required for vehicles.
132F-116-030	Parking—Permits required.
132F-116-040	Authorizations for issuance of permits.
132F-116-050	Parking within designated spaces.
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132F-116-090	Exceptions from parking restrictions.
132F-116-100	Parking—Special exemptions.
132F-116-110	Parking areas and permit designation.
132F-116-120	Allocation of parking space and priorities.
132F-116-130	Impounding—Illegal parking—Disabled vehicles.
132F-116-140	Permit revocations.
132F-116-150	Fees and fee payments.
132F-116-160	Reciprocity of parking privileges.
132F-116-170	Handicapped parking.

**WAC 132F-116-010 Traffic rules and regulations.** (1) The motor vehicle and other traffic laws of the state of Washington shall be applicable upon all lands located within the state of Washington.

(2) The traffic code of the City of Seattle shall be applicable upon all lands located within the City of Seattle.

(3) These regulations shall be applicable to all state lands which are or may hereafter be devoted mainly to

educational, public service, and other activities sponsored or endorsed by Seattle Community College District VI. [Order 29, § 132F-116-010, filed 10/10/75; Order 7, § 132F-116-010, filed 1/12/73.]

**WAC 132F-116-020 Permits required for vehicles.** No person shall park or leave any vehicle, whether attended or unattended, upon any officially designated parking area of Seattle Community College District VI without a valid parking permit. No vehicle shall be parked in any parking area without a permit for that area, except state owned vehicles used by the college. (1) A valid permit is:

(a) An unexpired parking decal properly registered and displayed in accordance with instructions.

(b) An authorized temporary or visitor permit, displayed in accordance with the instructions on the permit.

(2) Parking permits are not transferable.

(3) The college reserves the right to refuse the issuance of a parking permit. [Order 29, § 132F-116-020, filed 10/10/75; Order 7, § 132F-116-020, filed 1/12/73.]

**WAC 132F-116-030 Parking—Permits required.** (1) No vehicle shall be parked on District VI properties, except in those areas set aside and designated as parking areas.

(2) No vehicle shall be parked in any parking area without a permit for that area, except state owned vehicles used by the college. [Order 7, § 132F-116-030, filed 1/12/73.]

**WAC 132F-116-040 Authorizations for issuance of permits.** The safety and security officer of each college and the District VI offices is authorized to issue parking permits to faculty members, administrative personnel, students and visitors of the college or district pursuant to the provisions of these rules and regulations. [Order 29, § 132F-116-030 (codified WAC 132F-116-040), filed 10/10/75; Order 7, § 132F-116-040, filed 1/12/73.]

**WAC 132F-116-050 Parking within designated spaces.** No vehicle shall be parked so as to occupy any portion of more than one parking space or stall as designated within a parking area. [Order 29, § 132F-116-040 (codified WAC 132F-116-050), filed 10/10/75; Order 7, § 132F-116-050, filed 1/12/73.]

**WAC 132F-116-060 Display of permits.** The permit issued shall be placed in an easily visible location according to the directions of the campus security officer. [Order 29, § 132F-116-050 (codified WAC 132F-116-060), filed 10/10/75; Order 7, § 132F-116-060, filed 1/12/73.]

**WAC 132F-116-070 Duplicate permits.** Full-time faculty, staff personnel and students may apply by written request for a second car permit. A permit for a second car will be issued only when it is clear that the second car will be used on a limited basis, or when special functions make it necessary. Second car permits will be issued at no extra cost. [Order 29, § 132F-116-060

(codified WAC 132F-116-070), filed 10/10/75; Order 7, § 132F-116-070, filed 1/12/73.]

**WAC 132F-116-080 Responsibility of person issued a permit.** The person to whom a permit is issued, shall be responsible for adherence to these rules and regulations. [Order 29, § 132F-116-070 (codified WAC 132F-116-080), filed 10/10/75; Order 7, § 132F-116-080, filed 1/12/73.]

**WAC 132F-116-090 Exceptions from parking restrictions.** State owned service vehicles. [Order 29, § 132F-116-080 (codified WAC 132F-116-090), filed 10/10/75; Order 7, § 132F-116-090, filed 1/12/73.]

**WAC 132F-116-100 Parking—Special exemptions.** (1) Consideration shall be given to provide parking for the following (on a space available basis):

(a) Members of the press, television and radio on official business.

(b) Vehicle[s] owned by contractors and their employees working on campus construction.

(2) Members of the college Board of Trustees and retired employees of the Seattle Community College District will be given complimentary annual permits.

(3) Federal, state, county, city and school district personnel on official business and in vehicles with tax exempt licenses. [Order 29, § 132F-116-090 (codified WAC 132F-116-100), filed 10/10/75; Order 7, § 132F-116-100, filed 1/12/73.]

**WAC 132F-116-110 Parking areas and permit designation.** Purchasers of District VI parking permits may be required to park in specified areas as designated by the college or district safety and security officer. [Order 29, § 132F-116-100 (codified WAC 132F-116-110), filed 10/10/75; Order 7, § 132F-116-110, filed 1/12/73.]

**WAC 132F-116-120 Allocation of parking space and priorities.** The parking space available on the various District VI sites shall be assigned to faculty, staff and students in such manner as to best effectuate the objectives of these regulations. Assignments of parking spaces shall be the responsibility of the campus security officer as directed by the president of the college or district to represent the interests of faculty, staff and students. [Order 29, § 132F-116-110 (codified WAC 132F-116-120), filed 10/10/75; Order 7, § 132F-116-120, filed 1/12/73.]

**WAC 132F-116-130 Impounding—Illegal parking—Disabled vehicles.** (1) Impounding: This action shall be at the discretion of the college or district security officer regarding any infractions pursuant to these regulations. Impounding may be implemented by mechanical restraints to vehicles on district property or by towing to an approved impounding agency. Release from impound on district property will be made upon payment of a \$5 fee.

(2) Towing companies and/or impounding agencies will be selected on the basis of criteria developed by the colleges and the district.

(3) Neither the college nor district nor its employees shall be liable for loss or damage of any kind resulting from impounding and storage.

(4) Any vehicle impounded on or from District VI property, shall be at the owner's risk and expense.

(5) No vehicle other than those vehicles mentioned in section 116-090 [codified WAC 132F-116-100] shall be parked on District VI property for a period in excess of 72 hours. Vehicles violating this regulation are subject to impounding at the owner's risk and expense. [Order 29, § 132F-116-120 (codified WAC 132F-116-130), filed 10/10/75; Order 19, § 132F-116-130, filed 4/24/74; Order 7, § 132F-116-130, filed 1/12/73.]

**WAC 132F-116-140 Permit revocations.** (1) Parking permits are the property of the district and may be recalled for any of the following reasons:

(a) When the purpose for which the permit was issued changes or no longer exists.

(b) When a permit is used by an unregistered vehicle or by an unauthorized person.

(c) Continued violations of parking regulations.

(d) Counterfeiting or altering decals.

(2) Vehicles displaying cancelled permits will be subject to penalties indicated in section 116-120 [codified WAC 132F-116-130]. [Order 29, § 132F-116-130 (codified WAC 132F-116-140), filed 10/10/75; Order 7, § 132F-116-140, filed 1/12/73.]

**WAC 132F-116-150 Fees and fee payments.** (1) The parking fees shall be established, as appropriate, by the District Board of Trustees. The fee structure shall be on file at individual college business offices and the District Purchasing Office.

(2) Method of Payment. Annual permits – payroll deduction only. Students, hourly and irregular employees – cash in advance (minimum of one-quarter). [Order 29, § 132F-116-140 (codified WAC 132F-116-150), filed 10/10/75; Order 7, § 132F-116-150, filed 1/12/73.]

**WAC 132F-116-160 Reciprocity of parking privileges.** Parking permits issued at a specific campus or district location will be valid at all other District IV [VI] parking areas, except that an employee having reserved space parking at their home location may not utilize reserved space parking at a secondary site. [Order 29, § 132F-116-150 (codified WAC 132F-116-160), filed 10/10/75; Order 7, § 132F-116-160, filed 1/12/73.]

**WAC 132F-116-170 Handicapped parking.** No vehicle shall park in a handicapped zone other than an assigned vehicle. To qualify for a disabled parking stall, one of the following conditions must be met: (1) The student must display a valid state of Washington Disabled Permit.

(2) Be recognized by a governmental sponsoring agency as disabled, and so noted on its authorization for parking provisions for the student.



(3) The student filing with the campus business office a statement from a medical doctor as to a condition of disability. [Order 29, § 132F-116-160 (codified WAC 132F-116-170), filed 10/10/75; Order 7, § 132F-116-170, filed 1/12/73.]

### Chapter 132F-120 WAC SEATTLE COMMUNITY COLLEGE STUDENT POLICIES AND PROCEDURES

#### WAC

132F-120-020	Students' right to privacy.
132F-120-030	Student programs.
132F-120-040	Student program development.
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132F-120-150	Appeals/referrals.
132F-120-160	Campus committee on conduct and standards.
132F-120-170	Hearing guidelines.
132F-120-180	Sanctions.
132F-120-190	Review for readmission.
132F-120-200	Emergency authority of the campus president.
132F-120-510	Definitions.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132F-120-300	Grievances. [Order 2, § 132F-120-300, filed 9/20/72.] Repealed by 78-10-109 (Order 37), filed 10/4/78. Statutory Authority: RCW 28B.50.140(13).
132F-120-310	Violation of the Code of Student Rights and Responsibilities. [Order 2, § 132F-120-310, filed 9/20/72.] Repealed by 78-10-109 (Order 37), filed 10/4/78. Statutory Authority: RCW 28B.50.140(13).
132F-120-400	College committee on conduct and standards. [Order 2, § 132F-120-400, filed 9/20/72.] Repealed by 78-10-109 (Order 37), filed 10/4/78. Statutory Authority: RCW 28B.50.140(13).
132F-120-410	Interim Suspension Pending Hearing. [Order 2, § 132F-120-410, filed 9/20/72.] Repealed by 78-10-109 (Order 37), filed 10/4/78. Statutory Authority: RCW 28B.50.140(13).
132F-120-420	Hearing—Notice. [Order 2, § 132F-120-420, filed 9/20/72.] Repealed by 78-10-109 (Order 37), filed 10/4/78. Statutory Authority: RCW 28B.50.140(13).
132F-120-430	Hearings—Failure to appear. [Order 2, § 132F-120-430, filed 9/20/72.] Repealed by 78-10-109 (Order 37), filed 10/4/78. Statutory Authority: RCW 28B.50.140(13).
132F-120-440	Witnesses—Evidence. [Order 2, § 132F-120-440, filed 9/20/72.] Repealed by 78-10-109 (Order 37), filed 10/4/78. Statutory Authority: RCW 28B.50.140(13).
132F-120-450	Hearing procedure. [Order 2, § 132F-120-450, filed 9/20/72.] Repealed by 78-10-109 (Order 37), filed 10/4/78. Statutory Authority: RCW 28B.50.140(13).
132F-120-460	Decisions of the committee. [Order 2, § 132F-120-460, filed 9/20/72.] Repealed by 78-10-109 (Order 37), filed 10/4/78. Statutory Authority: RCW 28B.50.140(13).
132F-120-470	Disruption of hearing. [Order 2, § 132F-120-470, filed 9/20/72.] Repealed by 78-10-109 (Order 37), filed 10/4/78. Statutory Authority: RCW 28B.50.140(13).

132F-120-480	Sanctions. [Order 2, § 132F-120-480, filed 9/20/72.] Repealed by 78-10-109 (Order 37), filed 10/4/78. Statutory Authority: RCW 28B.50.140(13).
132F-120-500	General procedures. [Order 2, § 132F-120-500, filed 9/20/72.] Repealed by 78-10-109 (Order 37), filed 10/4/78. Statutory Authority: RCW 28B.50.140(13).

**WAC 132F-120-020 Students' right to privacy.** The Seattle Community College District shall respect the students' right to privacy. Accordingly, it will not inquire into the activities of its students away from the campus where their behavior is subject to regulation and control by public authorities. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-020, filed 10/4/78; Order 2, § 132F-120-020, filed 9/20/72.]

**WAC 132F-120-030 Student programs.** Seattle Community College District recognizes the need to provide its students with the opportunity for personal growth and development beyond the curricular offering of instruction. It is the purpose of student programs to meet needs in the areas of social and personal growth through opportunities for cultural, leadership, recreational and athletic experiences. In addition, student programs provide student support services within the scope of the campus, designed to enhance the students' abilities to achieve educational goals. It is by means of student programs that the college offers students the maximum opportunity to realize fully the potential of their collegiate experience within the constraints of its mission and legal authority. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-030, filed 10/4/78; Order 2, § 132F-120-030, filed 9/20/72.]

**WAC 132F-120-040 Student program development.** The college recognizes the special role that students play in the development and maintenance of student programs. On each campus the students shall be represented by the designated student governing body. The designated administrative officer will assure a broad selection of student programs open to the students and all other interested members of the college community. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-040, filed 10/4/78; Order 2, § 132F-120-040, filed 9/20/72.]

**WAC 132F-120-050 Student organizations.** (1) Organizations may be established within the college for any legal purpose, whether their aims are religious, political, educational, economic, or social. Affiliation with an external organization shall not disqualify the college-based branch or chapter from college privileges. Membership in all college-related organizations shall be open to any member of the college community who is willing to subscribe to the stated aims of the organization.

(2) The college shall not require membership lists of any organization, but it may require as a condition of access to college funds and facilities, the names and addresses of officers or four representatives and at least one shall be responsible to the college.



(3) It is not necessary to have a college staff member as an advisor to function as an organization; however, it is a requirement for the use of college funds.

(4) Where funds are allocated to a student organization, financial accountability will be required, including a statement of income and expenses on a regular basis. Organizations receiving funds allocated by the designated student governing body shall submit to the designated administrative officer a statement of their income and expenditures which will be recorded as an integral part of the college's budget and accounting system by the designated representative of the organization. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-050, filed 10/4/78; Order 2, § 132F-120-050, filed 9/20/72.]

**WAC 132F-120-060 Student publications.** (1) Student newspapers are published by the designated student governing body for the purpose of promoting free and responsible discussion of campus and community issues. Guidelines for the publication of student newspapers shall be published college regulations and the Code of Newspaper Ethics as adopted by the American Society of Newspaper Editors and state and federal laws regarding libel and obscenity.

(2) The designated student governing body shall establish a Board of Publications composed of student, faculty, and administration representatives who shall serve as publishers for all student publications.

(3) Student newspapers shall be free of censorship and advance approval of copy.

(4) Its editors shall be free to develop their own editorial policies within the guidelines established by the Board of Publications.

(5) The editors of student newspapers shall be protected from arbitrary suspension and removal because of student, faculty, administrative or community disapproval of editorial policy or content.

(6) The editors shall be subject to removal only upon violation of the Code of Newspaper Ethics as interpreted by the guidelines as adopted by the Board of Publications or for violations of laws. The decision for removal is subject to review by the campus president. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-060, filed 10/4/78; Order 2, § 132F-120-060, filed 9/20/72.]

**WAC 132F-120-070 Use of the college name.** (1) No individual, group, or organization may use the college name without written authorization from the designated administrative officer.

(2) College approval or disapproval of any external policy or position may not be stated or implied by an individual, group or organization.

(3) Use of all seals and/or symbols of the college except where further restricted by board policy shall be regulated. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-070, filed 10/4/78; Order 2, § 132F-120-070, filed 9/20/72.]

**WAC 132F-120-080 Student expression and evaluation.** (1) The Seattle Community College recognizes the rights of students to freedom of discussion and expression of views. It is the responsibility of the instructor to insure and encourage the realization, not only of the fact, but of the spirit of free inquiry.

(2) In particular, students must be guaranteed fair and consistent course evaluation from the instructor. Instructors have the responsibility to maintain order, but this authority must not be used to inhibit the expression of views contrary to their own.

(3) It is the responsibility of the student to support the instructor's efforts to assure freedom of expression and to maintain order. It is consistent with the concept of freedom in the classroom for the instructor to require participation in classroom discussion or submission of written materials relevant to the course. Evaluation of skills or intellectual capacity should not threaten the right to privacy. Fair and professional course evaluation is a legitimate classroom experience.

(4) Information about student views, beliefs and political associations which is acquired by instructors in the course of their work is confidential and shall not be disclosed to others.

(5) As constituents of the college community, students must be free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body. Individuals affected by a policy shall have ample opportunity to express their viewpoint.

(6) On-campus recruitment of students for lawful employment is an appropriate adjunct to the educational process. College participation in the placement process is a service function assumed by the college. So long as any recruitment is permitted on campus, every student enrolled in the college has the right to be interviewed. Similarly, any student or group of students has the right to dissent from the appearance on campus of any organization, provided that the dissent does not interfere with other students' opportunity to participate in such an interview. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-080, filed 10/4/78; Order 2, § 132F-120-080, filed 9/20/72.]

**WAC 132F-120-090 Student complaints.** Seattle Community College shall establish a process whereby students may file a complaint against any member of the college community. Students who feel they have a complaint relating to an action by a member of the college community have the following procedure available:

(1) If the complaint relates to an instructor or course, the student is encouraged first to consult with an instructor before initiating the complaint.

(2) If the student determines the complaint may be handled more appropriately without the instructor involvement, the student may contact the head of the appropriate division/department or the designated administrative officer.

(3) If complaints filed with the head of the appropriate division/department have not been resolved, the student may bring the formal complaint to the

administrative officer designated by the president for further action.

(4) The designated administrative officer shall discuss the concerns outlined by the student and the options available for resolution. Should the student elect to proceed with a formal complaint, the concerns must be outlined in writing, specifying the complaint and identifying dates and persons involved as accurately as possible.

(a) When the written complaint is filed with the designated administrative officer, it shall be forwarded to the appropriate division/department and other persons named in the complaint for response, within ten instructional days.

(b) Should the written responses not resolve the complaint, then a conference shall be convened by the designated administrative officer among all parties involved, within ten instructional days, for the purpose of achieving a resolution of the complaint.

(c) The designated administrative officer shall keep all written statements, transcripts, and minutes associated with the complaint as part of the confidential files of the college.

(d) If the conference resolutions do not satisfy the complainant, the designated administrative officer shall notify the appropriate dean and forward the complaint for resolution.

(5) The appropriate dean shall review the minutes, transcripts, and other pertinent statements and discuss the complaint with the parties involved. The dean shall then issue a recommendation for resolution of the complaint.

(6) The recommendations of the dean shall be reviewed by the campus president who may amend, modify, reverse or accept the recommendations, and who shall then implement the resolution of the complaint.

(7) The decision of the campus president shall be final. Appeals or formal hearings to the board of trustees shall not be provided.

(8) If the complaint relates to a faculty member and is endorsed by the campus president, a grievance shall then be filed in accordance with the provisions of the current SCCFT agreement.

(9) No complaints requesting a grade review will be considered after two consecutive quarters from the date of issue for that grade. Student complaints related to grades shall be reviewed as follows:

(a) Students are encouraged to consult with an instructor before initiating a grade review process as outlined in this procedure.

(b) The student shall indicate the grade received in the course together with the reason for complaint, specifying as accurately as possible all pertinent performance scores and attendance data. This information shall be filed in writing with the designated administrative officer.

(c) When the complaint has been received by the designated administrative officer, it shall be forwarded to the division/department and the course instructor who reported the grade.

(d) The course instructor shall reply in writing, listing the grade reported for the student, the evaluation criteria for the course and the performance scores and attendance data achieved by the student in that course.

(e) Ordinarily the above process of review should be sufficient, but if the student feels there were extenuating circumstances, a conference may be requested with the division/department administrator, the course instructor and the administrative officer with whom the complaint was originally filed. The conference shall review the circumstances of performance in the course and determine appropriate adjustments if warranted.

(f) Since the evaluation of course content is exclusively within the province of the instructor for a particular course, any adjustments or grade changes may be initiated only by that instructor, or, under extenuating circumstances by the appropriate dean of instruction, upon approval by the campus president. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-090, filed 10/4/78; Order 2, § 132F-120-090, filed 9/20/72.]

**WAC 132F-120-100 Student conduct.** Pursuant to the authority granted by RCW 28B.50.140, the board of trustees of Seattle Community College District VI hereby establishes regulations on student conduct and student discipline.

Seattle Community College is a public institution having special responsibility for providing instruction in higher education. As a postsecondary learning institution, the college has an obligation to maintain conditions which are conducive to freedom of inquiry and expression in the degree compatible with the orderly conduct of its functions. For this purpose all of the campuses operated by District VI are governed by regulations and procedures promulgated under this policy.

(1) Admission to the college carries with it the presumption that students will conduct themselves as responsible members of the college community. When students enroll in any of the campuses operated by District VI, they assume the obligation to observe standards of conduct which are appropriate to the pursuit of academic/vocational goals.

(2) Students have the obligation to:

(a) Maintain high standards of academic and personal honesty and integrity;

(b) Respect the rights of others and cooperate with all parts of the college community to insure that such rights are guaranteed, whether or not the views of those exercising such rights are consistent with their own;

(c) Refrain from those actions which would interfere with the college functions or endanger the health, safety, welfare or property of others;

(d) Comply with and support college rules and regulations;

(e) Comply with and support duly constituted civil authority. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-100, filed 10/4/78; Order 2, § 132F-120-100, filed 9/20/72.]

**WAC 132F-120-110 Misconduct.** The college defines misconduct as that which adversely affects the institution's pursuit of its educational objectives.

Irresponsible behavior for which the college may impose sanctions is defined as follows:

(1) Academic dishonesty, to include cheating, plagiarism, or knowingly furnishing false information to the college.

(2) The intentional making of false statements and/or filing of false charges against the college and members of the college community.

(3) Forgery, alteration or misuse of college documents, records, funds or instruments of identification with the intent to defraud.

(4) The intentional obstruction or disruption of teaching research, administration, disciplinary proceedings or other college activities, including public service functions and other authorized activities on college premises.

(5) Physical and/or verbal abuse of any person on college premises or at any college-sponsored or college-supervised function; or conduct which threatens or endangers the health and safety of any such person.

(6) Theft from or damage to college premises and/or property or theft of or damage to property of a member of the college community or college premises.

(7) Possession, use or furnishing on college premises of intoxicating beverages where prohibited by law or college regulations, and controlled substances or unlawful drugs.

(8) Failure to comply with the direction of college officials acting in the legitimate performance of their duties.

(9) Violation of published college regulations which may from time-to-time be properly enacted.

(10) Possession of firearms, even if licensed to do so except commissioned police officers as prescribed by law. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-110, filed 10/4/78; Order 2, § 132F-120-110, filed 9/20/72.]

**WAC 132F-120-120 Disciplinary actions.** Ordinarily, disciplinary proceedings will be conducted informally between the student and the dean of students in matters alleging misconduct as outlined in this procedure. More formal procedures are provided, including an appeal to the committee on conduct and standards. In all situations involving allegations of misconduct in hearings before the dean of students or on appeal to the committee on conduct and standards, basic standards of fairness will be observed.

(1) In handling allegations of misconduct, a record of all hearings shall be kept. These records shall be set down in writing and shall contain the following:

(a) The determination of fact—a statement of the charges against a student.

(b) Conclusions—the truth or falsity of the charges against a student; whether the allegation is, in fact, a violation of college standards of conduct.

(c) Recommendations of sanctions which should be imposed.

(2) If questions of mental or physical health are raised relating to conduct cases, the dean of students may request the student to appear for examination before a physician—consultant mutually agreed upon by the dean of students and the student. The physician—consultant after examining the student, shall make a recommendation to the dean of students as to whether the case should be handled as a case for medical or other treatment. Decisions based upon these recommendations by the dean of students may be appealed in accordance with the provisions for appeals.

(3) College authority and civil law:

(a) If a student is charged with an off-campus violation of law, the matter shall be of no disciplinary concern to the college unless the student is incarcerated and unable to comply with academic requirements.

(b) If the violation of law occurs on campus and is also a violation of a published college regulation, the college may institute its own proceedings against the offender if the college interest involved is clearly distinct from that of the outside community.

(c) The college shall in no case proceed with a sanction that, in fact or appearance, duplicates punishment for the same offense unless the interests of the college are implicated in some separate way by the violation of law.

(4) A student who has been judged to violate college standards of conduct will be subject to disciplinary sanctions up to and including dismissal from the college for the most serious offenses. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-120, filed 10/4/78; Order 2, § 132F-120-120, filed 9/20/72.]

**WAC 132F-120-130 Jurisdiction.** (1) The dean of students at each campus is responsible for initiating disciplinary proceedings for infractions of the rules and regulations of the college or for misconduct as defined in this procedure.

(2) Misconduct in course work by a student enrolled in a program under the jurisdiction of a division shall be reported to the chairman of that division in which the student is enrolled. The division chairman is responsible for taking or initiating appropriate disciplinary action in matters related to misconduct in course work and referring in writing such cases for review to the dean of students of each campus.

(3) The provisions of these procedures do not apply to the evaluation of the students course performance including the assignment of grades by instructors. District Policy 315, Student Complaints, provides a process for the review of grades if such review is requested by the student. An instructor need not give credit for work which is the product of cheating, plagiarism or other course misconduct. However, the lowering of a course grade is not appropriate as a disciplinary sanction. If disciplinary action is warranted by course misconduct, it will be initiated by the provisions of these procedures.

(4) An instructor has the authority to exclude a student from any class session in which the student is disorderly or disruptive. The instructor should report the

incident of disruptive or disorderly behavior to the division chairman who shall refer the matter in writing to the dean of students of the campus in which the student is enrolled. The dean may initiate disciplinary action as provided in this procedure.

(5) Reports of misconduct as defined in this procedure by a student enrolled in the college and engaged in activities in other areas of the campus or in student programs shall be reported to the dean of students. The dean may initiate disciplinary action as provided in these procedures.

(6) Library borrowing and use regulations (consisting of fines for late return of library materials and repair and replacement for damage or lost materials) are under the jurisdiction of each campus instructional resource center. The director of the instructional resource center has authority to decide cases involving alleged violations of rules. Appeals of the decisions of the director of the instructional resource center may be made according to the provisions of the appeal procedure. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-130, filed 10/4/78; Order 32, § 132F-120-130, filed 1/28/77; Order 2, § 132F-120-130, filed 9/20/72.]

**WAC 132F-120-140 Disciplinary authority of deans of students.** (1) The deans of students of District VI are responsible for initiating disciplinary proceedings for infractions of rules and regulations as outlined in these procedures. The deans of students may delegate this responsibility to members of their staffs, and they may also establish committees or other hearing bodies to advise or act for them in disciplinary matters.

(2) In order that any informality in disciplinary proceedings not mislead a student as to the seriousness of the matter under consideration, the student involved shall be informed at the initial conference or hearing of the several sanctions that may be involved for misconduct.

(3) After considering the evidence in a case and interviewing the student or students involved, the deans of students or their duly empowered representatives or committees may take any of the following actions:

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

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

(c) Impose disciplinary sanctions directly, subject to the student's right of appeal as described in this procedure. The student shall be notified in writing of the action taken except that disciplinary warnings may be given verbally.

(d) Refer the matter to the campus committee on conduct and standards for appropriate action. The student shall be notified in writing that the matter has been referred to the committee. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-140, filed 10/4/78; Order 2, § 132F-120-140, filed 9/20/72.]

**WAC 132F-120-150 Appeals/referrals.** Any disciplinary action taken by the deans of students of District VI or their representatives or duly designated committees may be appealed by the student to the committee on conduct and standards with the following conditions:

(1) If a student chooses to make an appeal, the committee on conduct and standards will base its decision on the record of the proceedings in the initial hearing, or if it chooses, may receive additional evidence or rehear the case entirely. The committee may sustain, reduce or vacate the penalty initially imposed.

(2) The committee may elect to designate a hearing officer to hear cases on appeal and make recommendations for disposition to the committee on conduct and standards. In instances where the committee designates a hearing officer, such hearings shall be held under the procedures outlined herein and a full record shall be kept of such proceedings.

(3) A student wishing to appeal to the committee on conduct and standards shall indicate that intention in writing within five instructional days of the original decision to the chairperson of the committee on conduct and standards.

(4) Sanctions imposed by the committee on conduct and standards shall be reviewed by the campus president in which the student is enrolled. The president may sustain or amend the sanction recommended by the committee on conduct and standards. There shall be no appeal beyond the campus president in which the student is enrolled except as outlined in RCW 28B.19.150. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-150, filed 10/4/78; Order 2, § 132F-120-150, filed 9/20/72.]

**WAC 132F-120-160 Campus committee on conduct and standards.** (1) A standing campus committee on conduct and standards, composed of administrative, faculty, and student representatives, will provide a hearing and make decisions on all disciplinary cases referred to it by the deans of students or appealed to it by students who have been disciplined by the deans of students, their representatives or duly designated committees.

(2) The members of the committee and their terms of office shall be:

(a) A full-time administrator appointed by the campus president who shall serve as chairman for a period of four consecutive quarters. The campus president may reappoint the chairman if desired.

(b) Four members of the campus staff holding faculty or administrative appointments provided that not more than two members at any one time shall hold administrative appointment. The designated staff members should hold their appointments for at least one year. The committee members shall serve terms of three consecutive quarters or until such time as their successors are appointed.

(c) Four full-fee paying students in good standing who shall serve for three consecutive quarters. The student members who interrupt their enrollment at the college or fail to attend meetings of the committee shall be considered resigned.

(d) The committee will be impaneled at the beginning of each fall quarter.

(3) Selection of committee members:

(a) Each of the four staff positions on the committee on conduct and standards shall be identified from a panel selected by a dean of instruction and the campus representative of the recognized faculty negotiating unit.

(b) Each of the four student positions on the committee on conduct and standards shall be identified from a panel not to exceed twenty-five, randomly selected from the entire full-time student body. Should students so identified decline to serve or fail to respond, a new panel shall be drawn until such time as all student positions have been filled.

(c) Panels of staff and students shall be maintained in advance but the names included shall not be disclosed.

(d) Staff or student members may be relieved from service for a particular case or for a particular period of time by advising the chairman of their desire not to serve.

(e) No members of the committee on conduct and standards shall participate in a case in which they are a witness or have acted in an advisory capacity. A committee member's eligibility to participate in a case may be challenged for cause by either the dean of students or a designated representative initiating the case, or the student appealing the case by notifying the chairman five days prior to the date set for the hearing. The chairman shall review the challenges and if sustained, shall temporarily replace the member of the committee for the duration of the case in question.

(f) The chairman of the committee may be challenged for cause by either the dean of students, the representative initiating the case or the student appealing by submitting such challenge in writing to the campus president at least five days prior to the date set for the hearing. The president shall review the challenge and if sustained shall appoint a temporary chairman for the purposes of the case in question.

(4) Responsibility:

(a) It is the responsibility of the chairman of the committee on conduct and standards to insure that all procedural guidelines are followed, that basic standards of fairness are observed, to decide all questions of procedure that arise during or in connection with the hearing, to take whatever steps are necessary to insure that the hearing is conducted in a safe and orderly manner, and to inform the student in writing of the action taken by the committee at the conclusion of the hearing. The chairman shall be responsible for implementing and maintaining required panels as outlined above. The chairman is also responsible for notifying the appropriate offices and college officials of committee decisions.

(b) Committee decisions shall ordinarily be made on the basis of consensus after discussion of the evidence. For both hearing and deciding (terms of resolution), a quorum of the committee shall be five committee members with representation from each constituency.

(5) Decision of the committee:

(a) At the conclusion of a hearing, the committee shall formulate a statement outlining the facts of the

case based on the evidence presented to it, the conclusions reached by the committee based on these findings, in fact, and its recommendation for action. This statement shall be made in writing and forwarded by the chairman to the dean of students, the student involved in the case, and the campus president.

(b) A review period of five instructional days will occur during which the campus president may accept appeals in writing from any of the parties involved in the case. At the end of this period, the campus president will finalize action.

(c) The chairman and members of the committee shall continue in their offices beyond the expiration of their terms until such time as those cases initiated and convened during their term shall be concluded. In no instance shall a new case be presented to a chairman whose term has expired.

(d) Records of cases referred to the committee on conduct and standards shall be maintained by the chairman of the committee until the expiration of term. At that time all records shall be filed in the office of the dean of students and shall be maintained there in accordance with college and state procedures. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-160, filed 10/4/78; Order 2, § 132F-120-160, filed 9/20/72.]

**WAC 132F-120-170 Hearing guidelines.** (1) The student shall be accorded a fair and impartial hearing by the committee on conduct and standards on any charge of misconduct referred to the committee for initial hearing or appeal. However, the failure or refusal to appear or participate in the hearing procedure shall not preclude the committee from making its findings of fact, conclusions and decisions as provided. A notice of hearing:

(a) The chairman of the committee on conduct and standards shall give the student notice of the time and place for the hearing.

(b) The notice shall contain an outline of the charges, a list of witnesses who will appear, a description of any documentary, or any other evidence that will be presented at the hearing.

(c) The notice shall be given to the student in writing and shall be given ten instructional days prior to the date set for hearing.

(d) The notice may be amended at any time prior to the hearing but if such amendment is prejudicial to the student's case, the hearing date shall be rescheduled to another date.

(e) A notice for hearing shall be mailed to the student's address of record with the college, or it may be presented to the student in person by an appropriate campus official, or by any other reasonable means of communication. In no case shall efforts to avoid receipt of notice be allowed to interrupt the process of consideration.

(2) Students shall be entitled to hear and examine the evidence and be informed of the identity of its sources. They shall be entitled to present evidence on their own behalf and to ask questions of those appearing (as to

factual matters), and present evidence and witnesses on their own behalf.

(3) The evidence and witnesses alleging that the student engaged in misconduct shall be presented by the official who initiated the charges. Only those matters presented at the hearing will be considered in the decision of the committee, but the student's past record of conduct may be taken into account in formulating the committee's recommendations for disciplinary action.

(4) The student may choose to be represented or accompanied by legal counsel and/or accompanied by an advisor. Should the student elect representation by legal counsel, the college official initiating the charges may also be represented by legal counsel.

(5) No one will be required to give self-incriminating evidence.

(6) Hearings conducted by the committee will be held in closed session, except when the student requests that persons other than those directly involved be invited to attend. Such requests shall be made to the chairman at least three days in advance of the hearing. When a hearing has been opened to other than those directly involved, the committee shall conduct the hearing in a room which will accommodate a reasonable number of invited observers. The chairman may exclude from the hearing room any persons that are disruptive of the proceedings and may limit the number who may attend the hearing in order to afford safety and orderliness to the participants of the proceedings.

(7) All proceedings of the committee will be conducted with reasonable dispatch and terminated as soon as fairness to all parties permits.

(8) An adequate summary of the proceedings will be kept. Such a summary may include a recording of the testimony.

(9) The committee proceeding records shall be considered privileged information.

(10) The student will be provided with a copy of the findings-of-fact, the conclusions and sanctions if any so imposed. The student will also be advised of the right to appeal the committee's decision within five instructional days in a written statement to the campus president.

(11) If there is no appeal to the campus president, the sanction shall be in effect at the end of the five instructional day appeal period or at such other time as may be indicated by the committee.

(12) A hearing examiner may be appointed who shall be a member of the staff holding a faculty or administrative appointment or a member of the bar to conduct the hearing in accordance with these procedures and any rules adopted by the committee. The hearing examiner will provide the committee with the findings in fact, conclusions and recommendations. However, such recommendations shall not be binding on the committee which shall make its findings, conclusions and decisions based on record of the hearing. The hearing examiner shall rule on all objectives but any such ruling may be appealed to the committee for final decision. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-170, filed 10/4/78.]

**WAC 132F-120-180 Sanctions.** (1) Warning: Formal action censuring the student for violation of the procedures. Warnings are made in writing to the student by the committee on conduct and standards. A warning indicates to the student that continuation of the specific conduct could result in further action by the college.

(2) Probation: Formal action placing conditions upon the student's continued attendance. The committee on conduct and standards will specify in writing the period of probation and the conditions. Probation will be for a specific term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college.

(3) Suspension: Formal action by the committee on conduct and standards dismissing a student temporarily from the college for violation of procedures. Suspension may be for a stated time or for an indefinite period. The student under suspension may return to the college under the conditions specified by the campus president or his designee.

(4) Expulsion: The student may be expelled from the college only on approval of the campus president and upon the recommendation of the dean of students and the committee on conduct and standards. There will be no refund of fees for the quarter in which the action is taken, but fees paid in advance for subsequent quarters are to be refunded.

(5) Registration denied: Formal action refusing to allow a student to register for subsequent quarters for violation of procedures. Student may be denied registration only on the approval of the campus president and upon recommendation of the dean of students. Registration will not be allowed until the initiating authority is satisfied that the conditions have been met. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-180, filed 10/4/78.]

**WAC 132F-120-190 Review for readmission.** (1) Students who have been expelled from the college or denied enrollment or suspended for a particular time may apply for readmission by filing requests in writing with the dean of students of the campus in which they were enrolled at the time of disciplinary action.

(2) The dean of students shall:

(a) Review the disciplinary case resulting in termination of enrollment and determine if the subsequent actions of the student have been sufficient to warrant consideration for readmission.

(b) Should the dean of students be of the opinion that the student's behavior has been modified sufficiently to be reconsidered for enrollment, a committee shall be convened which shall review the behavior and activity of the student during the interim period and recommend appropriate action to the dean, together with any conditions for readmission.

(c) The dean of students shall submit a report to the campus president for final decision on application for readmission. The report shall include the dean's evaluation and the recommendation of the committee. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-190, filed 10/4/78.]



**WAC 132F-120-200 Emergency authority of the campus president.** Ordinarily, disciplinary actions will be imposed only after the appropriate informal or formal hearing procedures have been invoked. However, the campus president or his authorized representative, by virtue of the authority delegated to him by the board of trustees (WAC 132F-136-050) under conditions which the president or authorized representative deems to be an emergency situation, may suspend students from participation in any or all college privileges, pending the application of the college conduct procedures outlined herein, in order to protect the safety and property of members of the college community or to assure the college's ability to function. In any case in which this provision is invoked, the student or students in question are entitled to an early hearing before the deans of students or their representatives, or duly designated committees and to appeal before the committee on conduct and standards as outlined in the provisions of these procedures. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-200, filed 10/4/78; Order 25, § 132F-120-200, filed 9/16/75; Order 2, § 132F-120-200, filed 9/20/72.]

**WAC 132F-120-510 Definitions.** As used in this chapter, these terms shall have the following meanings:

(1) **Administration:** Persons whose duties are primarily administrative in nature and who are employed by the Community College District VI, state of Washington, for the purpose of carrying out policies as directed by the board of trustees.

(2) **Designated Representative, Student Body Organization:** The officially recognized organization of the student body currently enrolled in courses of instruction at any community college administered by the board of trustees of Community College District VI, state of Washington.

(3) **Board of Trustees:** That body defined by state law as having the responsibility for the policies and operations of Community College District VI, state of Washington and all colleges existing therein.

(4) **Classified Personnel:** Secretaries, custodians and all other service personnel employed by the board of trustees of Community College District VI, state of Washington, and who are under the general cognizance of the Higher Education Personnel Board.

(5) **College:** North Seattle Community College, Seattle Central Community College, South Seattle Community College or any other community college created by the board of trustees.

(6) **College Community:** Any student, faculty member, administrator or support personnel of any of the colleges administered by the board of trustees, shall be considered members of the college community.

(7) **College Facilities:** Any real property owned or operated by the board of trustees, including all buildings affixed thereon and attached thereto.

(8) **Faculty:** Persons employed by the Community College District VI, state of Washington, for the purpose of teaching a class of instruction, or as counselors and/or librarians.

(9) **Students:** Persons currently officially enrolled in a class of instruction at any college administered by the board of trustees of Community College District VI, state of Washington.

(10) **Designated Administrative Officer.** Those employees holding the rank of administrative officer designated by the appropriate campus or district president with the authority and responsibility to implement a policy or procedure established by the board of trustees of Community College District VI, state of Washington. [Statutory Authority: RCW 28B.50.140(13). 78-10-109 (Order 37), § 132F-120-510, filed 10/4/78; Order 2, § 132F-120-510, filed 9/20/72.]

## Chapter 132F-124 WAC GENERAL CONDUCT

### WAC

132F-124-010 Financial obligations of students.  
132F-124-011 Appeal procedure.

**WAC 132F-124-010 Financial obligations of students.** Admission to or registration with the colleges of Community College District VI, conferring of degrees and issuance of academic transcripts may be withheld for failure to meet financial obligations to the college or District. [Order 12, § 132F-124-010, filed 5/22/73.]

**WAC 132F-124-011 Appeal procedure.** Every student has the right to appeal a decision of any college department or division to assess a fee, fine, charge, debt, or other financial obligation of his or hers to the college or the District in writing, stating the reasons for the appeal to the division or department head for a determination of the validity and legitimacy of that obligation within ten (10) days after notice of the assessment was sent to the student. If the student has not resolved his or her financial obligation to the college or District and has not requested a formal hearing pursuant to chapter 28B.19 RCW within ten (10) days after his last appeal action, the college or District may take any action authorized under WAC 132F-124-010. [Order 12, § 132F-124-011, filed 5/22/73.]

## Chapter 132F-136 WAC POLICY ON THE USE OF THE COLLEGE FACILITIES

### WAC

132F-136-010 Use of college facilities.  
132F-136-020 Limitation of use to school activities.  
132F-136-030 Limitation of use.  
132F-136-040 Administrative control.  
132F-136-050 Trespass.  
132F-136-060 Prohibited conduct at college facilities.  
132F-136-070 Control of pets in college facilities.

**WAC 132F-136-010 Use of college facilities.** Because the Seattle 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 3, § 132F-136-010, filed 9/20/72.]

**WAC 132F-136-020 Limitation of use to school activities.** The college buildings, properties, and facilities, including those assigned to student programs, 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.

(6) College facilities shall be assigned to student organizations for regular business meetings, social functions and for programs open to the public. Any recognized campus student organization may invite speakers from outside the college community. In conformance with state guidelines, the appearance of an invited speaker on campus does not represent an endorsement by the college, its students, faculty, administration or the board of trustees, whether implicit or explicit, of the speaker's views.

(7) Reasonable conditions may be imposed to regulate the timeliness of requests, to determine the appropriateness of space assigned, time of use, and to insure the proper maintenance of the facilities. Subject to the same limitations, college facilities shall be made available for assignment to individuals or groups within the college community. Such arrangements by both organizations and individuals must be made through the designated administrative officer. Allocation of space shall be made in accordance with published college regulations and on the basis of time, priority of request and the demonstrated needs of the individual, group or organization.

(8) Use of space shall not interfere with regularly scheduled classes or activities. Physical abuse of assigned facilities may result in limitation of future allocation of space to the offending parties. Charges may be imposed for damage or for any unusual costs for the use of facilities. The individual, group or organization requesting space will be required to state in advance the general purpose of any meeting. If any charge or collection of funds is contemplated, advance permission from the

party giving authority for space allocations will be required. [Order 35, § 132F-136-020, filed 11/21/77; Order 3, § 132F-136-020, filed 9/20/72.]

**WAC 132F-136-030 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, administrative office or student organization.

(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 has been 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. Any distribution of materials as authorized by the designated administrative officer and regulated by established guidelines shall not be construed as support or approval of the content by the college community or the board of trustees.

(9) Use of audio amplifying equipment is permitted only in locations and at times that will not interfere with the normal conduct of college affairs as determined by the appropriate administrative officer.

(10) No person or group may use or enter onto college facilities having in their possession firearms, even if licensed to do so, except commissioned police officers as prescribed by law.

(11) The right of peaceful dissent within the college community shall be preserved. The college retains the right to insure the safety of individuals, the continuity of the educational process, and the protection of property. While peaceful dissent is acceptable, violence or disruptive behavior is an illegitimate means of dissent. Should any person, group or organization attempt to resolve differences by means of violence, the college and its officials need not negotiate while such methods are employed.

(12) Orderly picketing and other forms of peaceful dissent are protected activities on and about the college premises. However, interference with free passage through areas where members of the college community have a right to be, interference with ingress and egress to college facilities, interruption of classes, injury to persons, or damage to property exceeds permissible limits.

(13) Peaceful picketing and other orderly demonstrations are permitted in public areas and other places set aside for public meetings in college buildings. Where college space is used for an authorized function, such as a class or a public or private meeting under approved sponsorship, administrative functions or service related activities, groups must obey or comply with directions of the designated administrative officer or individual in charge of the meeting.

(14) If a college facility abuts a public area or street, and if student activity, although on public property, unreasonably interferes with ingress and egress to college buildings, the college may choose to impose its own sanctions although remedies might be available through local law enforcement agencies. [Order 35, § 132F-136-030, filed 11/21/77; Order 26, § 132F-136-030, filed 9/16/75; Order 3, § 132F-136-030, filed 9/20/72.]

**WAC 132F-136-040 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 3, § 132F-136-040, filed 9/20/72.]

**WAC 132F-136-050 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) Persons who violate or are in violation of a district policy may have their license or privilege to be on district property revoked and be 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 35, § 132F-136-050, filed 11/21/77; Order 26, § 132F-136-050, filed 9/16/75; Order 3, § 132F-136-050, filed 9/20/72.]

**Reviser's note:** RCW 9.88.080, referred to above, has never existed. For laws governing criminal trespass, see chapter 9A.52 RCW.

**WAC 132F-136-060 Prohibited conduct at college facilities.** (1) State law relative to public institutions govern the use or possession of intoxicants on campus or at college functions. The use or possession of unlawful narcotics or drugs, not medically prescribed, on college property or at college functions, is prohibited. Students obviously under the influence of intoxicants, unlawful drugs or narcotics while in college facilities shall be subject to disciplinary action.

(2) A lottery or any other form of gambling is prohibited at Seattle Community College District.

(3) The use of tobacco is restricted by law and by regulations of the fire marshal to designated smoking areas.

(4) Destruction of property is also prohibited by state law in reference to public institutions. [Order 35, § 132F-136-060, filed 11/21/77.]

**WAC 132F-136-070 Control of pets in college facilities.** Pets are not permitted in campus buildings or on the grounds except guide dogs for the totally or legally blind persons as provided in chapter 70.84 RCW (the White Cane Law). [Order 35, § 132F-136-070, filed 11/21/77.]

## Chapter 132F-148 WAC AFFIRMATIVE ACTION PROGRAM

### WAC

- 132F-148-010 Affirmative Action Program.
- 132F-148-020 Policy summary.
- 132F-148-030 Procedure—Compliance.
- 132F-148-040 Procedure—Recruitment.
- 132F-148-050 Coordination.
- 132F-148-060 Affirmative Action goal.
- 132F-148-070 Complaint of discrimination—Grievance procedure.

**WAC 132F-148-010 Affirmative Action Program.** WAC 132F-148-010 through 132F-148-070 shall be known as the Affirmative Action Program of Seattle Community College District VI. [Order 5, § 132F-148-010, filed 11/13/72.]

**WAC 132F-148-020 Policy summary.** Seattle Community College requires that its faculty, administration, staff, and all agencies, persons, vendors and

other organizations who contract to do business with the College, comply with the spirit of equal opportunity and with the letter of all applicable Federal and State statutes and regulations. Compliance in this sense requires that these individuals and groups shall not discriminate in their personnel policies and that they take affirmative action of offering opportunities for equal employment, job promotions, soliciting of bids for goods and services, and other activities to all persons regardless of race, color, religion, sex or national origin. The College, to the extent it can enforce this policy, expects and will determine compliance as a condition of engaging in business for or with the institution or group. The policy applies to all groups and individuals so engaged regardless of where located or the form of service performed.

It is the specific intent of this policy to open job and program opportunities to all minorities and women and to prevent discrimination in any form as it relates to recruitment, selection, employment and promotion.

In carrying out the provisions of this policy, the College may require the submission of detailed reports on the types of result-oriented Affirmative Action Programs carried on by groups and individuals with which it does business. Positive performance in this area will be one of the major considerations in the award of contracts for goods and/or services.

The College pledges to deal fairly with those affected by this policy and to avoid harassment or burdensome administrative detail. At the same time, those to whom this policy applies may expect firmness since the College expects its full and impartial implementation.

The College recognized the necessity of close working relationships to provide equal opportunities and eliminate discrimination in all associated campus programs and earnestly solicits full cooperation and support of the public and campus community in this endeavor. [Order 5, § 132F-148-020, filed 11/13/72.]

**WAC 132F-148-030 Procedure—Compliance.** In order to insure compliance with the Affirmative Action Policy, a copy of this Affirmative Action Program will be issued to all current and new employees. In addition, any individual or group with which the College does business will be made aware of this program and the expectations placed on that individual or group by the College as a requisite for continuing to do business with the College.

Any contract entered into between the College and an individual or group will include the appropriate language from State and/or Federal guidelines which require nondiscrimination in employment. [Order 5, § 132F-148-030, filed 11/13/72.]

**WAC 132F-148-040 Procedure—Recruitment.** Any individual within the college community who has the responsibility for employing faculty or staff members or admitting students to the institution will be responsible for insuring that their recruiting activities include affirmative efforts to include members of minority groups. Appropriate administrative officers will be required to submit reports indicating the extent to which

new faculty, staff members or students are representatives of such minority groups. [Order 5, § 132F-148-040, filed 11/13/72.]

**WAC 132F-148-050 Coordination.** (1) District Employee Relations Director. To insure that the policies and procedures as defined herein are coordinated toward attaining the institution's Affirmative Action Goal, a District Employee Relations Director shall be appointed by the chief executive officer. This official shall be charged with the responsibility of evaluating the Affirmative Action Program and to make any necessary recommendations regarding changes in policy or procedure to continually insure the effectiveness of the program and will coordinate the activities of the campus equal employment officers. The District Employee Relations Director will report directly to the chief executive officer.

(2) Each campus president shall appoint at least one EEOC officer who will report directly to the president and who will be responsible for coordinating his campus' Affirmative Action Program with the District Employee Relations Director. The campus EEOC officer shall be responsible for all reports, outside contacts and other matters concerning that campus and its Affirmative Action Program. He shall also be available to provide counsel and direction to employing supervisors in such matters. [Order 5, § 132F-148-050, filed 11/13/72.]

**WAC 132F-148-060 Affirmative Action goal.** To insure that the Affirmative Action Program is continually operating toward attaining and/or maintaining a fair representation of minority members within the college community, specific Affirmative Action goals shall be established. These goals represent a minimum against which Affirmative Action effort will be directed and will not represent a quota to be considered an absolute. [Order 5, § 132F-148-060, filed 11/13/72.]

**WAC 132F-148-070 Complaint of discrimination—Grievance procedure.** (1) Any individual who feels he has been discriminated against either by the College or by individual members of the college community may file a complaint. If the complainant is a member of the college community he should first file a written complaint with his immediate supervisor. If it is not resolved at this level to the complainant's satisfaction within ten (10) working days he should file a written complaint with the EEOC officer or, for District employees, with the District Employee Relations Director. All written complaints must be responded to in writing with copies forwarded to the appropriate president, instructional dean or chief administrative officer. The officer will have the authority to hear and recommend corrective action, if necessary, on behalf of the College.

(2) If the complainant is not a member of the college community he should file his complaint with either the campus EEOC officer at which the complaint is directed or with the District Employee Relations Director. All

such complaints should be in written form. [Order 5, § 132F-148-070, filed 11/13/72.]

### Chapter 132F-162 WAC LIBRARY REGULATIONS

#### WAC

- 132F-162-010 Purpose of the library's existence.
- 132F-162-020 Basis of policies and procedures.
- 132F-162-030 Modification of these regulations.
- 132F-162-040 Borrower classification.
- 132F-162-050 Identification card.
- 132F-162-060 Loan time periods.
- 132F-162-070 Special collections.
- 132F-162-080 Number of items that may be borrowed.
- 132F-162-090 Date library materials are due.
- 132F-162-100 Renewal of library materials.
- 132F-162-110 Holds, recalls, and searches.
- 132F-162-120 Return of library materials.
- 132F-162-130 Schedule of fines and charges.
- 132F-162-140 System-wide applicability of fines.
- 132F-162-150 Notice of overdue materials.
- 132F-162-160 Accrual date or time of fines.
- 132F-162-170 When fines will be levied.
- 132F-162-180 Failure to return materials, or to pay fines or charges.
- 132F-162-190 Appeals of fines and charges.

**WAC 132F-162-010 Purpose of the library's existence.** The ----- Instructional Resources Center exists to further the objectives of the college. [Order 17, § 132F-162-010, filed 5/22/73.]

**WAC 132F-162-020 Basis of policies and procedures.** Policies and procedures are based on the belief that the needs of the college community as a whole take precedence over the individual convenience. [Order 17, § 132F-162-020, filed 5/22/73.]

**WAC 132F-162-030 Modification of these regulations.** The Board of Trustees reserves the right to add, delete, or modify portions of these regulations including the fine schedules in accordance with its regulations and applicable laws. [Order 17, § 132F-162-030, filed 5/22/73.]

**WAC 132F-162-040 Borrower classification.** Within the college community there are several readily identifiable library material user groups for which the character and intensity of use differs. The primary groups are credit and noncredit students, faculty, administrative personnel and nonacademic staff. Borrowers are classified as:

- (1) Credit students
- (2) Employees of the District
- (3) Continuing education, noncredit students

The Instructional Resources Center may extend services on proper identification to persons not affiliated with the college. Borrowing privileges may be extended to such persons if they reside within Community College District VI, or if they are a duly enrolled student or faculty member of one of the other State community colleges, or if they are spouses of ----- Community College faculty, administrative or nonacademic staff

members. The Instructional Resources Center extends services to other libraries through the "Inter-Library Loan" process. These borrowers are classified as:

- (4) Community patrons
- (5) Reciprocal students and faculty from other State community colleges
- (6) Spouses of borrower class (2)
- (7) Retired faculty of ----- Community College
- (8) Other libraries through the "Inter-Library Loan" process. [Order 17, § 132F-162-040, filed 5/22/73.]

**WAC 132F-162-050 Identification card.** Each student borrower is responsible for obtaining an official identification number affixed to his or her student body card by the college Instructional Resources Center. Each nonstudent borrower is responsible for obtaining an official identification card from the Head Librarian of the Instructional Resources Center. Reciprocal students and faculty must provide official identification from their institutions in order to obtain a ----- Community College identification card. [Order 17, § 132F-162-050, filed 5/22/73.]

**WAC 132F-162-060 Loan time periods.** The college Instructional Resources Center has established a schedule of loan time periods based on anticipated demand for the various forms of material by the several classes of borrowers. This loan time schedule will be established by the Director of Instructional Resources and will be available at the Circulation Desk(s). [Order 17, § 132F-162-060, filed 5/22/73.]

**WAC 132F-162-070 Special collections.** Certain materials are maintained in special collections in the library because of format, subject, rarity, etc. Borrowers should consult the Circulation Desk concerning conditions of use for library materials in special collections. [Order 17, § 132F-162-070, filed 5/22/73.]

**WAC 132F-162-080 Number of items that may be borrowed.** In order to make resources available to several students, the library staff may limit, temporarily, the number of items to be circulated to any one borrower. [Order 17, § 132F-162-080, filed 5/22/73.]

**WAC 132F-162-090 Date library materials are due.** The Director of Instructional Resources shall establish from time-to-time a schedule of due dates. This schedule will be available during regular Instructional Resources Center hours at the Circulation Desk. [Order 17, § 132F-162-090, filed 5/22/73.]

**WAC 132F-162-100 Renewal of library materials.** (1) Renewals are generally allowed for circulating materials unless requested by other borrowers by means of a HOLD or a RECALL (see WAC 132F-162-110).

(2) Overdue material may be renewed subject to the same conditions as similar material not overdue.

(3) Prepaid telephone renewals are accepted for circulating materials but are not encouraged in special collections. The Instructional Resources Center assumes no

responsibility for errors resulting from such transactions. Borrowers appearing in person at a check-out desk will receive service first.

(4) Materials from reserve and special collections may be renewed at the discretion of the Circulation Supervisor. [Order 17, § 132F-162-100, filed 5/22/73.]

#### **WAC 132F-162-110 Holds, recalls, and searches.**

(1) Holds: a borrower may place a HOLD on any circulating material except reserve material, some special collections material and library materials already checked out to that borrower.

(2) Recalls: Library materials for which another borrower has placed a HOLD may be recalled after two weeks from the date checked out. Material on long-term loan to faculty may be recalled at anytime. Material needed for reserve may be recalled at any time. Material checked out to noncollege borrowers may be recalled at any time for use by an on-campus borrower.

(3) A Search may be requested by borrowers who have not succeeded in locating material on the shelves. [Order 17, § 132F-162-110, filed 5/22/73.]

#### **WAC 132F-162-120 Return of library materials.**

(1) Materials are considered returned to the Instructional Resources Center as of the date returned to any of the receiving points for library materials except that of reserve, overnight, reference, and special collections materials. Equipment must be returned to the location in the Instructional Resources Center from which it was borrowed.

(2) After-hours "Book Returns" are emptied each morning the Instructional Resources Center is open and material found in them is considered to have been returned at closing time on the previous day. [Order 17, § 132F-162-120, filed 5/22/73.]

#### **WAC 132F-162-130 Schedule of fines and charges.**

A schedule of fines and charges employed by the college Instructional Resources Center shall be that established from time-to-time by the Board of Trustees of the college. This schedule will be available at the Circulation Desk(s). [Order 17, § 132F-162-130, filed 5/22/73.]

**WAC 132F-162-140 System-wide applicability of fines.** All borrowers are subject to a uniform system of fines for late returns of library materials and replacement costs when required. [Order 17, § 132F-162-140, filed 5/22/73.]

**WAC 132F-162-150 Notice of overdue materials.** The Instructional Resources Center will send overdue notices and follow-up notices on a suitable schedule. An item requested for use or to be put on reserve may be recalled at any time after one week, whether it is overdue or not. Failure to receive a notice does not relieve the borrower of responsibility of payment of fines. [Order 17, § 132F-162-150, filed 5/22/73.]

**WAC 132F-162-160 Accrual date or time of fines.** When fines are levied, they accrue from the first day or

hour library materials are overdue. [Order 17, § 132F-162-160, filed 5/22/73.]

**WAC 132F-162-170 When fines will be levied.** Fines may be levied on: (1) Circulating material when:

(a) the library materials are not returned when called in for reserve, or there is a HOLD or RECALL and they are or become overdue, such fines are to be calculated from the first day library materials are overdue.

(2) Overdue reserve, reference and other circulating materials from special collections, and equipment, whether or not such material has been requested by another borrower. [Order 17, § 132F-162-170, filed 5/22/73.]

**WAC 132F-162-180 Failure to return materials, or to pay fines or charges.** A failure to return materials or to pay fines or charges may result in:

- (1) Loss of borrowing privileges
- (2) Delay in registration until account is clear
- (3) Holds being placed on borrowers in classification 1 (see WAC 132F-162-040) with respect to grades, transcript and college records, and/or
- (4) Other appropriate action for borrower classifications 2 through 8. [Order 17, § 132F-162-180, filed 5/22/73.]

**WAC 132F-162-190 Appeals of fines and charges.** Appeals of fines or charges, or both, may be filed with the Circulation Supervisor by securing appropriate forms from the Circulation Desk. All disputed appeals are adjudicated by the Director of Instructional Resources. [Order 17, § 132F-162-190, filed 5/22/73.]

### **Chapter 132F-164 WAC**

#### **BIDDING PROCEDURES FOR PURCHASING AND CONTRACTING**

##### **WAC**

- 132F-164-010 Promulgation.
- 132F-164-020 Bids.
- 132F-164-030 Bid forms.
- 132F-164-040 Bid lists.
- 132F-164-050 Opening of bids.
- 132F-164-060 Receipt and safeguard of bids.
- 132F-164-070 Cancellation prior to opening.
- 132F-164-080 Late bids.
- 132F-164-090 Acceptance/rejection of bids.
- 132F-164-100 Miscellaneous procedures for soliciting of bids.
- 132F-164-110 Responsiveness.
- 132F-164-120 Sealed bid formalities.
- 132F-164-130 Informalities or irregularities in bidding.
- 132F-164-140 Safekeeping of bids.
- 132F-164-150 Mistakes in bids.
- 132F-164-160 Use of brand names.
- 132F-164-170 Public information.
- 132F-164-180 Alteration of bids prohibited.
- 132F-164-190 Delivery date guarantee.
- 132F-164-200 Breach of contract.

**WAC 132F-164-010 Promulgation.** Pursuant to the authority granted by RCW 43.19.190 and chapter 34.04 RCW the Seattle Community College District hereby

promulgates the following rules and regulations with respect to Bidding, Bids, and Contracts. [Order 11, § 132F-164-010, filed 4/19/73.]

**WAC 132F-164-020 Bids.** A bid describes the requirement of the District accurately and completely in an attempt to describe materials in such a way as to enhance competition. Bids will be prepared in such a way as to avoid unnecessary restrictive specifications or requirements. Insofar as practicable, competitive formal sealed bids shall be used as standard procedures for all purchases, utilizing the following guidelines:

- (1) Items to be purchased at any one time are greater than \$500.
- (2) There are sufficient qualified bidders to enable competitive pricing.
- (3) The requirements of the purchaser can be described clearly, accurately, and completely.
- (4) There is sufficient time to process the bid. [Order 11, § 132F-164-020, filed 4/19/73.]

**WAC 132F-164-030 Bid forms.** Bid documents, depending on materials to be purchased, may vary. As a general practice, however, all bids as received from Vendors shall be filled out in ink or by typewriter and they must be signed by an authorized representative. Unsigned bids will be rejected at the time of bid opening. Bids may include, but are not limited to the Advertisement to the Bid, the Invitation to Bid, the Specifications and Divisions thereof, Instructions to Bidders, General Terms and Conditions, Special Conditions, Technical Specifications, and any Addenda issued thereto. [Order 11, § 132F-164-030, filed 4/19/73.]

**WAC 132F-164-040 Bid lists.** Bid Lists for various commodities may be maintained by the District, and this information may be exchanged between State agencies and institutions. (Note It is obvious that for geographical reasons, some Vendors names will appear on bid lists of some institutions and not on others, so that the addition or deletion of names from a bid list will consider biographical advantages as well as competitive advantage.) [Order 11, § 132F-164-040, filed 4/19/73.]

**WAC 132F-164-050 Opening of bids.** An official bid opening officer will pick up the days bids to be opened from the bid clerk, proceed to the bid room at the designated opening time and, along with an assistant or witness, open each bid envelope for a particular bid. [Order 11, § 132F-164-050, filed 4/19/73.]

**WAC 132F-164-060 Receipt and safeguard of bids.** All bids will be received by the designated bid clerk, immediately date-stamped and filed appropriately. Should a bid be received that is not in a properly identifiable envelope and inadvertently opened, the bid will be immediately resealed by the person opening the bid, dated and signed. [Order 11, § 132F-164-060, filed 4/19/73.]

**WAC 132F-164-070 Cancellation prior to opening.** Should the requirements of the District change prior to

the opening of the bid, the bid may be cancelled by issuing an addendum. [Order 11, § 132F-164-070, filed 4/19/73.]

**WAC 132F-164-080 Late bids.** A bid that is received in the Purchasing Department and time-stamped after the exact time set for opening will be categorized as a "late bid." Late bids will be returned to the Bidder unopened. It is the Bidder's responsibility to ensure that his bid is received within the Purchasing Department prior to the opening time specified on the bid. [Order 11, § 132F-164-080, filed 4/19/73.]

**WAC 132F-164-090 Acceptance/rejection of bids.** The District reserves the right to accept or reject bids on each item separately or as a whole, to reject any or all bids, to waive informalities, irregularities, and to contract as the best interests of the District may require. [Order 11, § 132F-164-090, filed 4/19/73.]

**WAC 132F-164-100 Miscellaneous procedures for soliciting of bids.** (1) Bid Time. Normally, fourteen (14) calendar days will be allowed from the date of mailing to the bid opening date. The time for opening bids will be set by the District. No telephonic or telegraphic bids will be accepted unless noted on the bid form.

(2) The bid envelope or label provided by the District will be used. If it is not used, the required information shall be recorded on the face of the envelope by the Bidder to ensure proper handling within the Purchasing Department.

(3) Bidders may request modification to bid specifications at any time prior to bid opening. Acceptance by Purchaser of modification shall take the form of addenda issued to all Bidders.

(4) Addendum to Bids. If it becomes necessary to make changes in quantities, specifications, delivery schedule, opening date, etc., or to correct, such changes shall be accomplished by an addendum and all individuals receiving the original bid shall be notified. Before issuing an addendum to a bid, the time remaining until bid opening must be reviewed, and if insufficient time exists, the bid opening date will be extended.

(5) Any information given to a single prospective Bidder which amends the terms and conditions of the bid shall be furnished promptly to all prospective Bidders.

(6) No bid bond in the form of cash will be accepted. [Order 11, § 132F-164-100, filed 4/19/73.]

**WAC 132F-164-110 Responsiveness.** A bid, to be considered for award, must comply in all material respects to the specifications and terms of that bid. Bids should be filled out, executed, and submitted in accordance with the instructions contained therein. If a Bidder uses his own form or a letter to submit a bid, that offer may be considered, if the Bidder accepts the original terms and conditions. [Order 11, § 132F-164-110, filed 4/19/73.]



**WAC 132F-164-120 Sealed bid formalities.** Bid documents will clearly indicate that the Purchaser has the right to reject any or all bids, waive informalities or irregularities with respect thereto, and to contract in the best interest of the District. The following is a list of formalities which will not be waived:

(1) Bids received after the bid opening date and time indicated on the bid document will be returned to the Bidder unopened. Bids postmarked prior to bid opening time, but not received, will not be considered. Telephoned or telegraphed bids and alterations, except for unconditional withdrawals, will not be considered unless authorized in the bid terms and conditions.

(2) Bids received that have not been signed by an authorized agent.

(3) Bid bonds, if required, not included with the bid. [Order 11, § 132F-164-120, filed 4/19/73.]

**WAC 132F-164-130 Informalities or irregularities in bidding.** An informality or irregularity in bidding is one which is merely a matter of form and/or is some immaterial variation from the exact requirements of the invitation for bid, having no effect (or merely a trivial or negligible effect) on price, quantity, quality, or delivery of the desired materials and the correction or waiver of such irregularity or informality will not affect the relative standings of, or be otherwise prejudicial to bidders. The buyer shall either give the Bidder an opportunity to correct any deficiency resulting from an informality or irregularity or waive any such deficiency where it is to the advantage of the institution. The following examples of informalities or irregularities may be waived:

(1) Failure to include sales brochure for complete description.

(2) Inclusion of a letter bid as well as standard invitation to bid form.

(3) Vendor's standard terms and conditions variance from agency's terms and conditions. [Order 11, § 132F-164-130, filed 4/19/73.]

**WAC 132F-164-140 Safekeeping of bids.** Sealed bids, received from a bidder will be held by the Purchasing Department until the time and place of bid opening at which time a record of the bids received and a recap may be made. [Order 11, § 132F-164-140, filed 4/19/73.]

**WAC 132F-164-150 Mistakes in bids.** The buyer shall examine all bid forms for mistakes. In cases of apparent mistakes (where the buyer has reason to believe that a mistake has been made) he shall request from the bidder a clarification, calling attention to the suspected mistake. If the bidder acknowledges a mistake, the matter shall be resolved to the satisfaction of the buyer, either by having the bidder withdraw or by acceptance. [Order 11, § 132F-164-150, filed 4/19/73.]

**WAC 132F-164-160 Use of brand names.** Brand name specifications may be used only on the basis of "or

equal" consideration. Brand names are to be used to establish standards of quality and are not meant to be restrictive. [Order 11, § 132F-164-160, filed 4/19/73.]

**WAC 132F-164-170 Public information.** Normally, information submitted by the bidders during the bidding process shall become a matter of public record. [Order 11, § 132F-164-170, filed 4/19/73.]

**WAC 132F-164-180 Alteration of bids prohibited.** Bids may not be completed, amended, or clarified on the face of the bid after the official bid opening time. [Order 11, § 132F-164-180, filed 4/19/73.]

**WAC 132F-164-190 Delivery date guarantee.** A guarantee of delivery date must be specified on the Invitation to Bid and failure to perform in accordance with that schedule shall be a breach subject to the reimbursement to the District by the Vendor for any cost, expenses, or loss sustained as a result thereof. [Order 11, § 132F-164-190, filed 4/19/73.]

**WAC 132F-164-200 Breach of contract.** In the event of a breach by a Vendor of any of the provisions of a contract, the District reserves the right to cancel and/or terminate the contract forthwith, upon giving oral or written notice to the Vendor with the right to collect a monetary sum of liquidated damages if specified in the contract. [Order 11, § 132F-164-200, filed 4/19/73.]

## Chapter 132F-168 WAC ACCESS TO PUBLIC RECORDS

### WAC

- 132F-168-010 Access to public records.
- 132F-168-020 Purpose.
- 132F-168-030 Request for document inspection.
- 132F-168-040 Appeal.
- 132F-168-050 Exemptions.
- 132F-168-060 Copying.
- 132F-168-070 Protection of privacy.
- 132F-168-075 Judicial review of agency action.
- 132F-168-080 Office hours.
- 132F-168-090 Sanctions.
- 132F-168-100 Request for inspection of public records—Form 1.
- 132F-168-110 Request for inspection of public records—Form 2.

**WAC 132F-168-010 Access to public records.** This chapter shall be known as Seattle Community College District Rules on Public Records. [Order 16, § 132F-168-010, filed 10/4/73.]

**WAC 132F-168-020 Purpose.** Seattle Community College District shall comply with the provisions of chapter 42.17 RCW, Disclosure-Campaign-Finances-Lobbying-Records, while at the same time preserving the orderly operation of the Seattle Community College District and the privacy of the students and employees of the school. [Order 36, § 132F-168-020, filed 11/21/77; Order 16, § 132F-168-020, filed 10/4/73.]



**WAC 132F-168-030 Request for document inspection.** (1) As defined by RCW 42.17.020(26), a public record "includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics." Public records are presumptively available for public access, except as restricted by WAC 132F-168-050. Any person wishing to inspect a public record shall submit Form 1, "Request for Inspection of Public Records" WAC 132F-168-100. Each request must be presented to a Dean of Instruction, Dean of Students, registrars, district director of employee relations and personnel, Business Managers, or to their secretaries during regular office hours of the school, as defined in WAC 132F-168-080.

(2) The officer to whom the request is presented shall, by the close of the following business day: (a) Make the requested document available, or (b) state that such a document does not exist, or (c) ask for clarification of the document requested, or (d) deny access because the document is exempt from public inspection under WAC 132F-168-050. The action taken shall be marked on Form 1 and returned to the person submitting the form. [Order 36, § 132F-168-030, filed 11/21/77; Order 16, § 132F-168-030, filed 10/4/73.]

**WAC 132F-168-040 Appeal.** (1) If request is denied by the officer pursuant to WAC 132F-168-030, the person requesting the document may appeal to the appropriate campus president or to the district president. The appellant shall file Form 2, together with Form 1 as returned, with the secretary to the campus president or district president, during the day the appeal is returned, if returned prior to 3 p.m., or by 11 a.m. the following business day if returned after 3 p.m. A campus president or the district president shall answer the appeal by returning Form 2 to the person requesting the record before the end of the second business day following the original denial of inspection on Form 1, unless a later time is indicated in the form. In all cases, the person requesting the record shall be notified by the end of the second business day of the disposition of the request.

(2) If an appeal is filed after the time required in WAC 132F-168-040(1), then the return date shall be the end of the second business day following the filing of the appeal.

(3) The filing of a request and the return of Form 1 and Form 2 indicating disposition, is made by leaving the form with the secretary of the officer. The secretary of the officer shall mark the time and date of: (a) The receipt of the form, (b) the return of the form with disposition, and (c) the demand made for return by the person submitting the form. A request shall be deemed denied or an appeal denied only after the person filing the form has been notified by the secretary of the dean, personnel officer, president or district president. In all cases, the person shall be notified by the end of the second business day.

(4) Administrative remedies shall not be considered exhausted until the campus president or the district president has returned the appeal form by the close of the second business day. An appeal may then be made to the board at the next scheduled board meeting. [Order 36, § 132F-168-040, filed 11/21/77; Order 16, § 132F-168-040, filed 10/4/73.]

**WAC 132F-168-050 Exemptions.** (1) Public access shall not be granted to documents exempt under RCW 42.17.310, "Certain Personal and Other Records Exempt", unless the officer determines that disclosure would not affect any vital governmental interest. If the interest can be protected by deletion of personal references, access shall be granted following deletion of such material, and a reasonable time shall be allowed for deleting the material.

(2) Examination of individual files of Seattle Community College District students shall be in accordance with the provisions of District Policy 310, Student Records and Federal Register, Part 99 - Privacy Rights of Parents and Students.

(3) Individual files of applicants, employees, and officers of Seattle Community College District are available only to members of the faculty and staff of Seattle Community College District who are entrusted with the care and custody of the files, to supervisory personnel, and to the business staff for purposes necessary to carrying out their functions. The only information contained in the individual file of an employee which shall be available for public inspection shall be the name, status, salary and teaching duties of the employee. The employee, however, shall have full access to his personnel file as agreed upon in the employee-organization contract. [Order 36, § 132F-168-050, filed 11/21/77; Order 16, § 132F-168-050, filed 10/4/73.]

**WAC 132F-168-060 Copying.** Persons granted access to public records pursuant to Form 1 shall be allowed to obtain copies of such documents as they desire upon the payment of twenty-five cents per copy page. Copies of documents will be made by an authorized staff member of the Seattle Community College District on any available copier. Payment for copies shall be made to a cashier of the college who will issue a receipt which must be presented to the person in charge of the copying machine. The charge of twenty-five cents per copy page is the reasonable cost of paper and copying charges for Seattle Community College District. [Order 36, § 132F-168-060, filed 11/21/77; Order 16, § 132F-168-060, filed 10/4/73.]

**WAC 132F-168-070 Protection of privacy.** Any student, employee or applicant who believes a document has been or is about to be released, and who believes his or her right to privacy will be infringed by public inspection of the document, may file a protest with the appropriate campus president or the district president. If, after consideration of the request for inspection and the protest, the campus president or the district president believes inspection should be denied, he should take

appropriate action as listed in RCW 42.17.330, "Court Protection of Public Records." [Order 36, § 132F-168-070, filed 11/21/77; Order 16, § 132F-168-070, filed 10/4/73.]

**WAC 132F-168-075 Judicial review of agency action.** Per RCW 42.17.340, "Upon the motion of any person having been denied an opportunity to inspect or copy a public record by an agency, the superior court in the county in which a record is maintained may require the responsible agency to show cause why it has refused to allow inspection or copying of a specific public record or class of records. The burden of proof shall be on the agency to establish that refusal to permit public inspection and copying is required." [Order 36, § 132F-168-075, filed 11/21/77.]

**WAC 132F-168-080 Office hours.** For purposes of this chapter, the regular office hours of Seattle Community College District shall be considered 9 a.m. through 4 p.m., Monday through Friday; except for legal holidays for state employees. [Order 16, § 132F-168-080, filed 10/4/73.]

**WAC 132F-168-090 Sanctions.** If a person granted access to public records pursuant to this chapter destroys, mutilates or who returns the documents in an unreasonably disorganized fashion, a campus or district president may order that that person be denied further access to documents of the Seattle Community College District. Any person wishing to contest such an order may request a hearing before the president or his designee concerning the charges, and such a hearing shall be considered a contested case for purposes of chapter 28B.19 RCW. [Order 36, § 132F-168-090, filed 11/21/77; Order 16, § 132F-168-090, filed 10/4/73.]

**WAC 132F-168-100 Request for inspection of public records—Form 1.**

COMMUNITY COLLEGE DISTRICT VI  
REQUEST FOR INSPECTION OF PUBLIC  
RECORDS—FORM 1

To be completed by applicant

To: \_\_\_\_\_

The applicant requests inspection of the following documents:

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

The applicant agrees to return the documents unharmed and in an orderly fashion.

Signed \_\_\_\_\_  
Address \_\_\_\_\_

*Present this form to a dean of instruction, dean of students, District director, Employee Relations and Personnel, business managers, or the secretary of one of the above officials.*

To be completed by campus official

- ☐ The requested document is available for inspection.
- ☐ The District is not in possession of such a document.
- ☐ Please clarify precisely what documents are being requested as it cannot be determined from your application what documents are desired.
- ☐ The request is denied because the document is:
- ☐ (a) Personal information in a file maintained for a student of this institution.
- ☐ (b) Personal information in a file maintained for an employee of the District, disclosure of which would violate the employee's right to privacy.
- ☐ (c) A preliminary draft, note, recommendation or intra-agency memorandum in which opinions are expressed or policies formulated or recommended, which document has not been publicly cited by this agency in connection with an agency action.
- ☐ (d) A record which is relevant to a controversy to which this agency is a party which record would not be available to another party under the rules of pretrial discovery.
- ☐ (e) The document contains personal information which, when deleted, can be released, and such deletions will be completed by \_\_\_\_\_.
- ☐ (f) Other \_\_\_\_\_

Signed \_\_\_\_\_  
Title \_\_\_\_\_

Time/Date Form Received \_\_\_\_\_  
Time/Date Form Returned to Applicant \_\_\_\_\_  
Applicant's Demand Date for Return of Request \_\_\_\_\_

*A refusal to make a record available for inspection may be appealed to a campus president or the District President. If the request is denied prior to 3 p.m., the appeal should be filed by the close of the business day. If the request is denied after 3 p.m., the appeal should be filed by 11 a.m. of the next business day.*

[Order 36, § 132F-168-100, filed 11/21/77.]

**WAC 132F-168-110 Request for inspection of public records—Form 2.**

COMMUNITY COLLEGE DISTRICT VI  
REQUEST FOR INSPECTION OF PUBLIC  
RECORDS—FORM 2

To: \_\_\_\_\_  
(Appropriate campus/District president)

The applicant has been denied inspection of a document which is possessed by Seattle Community College District. The denial was made following submission of Form 1 (attached hereto).

The applicant appeals the disposition made on Form 1 and requests you to review this denial prior to the close of the second business day following the denial of the request.

Signed -----  
Address -----

Present this form to the secretary of the campus president or the District President.

The appellant understands the president is not available until -----, and agree to an extension of the return time until -----

Signed -----

#### DISPOSITION

- ☐ Inspection of the documents is granted.
- ☐ Inspection will be granted following deletion of personal materials in the requested documents.
- ☐ Inspection of the document is denied because -----  
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Signed -----  
Title -----

Time/Date Form received -----  
Time/Date Form returned to applicant -----  
Applicant's demand date for return of request -----

[Order 36, § 132F-168-110, filed 11/21/77.]

#### Chapter 132F-325 WAC

#### STATE ENVIRONMENTAL POLICY ACT RULES

##### WAC

- 132F-325-010 Seattle Community College District environmental policy.
- 132F-325-020 Declaration of significance—Nonsignificance.
- 132F-325-030 Threshold determination.
- 132F-325-040 Declaration of nonsignificance.
- 132F-325-050 Declaration of significance.
- 132F-325-060 Appeal of decision.

**WAC 132F-325-010 Seattle Community College District Environmental Policy.** (1) Capital projects proposed by Seattle Community College shall, to the fullest extent possible, be developed in a manner consistent with the provisions of the State Environmental Policy Act (SEPA) – chapter 43.21C RCW, the Council on Environmental Policy SEPA Guidelines – chapter 197-10 WAC, and the SBCCE SEPA implementation rules – WAC 131-24-030.

(2) The "responsible official" for the purposes of this policy, shall be the District President or the College Presidents for their respective campuses. [Order 31, § 132F-325-010, filed 9/20/76.]

**WAC 132F-325-020 Declaration of significance—Nonsignificance.** The responsible official shall prepare a "Declaration of Significance/Nonsignificance" for each capital construction proposal or other major action. [Order 31, § 132F-325-020, filed 9/20/76.]

**WAC 132F-325-030 Threshold determination.** (1) The responsible official shall make a "threshold determination" (a decision whether or not an environmental impact statement is required) following procedures contained in WAC 197-10-300 through 197-10-340.

(2) An environmental checklist is required to be completed in the determination process except for exemptions noted in WAC 197-10-170, 197-10-175 and 197-10-180, or when it is predetermined an environmental statement is required. [Order 31, § 132F-325-030, filed 9/20/76.]

**WAC 132F-325-040 Declaration of nonsignificance.** A "Declaration of Nonsignificance" statement will be prepared if the determination is one of no adverse impact. [Order 31, § 132F-325-040, filed 9/20/76.]

**WAC 132F-325-050 Declaration of significance.** A "Declaration of Significance" will be prepared if the determination is one of significant adverse environmental impact, and the Environmental Impact Statement preparation procedures (WAC 197-10-400 through 197-10-695) will be initiated. [Order 31, § 132F-325-050, filed 9/20/76.]

**WAC 132F-325-060 Appeal of decision.** The decisions [decisions] of the responsible official may be appealed to the Board of Trustees in accordance with chapter 28B.19 RCW and chapter 132F-08 WAC. [Order 31, § 132F-325-060, filed 9/20/76.]