WAC 173-806-205 Effective date. (Optional.) The effective date of this ordinance is_____.  [Statutory Authority: RCW 43.21C.130. 84-13-036 (Order DE 84-25), § 173-806-205, filed 6/15/84. Formerly WAC 173-805-140.]

WAC 173-806-220 Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance, or the application of the provision to other persons or circumstances, shall not be affected.  [Statutory Authority: RCW 43.21C.130. 84-13-036 (Order DE 84-25), § 173-806-220, filed 6/15/84. Formerly WAC 173-805-140.]

PART ELEVEN
FORMS

WAC 173-806-230 Adoption by reference. The city/county adopts the following forms and sections by reference:

WAC
197-11-960 Environmental checklist.
197-11-965 Adoption notice.
197-11-970 Determination of nonsignificance (DNS).
197-11-980 Determination of significance and scoping notice (DS).
197-11-985 Notice of assumption of lead agency status.
197-11-990 Notice of action.


Title 174 WAC
THE EVERGREEN STATE COLLEGE

Chapters
174-104 Regular and special meetings of the board of trustees.
174-107 Governance and decision making.

174-116 Parking and traffic rules.

Chapter 174-104 WAC
REGULAR AND SPECIAL MEETINGS OF THE BOARD OF TRUSTEES

WAC
174-104-010 Regular meetings.

WAC 174-104-010 Regular meetings. A regular meeting of the board of trustees shall be held unless dispensed with by the board of trustees, on the campus of The Evergreen State College beginning at 1:30 p.m. on the second Wednesday of the following months: February, April, June, August, October, December. When such Wednesday shall be a legal holiday, the meeting shall be held on the Thursday immediately following such second Wednesday.  [Statutory Authority: RCW 28B.40.120(11). 85-10-049 (Order 85-2, Resolution No. 85-14), § 174-104-010, filed 4/30/85, effective 6/1/85; 84-14-025 (Order 84-1, Resolution No. 84-20), § 174-104-010, filed 6/26/84; 82-10-035 (Order 82-1, Motion No. 82-9), § 174-104-010, filed 4/30/82; 78-05-008 (Order 78-1, Resolution Motion 78-7), § 174-104-010, filed 4/7/78; Order 72-3, § 174-104-010, filed 10/27/72.]

Chapter 174-107 WAC
GOVERNANCE AND DECISION MAKING

WAC
174-107-230 Repealed.
174-107-240 Repealed.
174-107-250 Repealed.
174-107-260 Repealed.
174-107-270 Repealed.
174-107-280 Repealed.
174-107-290 Repealed.
174-107-300 Repealed.
174-107-310 Repealed.
174-107-320 Repealed.
174-107-330 Repealed.
174-107-350 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER


WAC 174-107-230 Repealed. See Disposition Table at beginning of this chapter.

WAC 174-107-240 Repealed. See Disposition Table at beginning of this chapter.
and pledges not to discriminate against students or employees on the basis of national origin, religion, marital status, sexual preference, age, handicap, or Vietnam era or disabled veteran status. The board of trustees pledges that they will provide adequate funding and resources necessary for implementation of this policy.

It is the responsibility of each and every member of the college community to ensure that this policy becomes a functional part of the daily activities of The Evergreen State College.

This policy shall form part of the college social contract, the faculty handbook and all other contractual agreements governing employees, other members of the Evergreen community, and all groups and organizations who use campus facilities. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-010, filed 8/21/84.]

WAC 174-109-020 Legal basis of affirmative action program. The historic practice of excluding certain groups from employment and educational opportunity in the United States has resulted in social and economic disparity which has necessitated corrective legislation, both at the federal and state level, including:

(1) State of Washington, Constitution, Article IX, section I, prohibiting discrimination in education on account of race, color, caste or sex and Article XXXI, prohibiting discrimination on account of sex.

(2) State of Washington, chapter 28B.16 RCW, the higher education personnel law.

(3) State of Washington, chapter 49.60 RCW, which prohibits discrimination in employment and public accommodation on the basis of age, sex, race, color, creed, national origin, marital status, or the presence of physical handicap, and establishes the Washington state human rights commission.


(5) State of Washington, Governor's Executive Orders 77-10, 78-1, 79-08, and 81-02, which set forth the policy of nondiscrimination and affirmative action in state employment and state contracts.


(7) Federal Civil Rights Act of 1964, including the implementing regulations of the equal employment opportunity commission, and the office of civil rights, prohibiting discrimination in employment because of race, color, religion, sex, or national origin.

(8) Federal Rehabilitation Act of 1973, Section 504, which prohibits discrimination on the basis of handicap in programs receiving federal assistance.

(9) Federal Education Amendments of 1972, Title IX, prohibiting discrimination on the basis of sex in education.

(10) Federal Vietnam Era Veterans Readjustment Action of 1974 which prohibits discrimination because of Vietnam Era or disabled veteran status. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-020, filed 8/21/84.]

WAC 174-109-030 Definitions. (1) Handicapped persons (federal definition) means any person who (a) has a physical or mental impairment which substantially limits one or more major life activities, (b) has a record of such an impairment, or (c) is regarded as having such an impairment.

(2) Disabled veteran means a person entitled to disability compensation under laws administered by the Veterans' Administration for a disability rated at thirty per centum or more, or a person whose discharge or release from active duty was for a disability incurred or aggravated in the line of duty.

The higher education personnel board rule WAC 251-18-130 allows veterans to receive bonus points on civil service examinations during the eight years following the date of release from active service.

(3) Veteran of the Vietnam Era means a person who (a) served on active duty for a period of more than one hundred eighty days, and part of which occurred between August 5, 1964, and May 7, 1975, and was discharged or released therefrom with other than a dishonorable discharge, or (b) was discharged or released from active duty for a service connected disability if any part of such active duty was performed during the Vietnam Era.

The Vietnam Era Veterans Readjustment Action of 1974 protects nondisabled Vietnam Era veterans for forty-eight months after discharge or release from active duty.

(4) Racial/ethnic groups (federal definitions):

(a) American Indian or Alaska Native includes all persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

(b) Black (not of Hispanic origin) includes all persons having origins in any of the black racial groups in Africa.

(c) Hispanic includes all persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race. For purposes of data gathering the college separates Hispanic foreign nationals from Chicano/Mexican Americans.

(d) Asian includes all persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(e) White (not of Hispanic origin) includes all persons having origins in any of the original peoples of Europe, North Africa or the Middle East.

(5) Protected groups include all persons in subsections (1) through (4)(d) of this section and women.

(6) Third World includes all persons in subsection (4)a through (d) of this section.

(7) Sexual harassment is unwanted sexual or sexist contact or communication, submission to which becomes a factor affecting the individual's employment or academic standing, or which creates an offensive or intimidating work or academic environment.
Affirmative Action Policy 174-109-050

(8) Applicants. An applicant is a person who has completed an application in response to the college initiated recruiting effort.

(9) Corrective employment program. As used in this chapter the term corrective employment program means a program designed to increase the number of employees of a particular protected group in an industry, occupation or place of work in order to correct a condition of underrepresentation of such employees caused by present or past practices, customs, or usages of the employer or others that have limited employment opportunities for members of the affected group.

(10) Appointing authorities. "The following list shall constitute the presidentially designated positions of 'appointing authority'."

President
Academic vice president and provost
Vice president for business
Academic deans
Assistant to the president
Bookstore manager
Controller
Coordinator of career planning and placement
Coordinator of media services
Dean of student and enrollment services
Dean of library services
Director of admissions
Director of recreation and athletics
Director of auxiliary services
Director of college relations and development
Director of computer services
Director of cooperative education
Director of educ. support program
Director of employee relations
Director of facilities and services
Director of financial aid
Executive assistant to the vice president for business
Registrar
Security chief

(11) Presidents council. The following list constitutes the members of the "president's council":

President
Academic vice president and provost
Vice president for business
Academic deans
Assistant to the president
Bookstore manager
Controller
Coordinator of career planning and placement
Coordinator of media services
Dean of student and enrollment services
Dean of library services
Director of admissions
Director of recreation and athletics
Director of auxiliary services
Director of college relations and development
Director of computer services
Director of cooperative education
Director of educ. support program
Director of employee relations
Director of facilities and services
Director of financial aid
Executive assistant to the vice president for business
Registrar
Security chief

WAC 174-109-040 Purpose. To implement this policy, The Evergreen State College has adopted an affirmative action program as described in these sections.

WAC 174-109-050 Responsibility for implementation. (1) The president of The Evergreen State College is responsible to the board of trustees and to the Evergreen community for implementation of the affirmative action policy, and for recommending the resources necessary to make the policy productive and effective.

(2)(a) The affirmative action officer will report directly to the president. The affirmative action officer is responsible to the president, and will be responsible for and assure compliance with this policy, and federal and state laws prohibiting discrimination and promoting equal opportunity. The affirmative action officer shall receive, investigate, and pursue fully all complaints and grievances involving violation of this policy, in accordance with the grievance procedures described in this policy.

(b) The affirmative action officer shall:

(i) Design and administer reporting systems to measure the effectiveness of this policy and to chart affirmative action achievements for the Evergreen campus as a whole, which shall be derived from individual reports from each campus;

(ii) Prepare and submit reports to appropriate state and federal agencies;

(iii) Maintain resource material and an up-to-date listing of all agencies and organizations dealing with women and Third World people, these files will be used for recruitment purposes;

(iv) Advise the college community of changes that affect the affirmative action policy on at least an annual basis;

(v) Initiate and disseminate suggestions for training programs as described in the education and training section of this policy;

(vi) Coordinate reporting efforts as outlined in the monitoring, evaluation and improvement section of this policy;

(vii) Consult with the affirmative action committee on nonroutine matters relating to the policy itself, compliance problems, and new and continuing affirmative action grievances. The affirmative action officer will propose the agenda for these meetings to the president, who will call the committee into session.

(3)(a) The affirmative action committee will consist of: The members of the president's council (see definitions), two classified staff members elected by the staff and five students selected by the president, including two women students and two Third World students, at least one of whom shall be a representative of the Third
WAC 174-109-050  
Chairing, health services, academic advising, career planning, and other areas related to the college.

(b) The affirmative action committee shall:
(i) Meet at the request of the president and in consultation with the affirmative action officer to hear and resolve nonroutine affirmative action policy issues;
(ii) Meet annually at the request of the president to receive an annual report from the affirmative action officer on unit progress toward meeting the goals of the affirmative action plan and to recommend corrective action where indicated;
(iii) Plan and sponsor an affirmative action education program as described in the education and training of the campus community section of this policy.

(4) The director of employee relations in cooperation with the affirmative action officer is responsible for informing the appropriate appointing authority and the chairperson of each employee selection committee about the relevant affirmative action policy and reporting procedures in matters of employee selection. The appointing authority and the selection committee chairperson are responsible for initiating this exchange of information. The director of employee relations is also responsible for consultation, counseling, and identifying training programs for the upward mobility of classified and exempt staff including Third World people and women.

(5) The provost shall ensure that annual progress is made towards affirmative action goals in the area of faculty hiring, and that curriculum planning, teaching assignment, resource allocation, faculty evaluation, library development, and the evaluation process reflect affirmative action principles.

(6) The vice president for business and his/her designee shall ensure that the college complies with the requirements of chapter 120, Laws of 1983, concerning the participation of minority and women's business enterprises in the purchase orders of the college, public works contracts, and the selection of architectural and engineering services.

(7) The purchasing agent shall comply with all provisions of the Minority and Women's Business Act, and shall make this information available to all persons who make purchases for the college.

(8) The dean of student and enrollment services shall ensure that admission, registration, financial aid, counseling, health services, academic advising, career planning, student activities, and the campus community section of this policy.

(9) The director of admissions is responsible for coordinating student recruiting efforts to attract student applicants from protected groups so that the student population of Evergreen shall parallel the population of Washington state.

(10) All appointing authorities (see definitions) shall be responsible for implementation of this policy in their units, and shall provide an annual affirmative action report as specified in the monitoring, evaluation and improvement section of this policy. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-050, filed 8/21/84.]

WAC 174-109-060  
Policy dissemination. The affirmative action officer will disseminate a summary of the affirmative action policy statements to:

(1) All college offices will have copies of this policy and the summary statement available to disseminate to the following: New employees; new students; contractors and vendors from whom the college purchases goods and services; organizations or business establishments with which the college has internship agreements; and representatives of off-campus persons or groups that schedule the use of college facilities for conferences, conventions or other activities.

(2) The affirmative action officer will ensure publication of affirmative action policy statements in the catalog and the faculty handbook and, at least once annually, in the Cooper Point Journal.

(3) Admissions recruiters will inform potential applicants about the policy during recruiting activities.

(4) Federal affirmative action posters and copies of this affirmative action policy will be displayed continuously on the bulletin board in the affirmative action office and office of employee relations.

(5) College management representatives to employee organizations contract negotiations will assure that any collective bargaining agreements covering members of the college faculty and/or staff provide for incorporation of this policy.

(6) The college administration will incorporate appropriate affirmative action provisions in all its annual budget goals and objectives statements. Action provisions in all its goal statements. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-060, filed 8/21/84.]

WAC 174-109-070  
Hiring procedures. Evergreen conducts many kinds of hiring procedures: Classified, exempt, faculty, temporary, contractual, and student are included. The affirmative action aspects of these are as follows:

(1) Classified employees. The procedures for appointing classified employees are established largely by the higher education personnel board (HEPB) and are implemented through the office of employee relations. In accordance with the affirmative action guidelines developed by the HEBP and the human rights commission, the employment procedure includes the following factors:

(a) Use of affirmative action waiting lists (continuously updated) in advertising all job vacancies;
(b) Use of nondiscriminatory wording of job announcements and selection procedure;
(c) When recommended, use of corrective employment procedures (see definitions); and
(d) Compilation of affirmative action statistics and documentation of progress, or lack thereof, towards affirmative action goals.

(2) Exempt employees. The appointing authority, or chair of the search committee, for exempt positions will confer with affirmative action officer upon undertaking
the search, using the checklist of affirmative action procedures developed for that purpose, available at the affirmative action office. The appointing authority, and selection committee chair, in consultation with the affirmative action officer, shall develop: Recruiting and advertising methods that generate candidates from protected groups; job descriptions; and a time frame for the search. The selection committee will be representative of the college community, including members from protected groups. At this point the affirmative action officer will certify in writing that the search will proceed, or in consultation with the appointing authority, request corrective employment procedures. Failure to comply with these requirements will necessitate reopening the search. The affirmative action officer will provide forms for use in tracking each applicant and will compile and maintain a file of these forms as they are completed for each applicant.

(3) Faculty employees. Faculty hiring at The Evergreen State College is the responsibility of the provost, and whomever may be delegated to participate in that process. At the beginning of each selection process, those delegated shall meet with the affirmative action officer to acquire information on affirmative action procedures, using the checklist of affirmative action procedures developed for that purpose, available in the affirmative action office. Those delegated, in consultation with the affirmative action officer, shall develop: Recruiting and advertising methods that generate candidates from protected groups; job description; and a time frame for the search. At this point, the affirmative action officer shall certify in writing that the search will proceed, or ask for corrective employment measures, as appropriate. The affirmative action officer will supply forms to the appointing authority for use in tracking each applicant, and will compile and maintain a file of these forms as they are completed for each applicant. If necessary to achieve affirmative action goals in the area of faculty hires, those delegated and the affirmative action officer will request the use of corrective employment procedures. Failure to comply with these requirements will necessitate reopening the search.

(4) Student employees. The affirmative action office supplies a form to all employers of students on campus which allows applicants to volunteer affirmative action data. This information will be included in the appointing authority's annual report. Each student position must be posted in the office of student financial aid. Each paid student internship must be on file in the office of cooperative education. These positions must be posted for at least one week or until a minimum of three students are interviewed for the positions.

(5) Temporary employees, adjunct faculty, dean and staff rotation appointments. While individuals in these categories are appointed for limited periods of time and for particular tasks, any appointments made in this manner must be in accordance with the tenets of the affirmative action policy. The affirmative action officer will review announcements, schedules, committee memberships, rating criteria, and applicant pools for affirmative action adequacy.

(6) Handicapped applicants. When a job applicant voluntarily self-identifies as handicapped, no inquiry as to the nature or severity of the handicap may be made during the initial rating process. If the applicant becomes a finalist, inquiry may be made concerning specific ability to perform essential job functions. The appointing authority must be prepared to make reasonable accommodations for a qualified handicapped applicant who can perform the essential functions of the position, and may not take into account, in the hiring decision, the fact that such accommodations are necessary. Reasonable accommodations may include making facilities used by employees readily accessible to handicapped persons, job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, and other similar actions. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-070, filed 8/21/84.]

WAC 174-109-080 Goals and timetables. Evergreen is committed to achieving and maintaining a richly mixed multi-ethnic student body, faculty and staff. In order to assure our progress toward this end, the college establishes goals to measure achievement. Short-term goals measure our expectations while long-term goals measure our aspirations. A four-year cycle is established to measure short-term goals because it best includes the largest part of the Evergreen community.

The administrators of the college commit themselves to every possible effort to set short-term student and employment goals and meet those goals by June 30, 1988. In employment areas where goals of the previous affirmative action policy (3/5/76) have been met or exceeded, affirmative action participation will be maintained at or above those goals. The following table provides a frame of reference for developing short-term goals within each unit of the college. Percentages expressed are percentages of the total student population or Evergreen work force.

<table>
<thead>
<tr>
<th>Category</th>
<th>4 year Goals</th>
<th>Long term Historical Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Current</td>
<td></td>
</tr>
<tr>
<td>Third World</td>
<td></td>
<td>25%</td>
</tr>
<tr>
<td>Students</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Women students</td>
<td>10%</td>
<td>Each appointing authority</td>
</tr>
<tr>
<td></td>
<td>50%</td>
<td>shall be required to set</td>
</tr>
<tr>
<td></td>
<td>51%</td>
<td>his/her own</td>
</tr>
<tr>
<td>Third World</td>
<td></td>
<td>15%</td>
</tr>
<tr>
<td>administrators</td>
<td>7%</td>
<td>4 year goals.</td>
</tr>
<tr>
<td></td>
<td>12%</td>
<td>Progress towards</td>
</tr>
<tr>
<td>Women administrators</td>
<td>33%</td>
<td>this goal</td>
</tr>
<tr>
<td></td>
<td>41%</td>
<td>shall be reported annually</td>
</tr>
<tr>
<td>Third World</td>
<td></td>
<td>25%</td>
</tr>
<tr>
<td>faculty</td>
<td>9%</td>
<td>to the affirmative action</td>
</tr>
<tr>
<td></td>
<td>14%</td>
<td>committee.</td>
</tr>
<tr>
<td>Women faculty</td>
<td>26%</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td>32%</td>
<td></td>
</tr>
<tr>
<td>Third World</td>
<td></td>
<td>45%</td>
</tr>
<tr>
<td>professionals</td>
<td>7%</td>
<td>25%</td>
</tr>
<tr>
<td></td>
<td>12%</td>
<td>annually to the</td>
</tr>
<tr>
<td>Women professionals</td>
<td>45%</td>
<td>affirmative action</td>
</tr>
<tr>
<td></td>
<td>56%</td>
<td>committee.</td>
</tr>
<tr>
<td>Third World</td>
<td></td>
<td>45%</td>
</tr>
<tr>
<td>clerical workers</td>
<td>5%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>10%</td>
<td>15%</td>
</tr>
<tr>
<td>Women clerical</td>
<td>78%</td>
<td></td>
</tr>
<tr>
<td>workers</td>
<td>87%</td>
<td>45%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Third World</td>
<td></td>
<td></td>
</tr>
<tr>
<td>technical workers</td>
<td>8%</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td>13%</td>
<td></td>
</tr>
<tr>
<td>Women technical</td>
<td>48%</td>
<td></td>
</tr>
<tr>
<td>workers</td>
<td>33%</td>
<td>45%</td>
</tr>
<tr>
<td>Third World</td>
<td></td>
<td></td>
</tr>
<tr>
<td>craft workers</td>
<td>5%</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td>5%</td>
<td></td>
</tr>
<tr>
<td>Women craft</td>
<td></td>
<td></td>
</tr>
<tr>
<td>workers</td>
<td>5%</td>
<td>25%</td>
</tr>
<tr>
<td></td>
<td>0%</td>
<td></td>
</tr>
</tbody>
</table>

[1985 WAC Supp—page 553]
### Title 174 WAC: The Evergreen State College

#### WAC 174-109-090 Corrective employment.

**Purpose.** "Corrective employment" (see definition) is a general term for the policy that establishes a legal framework in which to undertake various affirmative action hiring options. These efforts will vary according to the hiring involved, whether for classified staff, exempt, or faculty positions.

Corrective employment is the means by which the college will correct under-utilization of members of protected groups.

<table>
<thead>
<tr>
<th>Category</th>
<th>Availability</th>
<th>Current</th>
<th>4 Year Goals</th>
<th>Long Term Historical Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Third World service workers</td>
<td>7%</td>
<td>36%</td>
<td>15%</td>
<td></td>
</tr>
<tr>
<td>Women service workers</td>
<td>40%</td>
<td>16%</td>
<td>45%</td>
<td></td>
</tr>
</tbody>
</table>

1. Composition of these categories by position is available from the affirmative action office.

2. Based on 1983 availability statistics described below.

In addition to staffing pattern goals by job category as established in this section, the college recognizes as a long term historical goal the achievement of staffing patterns which provide at least fifteen percent Third World people and forty-five percent women in each unit under the direction of its appointing authority. Progress toward this goal will be evaluated on an annual basis. Further, the policy recognizes that the college has established one category to measure goals for all Third World people and that Third World women are counted as women and as Third World. Where one or more protected group (see definition) is under-utilized, it is the responsibility of the appointing authority to take steps necessary to correct such disparity.

Affirmative action will be exercised by the appointing authority in order to make progress toward our long range goals. Corrective employment procedures will be authorized by the affirmative action officer in all cases where there is an under-utilization according to availability statistics within an organizational unit or job classification.

An important long-term goal of the college is the creation of an atmosphere of mutual respect and appreciation for the cultural diversity within the Evergreen community. An equally important long-term goal is the maintenance of the enrollment and employment levels that are greater than the percentages expressed through "availability statistics" for each of the categories listed in the preceding table. Availability statistics will be drawn from the following geographic areas:

- Students – Washington state
- Administrators and faculty – National
- Professional, technical, clerical, craft and service workers –
  - Sixty percent Pierce and King counties
  - Forty percent Thurston, Mason, Lewis and Grays Harbor counties.


(2) Authority. The Evergreen State College is required by Washington Executive Order 79–08 to develop and maintain an affirmative action program in accordance with the regulations developed by the Office of Federal Contract Compliance pursuant to Executive Order 12246.

Higher education personnel board (HEPB) WAC 251–18–390, corrective employment programs, and regulations of the Washington state human rights commission (WSHRC), chapter 162–18 WAC define and authorize the use of corrective employment programs. Each of these authorities provides for the use of selective certification in the referral and selection of persons of the under-represented groups.

(3) Determination of need for corrective employment. Evergreen maintains a computerized workforce roster which lists each employee by race, sex, handicapped and veteran status, salary level and occupational classification.

Using information from the United States Census and Labor Market Information published by the Washington state employment security department, the affirmative action officer biennially compiles availability statistics for each occupational classification and identifies areas of under-utilization. Determinations of under-utilizations in employment, internal and historical trends of college employment, and comparisons between the data and the college's affirmative action goals are all included in the affirmative action annual report.

When this data shows that an under-utilization exists (according to federal definition) in the classified staff area, the affirmative action officer and the appointing authority will recommend that the director of employee relations utilize corrective employment procedures.

To determine whether to fill a faculty or exempt position by means of corrective employment, the appropriate dean or appointing authority, in consultation with the affirmative action officer, will compare the national availability statistics with the college's affirmative action goals.

(4) Responsibility. The Evergreen affirmative action policy, chapter 174–109 WAC assigns overall responsibility of the implementation to the president. It is the responsibility of the affirmative action officer to analyze, evaluate and monitor the institution's success or lack of success in achieving its goals and timetables, and to determine the need for corrective employment efforts.

Deans, appointing authorities, and vice presidents have the responsibility for meeting the college's affirmative action goals and commitments in their assigned area. The director of employee relations is authorized to use corrective employment in those equal employment opportunity categories and groups in which an under-utilization of protected group members has been determined.

(5) Components of the program. Provisions included in this corrective employment program include authorization for:

- Ascertaining the race, sex and handicap status of applicants.
WAC 174–109–100 Other policies. (1) Racial and sexual harassment prohibited. The college prohibits racial and sexual harassment on college property. While it is the responsibility of supervisors to intervene in circumstances of racial or sexual harassment, it is also the responsibility of each and every member of the college community to intervene and/or report to the affirmative action officer all instances of racial or sexual harassment.

(2) Reduction in force. It is the policy of the college that, in the event that circumstances require a reduction in force, existing campus-wide affirmative action employee ratios will to the extent permitted by law be protected. Classified layoffs, exempt terminations, and faculty terminations should be balanced to provide an affirmative action ratio similar to the ratios existing campus-wide prior to such a reduction in force.

(3) File retention. The complete application file of every applicant for a position shall be retained by the director of employee relations for classified positions and by appointing authorities in the case of faculty and exempt positions for a period of at least three years. [Statutory Authority: RCW 28B.40.120(11). 84–17–108 (Order 84–3, Resolution No. 84–20), § 174–109–100, filed 8/21/84.]

WAC 174–109–200 Education and training of campus community. Recognizing that prejudicial discriminatory attitudes and behavior are historically and systemically produced, this policy envisions sustained and multiple efforts to dispel them from the college community. All faculty and staff are expected to participate in regular college-sponsored programs to increase cross-cultural and interracial understanding and mutual tolerance between all groups and individuals. Other interested members of the Evergreen community are welcome to attend these programs.

(1) Training. All appointing authorities, in consultation with their staffs and the affirmative action officer, shall prepare specific goals and objectives for affirmative action to include training programs addressed to the special characteristics of the tasks involved in their areas of responsibility. Such programs shall specify how personnel will be trained to implement this policy in their daily work assignments. Staff shall be given release time to attend this training. Evaluations of the effectiveness of such training programs shall be included in the appointing authorities’ annual report.

(2) Education. In addition, the affirmative action committee, in consultation with the affirmative action officer and other interested parties shall design and implement an education program for each academic year, not later than August first of each year. Program activities shall provide multiple affirmative action educational opportunities for all members of the college community. The education program shall be designed to promote appreciation and recognition of cultural diversity on the part of all members of the college community and shall not depend on one or two events each year. It is the responsibility of all appointing authorities to assure that employees in their areas are able to attend program activities.

(3) The affirmative action committee and the affirmative action officer shall be responsible for evaluating the programs mandated herein, with the aid of such consultants as they deem appropriate. Evaluations of, and recommendations for the improvement of such programs shall be included in the annual affirmative action report of the committee to the board of trustees. [Statutory Authority: RCW 28B.40.120(11). 84–17–108 (Order 84–3, Resolution No. 84–20), § 174–109–200, filed 8/21/84.]

WAC 174–109–300 Academic program and activities policies. (1) Equal opportunity. No classes, courses of study or other educational programs and activities offered by the college will be closed to anyone because of race, color, national origin, sex, marital status, sexual preference, religion, age, handicap, Vietnam Era or disabled veteran status.

(2) Cultural bias. The college seeks to eliminate cultural bias and stereotyping in testing, counseling, advising, academic instruction and evaluation procedures.

(3) (a) Handicap accessibility. The college is committed to providing accessible education, maintaining an accessible campus, and providing auxiliary aids through the office of handicapped access and services. Concerns about handicapped access will be addressed to the planning office.

(b) If the handicapped person is a student, the right to an accessible education will be balanced, in situations involving mental/emotional handicaps, with the rights of other students to participate in an orderly educational process.

(4) It is the responsibility of the provost, academic deans and members of the faculty to develop and implement a culturally, racially, ethnically diverse curriculum. [Statutory Authority: RCW 28B.40.120(11). 84–17–108 (Order 84–3, Resolution No. 84–20), § 174–109–300, filed 8/21/84.]

WAC 174–109–400 Monitoring, evaluation, and improvement. (1) This section has two purposes:

[1985 WAC Supp—page 555]
(a) To provide for data collection and reporting; and
(b) To establish procedures for evaluating institutional progress and individual performance of all faculty and staff as it relates to the affirmative action policy.

(2) The affirmative action officer will receive reports from the persons enumerated below and such other college officials as he/she may request to provide information, prepare digests, summaries and/or interpretations in sufficient detail to fulfill the information requirements of the president, board of trustees, or other authorities named in this program; and prepare college reports to external bodies such as the higher education personnel board, governor's committee or affirmative action, etc.

(3) The following persons will provide information to the affirmative action office as indicated.
(a) The director of employee relations will report annually on upward mobility within the college workforce, and will provide quarterly reports concerning applications received, number of persons hired, number of persons receiving training, number of persons promoted, number of persons transferred, number of persons terminated, starting salary of new employees and employee turnover rates, all by race and sex, veteran and handicapped status.

(b) The provost or his/her designees will report annually on affirmative action progress in faculty hiring, and the development of cultural literacy in the areas of curriculum planning, teaching assignment, resource allocation, and library development.

(c) The vice president for business or his/her designees will supply contract compliance data as it is generated, and will report quarterly on the dollar amount of goods and services contracts awarded, including the percentages awarded to minority and women-owned businesses.

(d) The registrar will provide quarterly reports of student enrollment by race and sex.

(e) The admissions staff will compile quarterly data on student applications that self-identify concerning race, sex, and handicap.

(f) The financial aid staff will provide annual data on awards by race and sex.

(g) Cooperative education staff will provide quarterly reports reflecting participation in internships by race and sex.

(h) Housing staff will provide quarterly reports indicating student occupancy ratios by race and sex.

(i) The office of institutional research staff will provide an annual report tracking Third World student retention.

(4) In addition, each official named in subsection (3) of this section, shall include in her/his reports the number of occasions in which performance evaluations have included a finding of probable cause to believe discrimination has taken place or failure to perform obligations imposed by provisions of this program, together with the corrective actions implemented in each case. (This includes faculty and staff.) The affirmative action officer shall include a digest of such reports in his/her reports to the president and board of trustees, together with recommendations with regard to the need for new policies and/or corrective actions.

(5) All members of the Evergreen community are required to abide by the provisions of this policy as a condition of remaining a member of the community. Every Evergreen employee shall be evaluated with respect to performance obligations under this policy, as a regular part of the established annual evaluation process. In every case of a negative evaluation, the evaluation shall state what corrective action has been required. Subsequent evaluations shall specifically address the question of whether there has been improvement in the employee's performance in this regard. Continued negative evaluations shall constitute grounds for terminating the employee's membership in the Evergreen community. College officials shall report instances where a finding of probable cause that discrimination has occurred among students to the affirmative action officer and the campus adjudicator. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-400, filed 8/21/84.]

WAC 174-109-500 Grievance procedures. A person who believes she/he has received prejudicial discriminatory treatment within the Evergreen community because of race, color, national origin, sex, marital status, sexual preference, religion, age, handicap, Vietnam Era or disabled veteran status is urged to utilize the grievance procedures provided by the college through the affirmative action office. This policy also seeks to protect complaining parties from any retaliation which might result from the resolution of complaints. Although the procedure for taking action when probable cause exists varies depending on a person's membership in the campus community, the procedures leading to that action are the same. This policy however, cannot substitute for personal integrity and professional ethics in the Evergreen community. Members of the Evergreen community who come into conflict on issues of discrimination and retaliation must first make a determined effort to resolve problems between themselves in a constructive and mutually agreeable manner. If the situation remains unresolved, a complainant (the person making the complaint) or a respondent (the person complained about) may contact the affirmative action office for the purposes of policy clarification, informal discussion, advice and assistance. These contacts will be kept confidential.

(1) Informal resolution. The complainant should contact the affirmative action officer to discuss the complaint. The affirmative action officer may appoint a third-party mediator if the parties fail to agree upon one, or the affirmative action officer may serve as mediator if agreeable to both parties. Third-party mediation is deliberately left unstructured; this allows the mediator the widest possible latitude. The mediator may, at his/her option, adopt any rules or procedures necessary to insure compliance with due process and to obtain orderly resolution of conflict. Within five working days of the conclusion of mediation, the mediator shall send a summary statement of the nature of the conflict to the affirmative action committee through the president's office.
Informal resolution, the hearing shall be conducted verbatim record of these interviews shall be obtained and individuals, as appropriate. The affirmative action officer will provide forms for this purpose. Statements should be detailed, accurate and truthful, and must include a suggested resolution.

(b) Notification of principals. Receipt of the complaint will be acknowledged in writing by the affirmative action officer. The respondent will be informed within three working days by the affirmative action officer of the nature and substance of the complaint. Following a face-to-face discussion with the respondent, the affirmative action officer shall send a copy of the written complaint to the respondent following the personal contact, also within three working days of the filing.

(c) Information gathering. It shall be the responsibility of the affirmative action officer to solicit and compile information about the complaint during a period not to exceed ten working days. Both the complainant, and the respondent may choose to name a representative to participate in the proceeding; may suggest witnesses to be interviewed; and may submit informational documents and/or statements.

The affirmative action officer may also solicit information and/or documentation from other units or individuals, as appropriate. The affirmative action officer will make every effort to conduct interviews with witnesses and other parties at times which are convenient for the participation of parties and/or representatives. A verbatim record of these interviews shall be obtained and made available to parties and representatives.

It is the responsibility of all people involved in the information-gathering process to seek out and/or provide truthful and complete information, to remain impartial, and to maintain confidentiality.

(d) Deliberations. Within five working days after the conclusion of the information gathering, the affirmative action officer shall write a factual summary of the information gathering efforts. This summary will not contain opinion or conclusions, and will remain confidential.

Within five working days after the summary has been written, the affirmative action officer and the parties and/or representatives shall meet to determine whether there is consensus as to the facts, and to discuss any possible resolutions of the problems. A verbatim record of this discussion shall be obtained. Participants are under a duty of good faith to seek consensus and resolution. The summary may be amended to reflect any new information that is obtained, or to reflect consensus and resolution.

(e) Decision making. If no consensus and resolution have been found, the affirmative action officer will, within five working days after the meeting to find consensus and resolution has been concluded, consult with the president, the affirmative action committee, and the appointing authorities of the principals, or the campus adjudicator if students are involved, and then write a report to include the following:

(i) A summary of the deliberations.
(ii) A conclusion concerning probable cause to believe discrimination has taken place, or the lack thereof.
(iii) A recommended remedy.
These findings will be forwarded to the principals, the president, the affirmative action committee and the appointing authorities of the principals, or the campus adjudicator if students are involved.

(f) Action. If probable cause has taken place, action will be taken as follows:

(i) Student as respondent: The campus adjudicator will take action in accordance with the social contract and established guidelines.
(ii) Classified staff as respondent: The appointing authority will take action based on HEPC rules.
(iii) Faculty as respondent: The academic dean and provost will take action in accordance with faculty handbook guidelines.
(iv) Exempt staff as respondent: The appointing authority takes action.

(g) Appeals. Within thirty calendar days of receiving the findings, either the complainant or the respondent may request a hearing before the board of trustees by submitting a written request. Such an appeal may only be accepted if the appellant participated in mediation and in the hearing. The appeal may include only information entered into the hearing record. No new material may be offered during the appeal hearing. The decision may be challenged if it:

(i) Is clearly erroneous in view of the entire record as submitted;
(ii) Is arbitrary or capricious;
(iii) Is beyond jurisdiction of Evergreen (i.e., is covered by federal, state, local statutes);
(iv) Is contrary to usual practice at Evergreen.

Should the trustees not agree to a hearing, the decision is final on campus, and shall be implemented within ten working days.

A person who believes she/he has been the subject of discrimination may choose to consult an attorney regarding civil redress, or may choose to file a discrimination grievance with the following agencies:

Washington State Human Rights Commission
402 Evergreen Plaza Building
7th and South Capitol Way
Olympia, WA 98504

Office of Civil Rights
Department of Health, Education Welfare
Arcade Plaza Building MS 508
1321 Second Avenue
Seattle, WA 98101

[1985 WAC Supp—page 557]
Equal Employment Opportunity
Commission
414 Olive Way
Time Square Building
Fourth Floor
Seattle, WA 98101

[Statutory Authority: RCW 28B.40.120(11). 84-17-108
(Order 84-3, Resolution No. 84-20), § 174-109-500,
filed 8/21/84.]

Chapter 174-116 WAC
PARKING AND TRAFFIC RULES

WAC 174-116-011 Regulations. Drivers and owners of vehicles on the property of The Evergreen State College are responsible for safe and lawful operation of those vehicles. Individuals operating or parking vehicles on college-owned property must at all times comply with the campus regulations, ordinances of Thurston County and laws of the state of Washington. [Statutory Authority: RCW 28B.40.120(11). 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-011, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-011, filed 9/22/83.]

WAC 174-116-040 Parking permits—General information. (1) Parking permits are issued by the security and parking office following application and the payment of the appropriate fees. All privately-owned motor vehicles parked or left standing unattended on college property are required to display a currently valid Evergreen parking permit during the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday, and at such other times as the college may designate.

(2) Fees for parking permits are as follows:

<table>
<thead>
<tr>
<th></th>
<th>Automobile</th>
<th>Motorcycle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quarterly</td>
<td>22.00</td>
<td>11.00</td>
</tr>
<tr>
<td>Annual</td>
<td>54.00</td>
<td>27.00</td>
</tr>
<tr>
<td>Daily</td>
<td>.75</td>
<td>.75</td>
</tr>
</tbody>
</table>

[Statutory Authority: RCW 28B.40.120(11). 85-03-048
(Resolution No. 85-5), § 174-116-040,
filed 1/14/85; 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-040, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-040, filed 9/22/83; Order 72-7, § 174-116-040, filed 10/27/72.]

WAC 174-116-044 Parking permits—Validity periods. (1) Annual parking permits shall be valid from the date of issue until the first day of the following fall quarter.

(2) Quarterly parking permits shall be valid from the date issued each academic quarter until the first day of the following academic quarter.

(3) Daily permits shall be valid from the time purchased until 7:00 p.m. on the date of purchase. [Statutory Authority: RCW 28B.40.120(11). 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-044, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-044, filed 9/22/83.]


(a) Persons cited for violation of these regulations may respond by paying a fine within ten days of the date of notice of infraction. Such payment shall constitute a waiver of the right to request a review as described in WAC 174-116-121.

(b) All fines are payable to The Evergreen State College cashier. Fines may be paid in person or by mail by sending the notice of infraction and amount of fine to The Evergreen State College cashier. The cashier will not discuss the appropriateness of the fine with the payor.

(2) Unpaid.

If any fine remains unpaid after sixty days from the date of the notice of infraction, the following action may be taken by The Evergreen State College:

(a) All services on campus may be withheld including academic registration for the following quarter.

(b) Transcripts may be withheld for any persons having outstanding unpaid fines.

(c) Unless payment of the fine has been made, the amount of the fine may be deleted from an employee’s paycheck after notice from the controller. [Statutory Authority: RCW 28B.40.120(11). 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-119, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-119, filed 9/22/83.]

WAC 174-116-122 Appeal/hearing procedure. (1) If the decision of the infraction review committee is not supportive of the alleged violator's request, the alleged violator may request a hearing before the review committee to present his/her case in person. The infraction review committee will meet a minimum of once a month usually the first Wednesday of the month to hear such appeals.

(2) Persons requesting a hearing before the infraction review committee must make such requests to the chairperson of the infraction review committee within ten days of notification of the initial review decision.

(3) The appellant will be notified by the chairperson of the infraction review committee of the time and date of such hearing. Decisions rendered by the infraction review committee on appeals heard shall be binding, except as provided by RCW 28B.10.560. [Statutory Authority: RCW 28B.40.120(11). 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-122, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-122, filed 9/22/83.]

[1985 WAC Supp—page 558]
WAC 174-116-123 Establishment of infraction review committee. The Evergreen State College infraction review committee is hereby established, the members of which shall be composed of the following:
(1) One faculty member chosen by the vice president and provost;
(2) One exempt staff member chosen by the president;
(3) One classified staff member chosen by the vice president for business;
(4) Two currently enrolled students;
(5) The chief of security will serve as a nonvoting member; and
(6) A nonvoting secretary chosen by the chief of security. [Statutory Authority: RCW 28B.40.120(1). 85-21-067 (Order 85-4, Resolution No. 85-32), § 174-116-123, filed 10/18/85, effective 1/1/86; 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-123, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-123, filed 9/22/83.]

Title 177 WAC
ECONOMIC OPPORTUNITY, OFFICE OF

Chapters
177-04 General procedures.
177-06 Public records.
177-08 Uniform procedural rules.

Reviser's note: The Department of Community Development reaffirmed and assumed all rules made by the former Office of Economic Opportunity by the filing of WSR 84-14-064 on June 30, 1984. The reaffirmed chapters within Title 177 are as follows: Chapters 177-04, 177-06, and 177-08 WAC.

Chapter 177-04 WAC
GENERAL PROCEDURES

WAC
177-04-010 through 177-04-050 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER


WAC 177-04-010 through 177-04-050 Repealed. See Disposition Table at beginning of this chapter.

Title 180 WAC
EDUCATION, BOARD OF

Chapters
180-16 State support of public schools.
180-22 Educational service districts.
180-23 Educational service districts—Election of board members.
180-25 State assistance in providing school plant facilities—Preliminary provisions.
180-26 State assistance in providing school plant facilities—Educational specifications and site selection.
180-27 State assistance in providing school plant facilities—Basic state support.
180-29 State assistance in providing school plant facilities—Procedural regulations.
180-33 State assistance in providing school plant facilities—Modernization.
180-38 Pupils—Immunization requirement.

[1985 WAC Supp—page 559]