

services committee. If the request is not filed within the prescribed time, it will be deemed as waived.

(2) Appeal and hearing: If oral notice is given, it shall be followed by a written notice within forty-eight hours or two working days. The hearing shall be accomplished according to the procedures set forth in WAC 132L-22-010. Failure by the student to appear at the hearing with the student services committee shall result in the dean of educational services suspending the student from the college.

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

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

(b) Any summary action taken by faculty members may be appealed to the dean of educational services pursuant to appeal procedures set forth in WAC 132L-22-010(6).

[Statutory Authority: RCW 28B.50.140. 87-17-037 (Order 87-6), § 132L-24-030, filed 8/14/87. Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 80-04-009 (Resolution No. 80-9), § 132L-24-030, filed 3/7/80. Statutory Authority: RCW 28B.19.030. 78-04-043 (Order 78-9), § 132L-24-030, filed 3/22/78; Order 71-11, § 132L-24-030, filed 2/17/71.]

**WAC 132L-24-040 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 132L-24-050 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 132L-24-060 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 132L-24-070 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 132L-24-080 Repealed.** See Disposition Table at beginning of this chapter.

### Chapter 132L-25 WAC EMERGENCY PROCEDURES

WAC  
132L-25-010 Emergency procedures.

**WAC 132L-25-010 Emergency procedures.** In the event of activities which interfere with the orderly operation of the college, the dean of educational services or the college president shall determine the course of action which appears to offer the best possibility for resolution of the problem. The emergency procedures outlined below will be followed if deemed essential:

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

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

(3) If they do not respond within a reasonable time, call the civil authorities.

[Statutory Authority: RCW 28B.50.140. 87-17-037 (Order 87-6), § 132L-25-010, filed 8/14/87.]

## Title 132N WAC COMMUNITY COLLEGES--CLARK COLLEGE

### Chapters

- 132N-20 Code of student conduct.**  
**132N-128 Faculty tenure.**  
**132N-156 Parking and traffic rules and regulations.**

### Chapter 132N-20 WAC CODE OF STUDENT CONDUCT

#### WAC

- 132N-20-010 Student responsibilities and standards of conduct.  
132N-20-020 Authority.  
132N-20-030 Summary action.  
132N-20-040 Student participation.  
132N-20-050 Violations.  
132N-20-060 Disciplinary hearing procedures.  
132N-20-070 Committee on student conduct.  
132N-20-080 Forms of disciplinary action.  
132N-20-090 Procedure for summary suspension.

**WAC 132N-20-010 Student responsibilities and standards of conduct.** Admission to the college carries with it the presumption that students will conduct themselves as responsible members of the academic community. Thus, when they enroll in the college, students assume the obligation to observe standards of conduct which are appropriate to the pursuit of educational goals.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 88-16-068 (Order 88-01), § 132N-20-010, filed 8/2/88.]

**WAC 132N-20-020 Authority.** The board of trustees, acting pursuant to RCW 28B.50.140(14), has delegated (by written order) to the president of the college the authority to administer disciplinary action. Pursuant to this authority, the president, or designee, shall be responsible for the administration of the disciplinary procedures provided for herein. However, all disciplinary action in which there is a recommendation that a student be suspended shall be reviewed by the president or acting president.

Only where the institution's interests as an academic community are distinctly and clearly involved shall the

special authority of the institution be asserted. Institutional action shall be based on the facts and circumstances of each case, and shall be independent of community pressure.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 88-16-068 (Order 88-01), § 132N-20-020, filed 8/2/88.]

**WAC 132N-20-030 Summary action.** Nothing herein shall prevent faculty members or administrators from taking reasonable summary action to maintain order when they have reason to believe that such action is necessary for the physical safety and well-being of the student, or the safety and protection of other students or of college property, or when a student materially and substantially disrupts the educational process. Such summary action in the form of removal from the classroom or campus shall be effective for a period not to exceed two scheduled class days. The procedure for summary action which would result in removal from the classroom for more than two days is contained in WAC 132N-20-090.

Faculty and administrators shall maintain a written record of any summary action and a copy shall be filed with the dean of students and dean of faculty within two scheduled class days.

Any summary action may be appealed to the dean of students or designee for an informal hearing.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 88-16-068 (Order 88-01), § 132N-20-030, filed 8/2/88.]

**WAC 132N-20-040 Student participation.** Students shall have an opportunity, through ASCC, to participate in the formulation of all policies and rules pertaining to student conduct.

Rules and sanctions affecting the conduct of men and women shall be based on general principles of equal treatment, including penalties for like violations.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 88-16-068 (Order 88-01), § 132N-20-040, filed 8/2/88.]

**WAC 132N-20-050 Violations.** Disciplinary action may result from the commission of any of the actions listed below, or any violation of civil or criminal law while on college property or on a college-sponsored activity off campus where, in the judgment of the dean of students or designee, said commission affects suitability as a member of a college community. No disciplinary action shall be imposed on a student except in accordance with this chapter:

(1) Academic cheating or plagiarism or aiding or abetting cheating or plagiarism.

(2) Furnishing false information to the college with intent to deceive.

(3) Forgery or alteration or misuse of college documents, records, or identification cards.

(4) Threatened or actual physical abuse of another person.

(5) Malicious destruction, damage, or misuse of college or private property (including library materials).

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

(7) Conduct which materially or substantially disrupts the educational process of the college.

(8) Conduct prohibited as obscene or pornographic pursuant to chapter 9.68 RCW and public indecency as defined by RCW 9A.88.010.

(9) Disorderly conduct and/or disruptive behavior, or any conduct which by its nature threatens the safety of any student, faculty, staff, or any person, or which could result in the destruction of college property.

(10) Failure to comply with directions of college personnel acting in performance of their duties.

(11) Interference by force or violence (or by threat of force or violence) with any administrator, faculty/staff member, or student of the college who is in the peaceful discharge or conduct of his/her duties or studies. (RCW 28B.10.570 through 28B.10.573)

(12) Furnishing, purchasing, sale, possession, or consumption of alcoholic beverages (as defined by federal or state law) on college-owned or controlled property, or at a college or student organization supervised function. When these acts occur with the prior permission of the board of trustees or its authorized designee and under a permit issued by the state of Washington liquor control board or its designee, they shall not constitute a violation of this provision. Being demonstrably under the influence of alcoholic beverages is a violation in any case.

(13) Possession, consumption, or furnishing of any narcotic or dangerous drug, or being demonstrably under the influence of drugs as defined in chapter 69.41 RCW as now law or hereinafter amended, except when use or possession is prescribed by an authorized individual under that statute.

(14) A violation of the code of student conduct occurs when a student conducts or participates in a demonstration which disrupts the academic community in any of the following manners:

Is conducted in a disorderly manner; unreasonably interferes with classes, scheduled meetings or ceremonies; unreasonably interferes with vehicular or pedestrian traffic or unreasonably interferes with regular college functions.

(15) Disobedience of the notice against trespass.

(16) Failure to comply with the following regulation governing weapons:

Weapons are not permitted on the Clark College campus, any other facilities leased or operated by the college, or at any activity under the administration or sponsorship of the college. This policy includes firearms; explosives and incendiary devices; or other dangerous weapons, instruments, or facsimiles and includes but is not limited to devices specified in RCW 9.41.250.

Exceptions to this policy are permitted when the weapon is used in conjunction with a college instructional program or is carried by duly constituted federal, state, county, or city peace officers.

(17) Violations of published college regulations, including those related to entry and use of college facilities, the rules in this section, and any other regulations which may be enacted with this document.

Actions which constitute possible criminal violations will be reported immediately to the appropriate law enforcement agency.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 88-16-068 (Order 88-01), § 132N-20-050, filed 8/2/88.]

**WAC 132N-20-060 Disciplinary hearing procedures.** (1) Allegations of misconduct which constitute a violation of this chapter shall be filed in the dean of students' office in writing. The notice shall state specifically the alleged violation and summarize the supporting evidence. Upon review and investigation, the dean of students or designee shall make preliminary findings regarding the alleged violation.

(2) Students charged with misconduct will meet with the dean of students or designee within twenty-four hours of notification excluding nonclass days. He/she will determine whether disciplinary action is required. The student will be informed of what provision or provisions of the code of student conduct he/she is charged with violating and what appears to be the maximum penalties, if any, which might result from a finding of violation in the disciplinary proceeding.

(3) The dean of students or designee shall be the primary person responsible for the initiation of disciplinary action for conduct which is prohibited pursuant to this code of student conduct and for violation of other college rules, except for those rules which are the responsibility of the divisions and instructors hereafter enumerated:

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

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

(c) The classroom instructor may, for serious violation of classroom decorum or order, refer such violation to the chair of the division involved and such chair, through the dean of faculty, may request the dean of students or designee to initiate disciplinary action. (See WAC 132N-20-090 for procedure.)

(4) After considering the evidence in the case, and interviewing the student or students accused of violating the rules of student conduct, the dean of students or designee may take any of the following actions:

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

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

(c) Impose minor sanctions (reprimand) directly;

(d) Recommend major sanctions, (probation, or suspension). See subsection (5) of this section.

(5) If major sanctions (probation or suspension) are deemed necessary, the dean of students or designee may recommend that the president impose a form of disciplinary action provided for in this chapter.

(a) In the event that the student wishes to contest the proposed disciplinary action, the student may request a hearing before a committee on student conduct by filing within three class days of the receipt of the proposed disciplinary action, a written request in the office of the president together with a written response to the findings and conclusions and proposed recommendation of the vice-president or designee. The disciplinary action shall be held in abeyance until the hearing procedure is completed, unless otherwise provided in this procedure. If the request for hearing is not filed within the prescribed time, it shall be deemed that the student accepts the disciplinary action.

(b) The committee on student conduct shall be convened not later than five class days after receipt of the student's request for hearing unless the student and the college mutually agree to a different time period. The committee on student conduct shall receive evidence and submit its recommendations to the president.

(c) The hearing shall be tape recorded and written findings and conclusions, along with the recommendation of the committee on student conduct shall be reviewed by the president. If the president or acting president concludes additional evidence should be taken, he/she may remand the matter to the committee for further proceedings. If the president is satisfied that the record is complete, he/she may confirm, reverse, or modify the recommendation of the committee on student conduct. The decision of the president shall be communicated to the student in a timely manner. The decision of the president shall be final.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 88-16-068 (Order 88-01), § 132N-20-060, filed 8/2/88.]

**WAC 132N-20-070 Committee on student conduct.**

(1) The committee on student conduct shall conduct hearings as provided for herein regarding alleged violations of the code of student conduct. The committee will be convened whenever a student makes a written request to the president for a hearing to contest a proposed disciplinary action.

(2) The committee shall be appointed by the president. Vacancies on the committee shall be filled as they arise.

(3) The committee shall include:

(a) Two students nominated by the ASCC;

(b) Two persons nominated by the Clark College AHE faculty;

(c) One administrator appointed by the president.

Faculty members shall be appointed for overlapping two-year terms so that there will be continuity on the committee.

(4) A quorum shall consist of three members with at least one student member present.

(5) All committee members shall have voting rights.

(6) The committee shall select its chair and make additional rules for conducting hearings.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 88-16-068 (Order 88-01), § 132N-20-070, filed 8/2/88.]

**WAC 132N-20-080 Forms of disciplinary action.** The following are types of disciplinary action which may be taken pursuant to this chapter.

(1) **Reprimand:** An official reprimand serves to place on record that conduct in a specific instance does not meet the standards expected at the college. A person receiving a reprimand is notified that any future misconduct may result in further disciplinary action. He/she is further informed that records of reprimands are confidential property of the college and are destroyed two years after the last entry has been made concerning any disciplinary action. Such records are not considered part of a student's permanent file at the college.

(2) **Disciplinary probation:** The president or designee may restrict the college-related activities of individual students or groups of students as he/she deems necessary and feasible by placing them on disciplinary probation. Disciplinary probation may be imposed for a period not to exceed one academic year. Repetition, during the probationary period, of the conduct which resulted in disciplinary probation or a new violation may be cause for suspension or other disciplinary action.

(3) **Disciplinary suspension:** Disciplinary suspension for a specified period serves as a penalty against the student who violates the code of student conduct. A suspended student may not occupy any portion of the campus (including off-campus centers) and is denied all college privileges including class attendance during the period of the suspension. Disciplinary suspension requires the approval of the college president.

(4) **Summary suspension:** Summary suspension may be used to protect the college from the immediate possibility of disorder or threat to the safety of students, staff, or to protect against destruction or harm to college property. A suspended student is not to occupy any portion of the campus and is denied all college privileges including class attendance. Summary suspension for the purpose of investigating the event or events in which the student or students were allegedly involved shall be for no more than two class days. However, it may be extended pending final disposition of the case if it is reasonably necessary for the safety of students or staff or for the protection of college property.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 88-16-068 (Order 88-01), § 132N-20-080, filed 8/2/88.]

**WAC 132N-20-090 Procedure for summary suspension.** (1) The appropriate dean or designee may summarily suspend a student or students when he/she deems it necessary for the safety and welfare of the college. The president must be informed immediately following a summary suspension.

(2) Notification of the reason or reasons for a summary suspension and of the specific violations with which the student is being charged shall be sent by registered mail or delivered in person to the student and the student's parents if the student is under eighteen years of age. The notice will be addressed to the last known residence of the student within one class day of the summary suspension.

(3) A copy of this notice shall be given to the president.

(4) Upon receipt of the notification of summary suspension, the student may request a meeting with the dean of students or designee, and shall have the right to have that meeting within one class day of his/her request. At that time, the student may present any defenses, explanations, and/or mitigation of why the summary suspension should not be continued until a formal hearing can be held.

(5) After the meeting with the student and the student's parents (if student is under eighteen years of age), the dean of students or designee may make a decision to terminate the summary suspension; however, a summary suspension shall remain in full force and effect until such time as the dean of students or designee notifies the student in writing of the termination of summary suspension. A decision to terminate the summary suspension shall be made only if it appears that there are no grounds for continuing the summary suspension and no threat to the safety of persons on the campus or to college property or disruption of the educational process.

(6) The dean of students or designee shall, in any event, issue within five class days, his/her decision and proposal to the president regarding any additional disciplinary action to be taken against the student. A student shall be allowed to appeal from said proposed decision and to have a full hearing before the committee on student conduct, as provided in this chapter.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 88-16-068 (Order 88-01), § 132N-20-090, filed 8/2/88.]

## Chapter 132N-128 WAC FACULTY TENURE

### WAC

- 132N-128-080 Procedures.
- 132N-128-085 Reduction in force units.
- 132N-128-090 The need for reduction in force.
- 132N-128-100 Specific implementation.
- 132N-128-110 Reduction in force review committee.
- 132N-128-112 Hearing officer—Appointment.
- 132N-128-114 Hearing officer—Duties.
- 132N-128-116 Responsibilities of review committee.
- 132N-128-118 Final decision by the board of trustees.
- 132N-128-120 Reemployment and other considerations.

**WAC 132N-128-080 Procedures.** Reduction in force means layoff or placement on leave without pay of any persons holding tenured or probationary faculty appointments by reason of sufficient cause for the reduction of one or more faculty positions and is to be distinguished from nonrenewal of probationary faculty and dismissal for cause. For purposes of reduction in force, sufficient cause shall include a lack of sufficient funding and/or lack of sufficient enrollment and/or elimination, reduction, or modification of programs. The following procedures apply to all cases of reduction in force, provided that in the case of a reduction in force initiated pursuant to a declaration of financial emergency by the state board for community college education pursuant to RCW 28B.50.873, such reduction in

force shall be accomplished in accordance with the procedures set forth in RCW 28B.50.873 in which case (1) the college shall be treated as one reduction in force unit notwithstanding WAC 132N-128-085; and (2) the provisions of this reduction in force policy shall not apply except for the following provisions: WAC 132N-28-100 (1) and (2) and 132N-128-120.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-16-036 (Order 87-01, Resolution No. 87-01), § 132N-128-080, filed 7/27/87; Order 74-6, § 132N-128-080, filed 5/23/74.]

**WAC 132N-128-085 Reduction in force units.** Whenever a reduction in force is being contemplated the reduction in force units shall be departments as listed in the most recent policy and procedures manual (Section 600, Appendix 9).

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-16-036 (Order 87-01, Resolution No. 87-01), § 132N-128-085, filed 7/27/87.]

**WAC 132N-128-090 The need for reduction in force.** (1) If the president anticipates the need for a reduction in force, he/she will begin a process of information-gathering including discussions and consultations with the vice president, the deans, and other appropriate administrators, and with three faculty members designated by the senate of the Clark College Association of Higher Education as early as possible but no later than seven weeks before the end of winter quarter. At least one of these discussions and consultations shall include all these persons together in a joint session. The dean of faculty shall keep the instructional advisory council informed and solicit views from its members. Other relevant campus committees may be consulted by the president.

(2) The president shall provide for use in these discussions and consultations the following information:

(a) Enrollment and budget data for the preceding three years, by divisions and departments[;]

(b) The number and duties of each faculty member in the affected division and department, and enrollment projections, if possible;

(c) Lists of forthcoming faculty vacancies due to retirement, resignation, or leave;

(d) Brief written statement of reasons in support of the need for reduction in force.

(3) The president after such discussion and consultation will, no later than five weeks before the end of winter quarter, notify any persons holding tenured faculty appointments who are to be laid off. The president will propose granting up to three years leave (without pay) in lieu of layoff. Self payment of benefits will be permitted in accord with state employee insurance board rules and Washington Administrative Code.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-16-036 (Order 87-01, Resolution No. 87-01), § 132N-128-090, filed 7/27/87; Order 77-2, § 132N-128-090, filed 5/5/77; Order 74-6, § 132N-128-090, filed 5/23/74.]

**Reviser's note:** RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The bracketed material in the above section does not appear to conform to this rule.

**WAC 132N-128-100 Specific implementation.** (1) The following order of layoff or placement in leave-without-pay status will be used after all temporary part-time faculty have been terminated within the reduction in force unit. First, probationary appointees starting with those with the least seniority; second, full-time tenured faculty members starting with those with the least seniority.

(2) Seniority shall be determined by establishing the date of the signing of the first contract for the most recent period of continuous professional service for Clark College, which shall include leaves of absence, remunerated leaves, and periods of layoffs. (This shall also include professional services for the Vancouver School District No. 37 prior to 1967.) In instances where faculty members have the same beginning date for full-time professional employment, seniority shall be determined in the following order:

(1) First date of the signature evidencing acceptance of employment;

(b) First date of application for employment.

(3) Tenured faculty, who have been given notice of layoff or leave without pay and wish to secure a transfer to another department, must request in writing such reassignment within three working days after receipt of such notice. The employee must meet the minimum qualifications required of employees of that department as determined by the vice president or dean in consultation with the appropriate division and department chairs. This determination, as to whether faculty members to be laid off meet the minimum qualifications to be assigned to another department(s), shall be made, taking into account WAC 131-16-080, 131-16-091, the screening criteria used for the most recent hiring in the department(s), and current and former faculty assignments within the college. The dean or vice president must inform the faculty member in writing of this determination within three working days of receipt of the request.

(4) Placement within a department shall be based on seniority as determined in section 2.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-16-036 (Order 87-01, Resolution No. 87-01), § 132N-128-100, filed 7/27/87; Order 77-2, § 132N-128-100, filed 5/5/77; Order 74-6, § 132N-128-100, filed 5/23/74.]

**WAC 132N-128-110 Reduction in force review committee.** (1) No later than 5 working days after notification as provided in WAC 132N-128-090(3), affected employees may request a hearing by a committee consisting of one administrator appointed by the president, one full-time student selected by the Associated Students of Clark College, and three faculty members elected by the senate of Clark College Association of Higher Education. All such reduction in force[s] cases will be consolidated for hearing purposes before the same review committee.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-16-036 (Order 87-01, Resolution No. 87-01), § 132N-128-110, filed 7/27/87; Order 76-3, § 132N-128-110, filed 2/18/77; Order 74-6, § 132N-128-110, filed 5/23/74.]

**Reviser's note:** RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The bracketed material in the above section does not appear to conform to this rule.

**WAC 132N-128-112 Hearing officer--Appointment.** Upon receipt of a request for a hearing from affected employee(s), the president shall notify the board of trustees and request that the board appoint an impartial hearing officer from the state office of administrative hearings.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-16-036 (Order 87-01, Resolution No. 87-01), § 132N-128-112, filed 7/27/87.]

**WAC 132N-128-114 Hearing officer--Duties.** It shall be the role of the hearing officer to conduct the hearing in accordance with RCW 28B.19.120 and any procedural rules adopted by the college. The duties of the hearing officer include:

(1) Deciding, with advice from the review committee, whether the hearing shall be open to the educational community, or whether particular persons should be permitted or excluded from attendance.

(2) Administering oaths and affirmations, examining witnesses, and receiving evidence, and ensuring that no person shall be compelled to divulge information which he/she could not be compelled to divulge in a court of law.

(3) Issuing subpoenas.

(4) Taking or causing depositions to be taken pursuant to rules promulgated by the college;

(5) Regulating the course of the hearing;

(6) Holding conferences for the settlement or simplification of the issues by consent of the parties;

(7) Disposing of procedural requests or similar matters;

(8) Making all rulings regarding the evidentiary issues presented during the course of the review committee hearings;

(9) Appointing a court reporter, who shall operate at the direction of the hearing officer and shall record all testimony, receive all documents and other evidence introduced during the course of the hearing, and shall record any other matters related to the hearing as directed by the hearing officer.

(10) Allowing the review committee to hear testimony from all interested parties, including but not limited to faculty members and students, and reviewing any evidence offered by same.

(11) Preparing the hearing officer's proposed findings of fact and conclusions of law and a recommended decision as soon as reasonably practicable, but in no event longer than 30 calendar days after the conclusion of the formal hearing. The written recommendation of the hearing officer will be presented to the president, review committee, affected faculty member(s) and the board of trustees.

(12) Preparing and assembling a record for review by the board of trustees which shall include:

(a) All pleadings, motions and rulings;

(b) All evidence received or considered;

(c) A statement of any matters officially noted;

(d) All questions and offers of proof, objections and rulings thereon;

(e) The hearing officer's proposed findings, conclusions of law, and a recommended decision;

(f) A copy of the recommendations of the review committee.

(13) Assuring that a transcription of the hearing is made, if necessary, and that a copy of the record or any part thereof is transcribed and furnished to any party to the hearing upon request and payment of costs.

(14) Consolidating individual reduction in force hearings into a single hearing.

(15) Taking any action authorized by rule consistent with this chapter.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-16-036 (Order 87-01, Resolution No. 87-01), § 132N-128-114, filed 7/27/87.]

**WAC 132N-128-116 Responsibilities of review committee.** The responsibilities of the committee shall be:

(1) To review the case of the proposed layoff.

(2) To attend the hearing and, at the discretion of the hearing officer, call and/or examine any witnesses.

(3) To hear testimony from all interested parties, including but not limited to other faculty members and students, and review any evidence offered by same.

(4) To arrive at its recommendations in conference on the basis of the hearing. As soon as reasonably practicable, but in no event longer than 45 calendar days after the conclusion of the formal hearing, the written recommendations of the committee will be presented to the hearing officer, president, the affected faculty member(s), and the board of trustees.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-16-036 (Order 87-01, Resolution No. 87-01), § 132N-128-116, filed 7/27/87.]

**WAC 132N-128-118 Final decision by the board of trustees.** The case shall be reviewed by the board of trustees as follows:

(1) Board review shall be based on the record of the hearing and on any record made before the board of trustees.

(2) The board may permit an opportunity for oral or written argument or both by the parties or their representatives.

(3) The board may hold such other proceedings as it deems advisable.

(4) The final decision to layoff shall rest, with respect to both the facts and the decision, with the board of trustees after giving reasonable consideration to the recommendations of the review committee and the hearing officer. The review committee's recommendations and the findings, conclusions, and recommended decision of the hearing officer shall be advisory only and in no respect binding in fact or law upon the board of trustees. The board of trustees shall, within a reasonable time following the conclusion of its review, notify the affected faculty member in writing of its rationale, final decision, and the effective date of layoff.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-16-036 (Order 87-01, Resolution No. 87-01), § 132N-128-118, filed 7/27/87.]

**WAC 132N-128-120 Reemployment and other considerations.** (1) The college president shall use his/her best efforts in attempting to procure similar employment in another community college district within the states of Washington and Oregon for any faculty member laid off under the provisions of this article. Recall shall be accomplished on the basis of seniority as set forth herein.

(2) Faculty members terminated under this section shall be considered as being "on-layoff" or on leave of absence without pay.

(a) A full-time tenured faculty member laid off or placed on leave without pay as a result of this faculty reduction procedure has a right to recall to any full-time faculty position, either a newly created one or a vacancy, provided he/she is qualified as determined by following the procedure above in WAC 132N-128-100(3). The recall shall be by seniority, the most senior first. The right to recall shall extend three years from the date of layoff.

(b) While a layoff continues no new full-time faculty will be hired into the RIF unit except in circumstances where:

(i) There are no employees on layoff or leave without pay qualified by retraining to fill a vacant position, or

(ii) All qualified faculty members on layoff or leave without pay decline the offer to fill the vacancy.

(c) Faculty members on layoff or leave without pay shall receive a written offer of any open full-time faculty position and within twenty calendar days must exercise their recall rights or decline the offer. The notices sent to the employee(s) must also be submitted to the association.

(d) Once an individual on layoff or leave without pay status declines an offer to fill a full-time position for which he/she is qualified, he/she will be removed from layoff and/or leave without pay status and will no longer have any rights to recall.

(e) Any individual on layoff or leave without pay will be given first consideration for any part-time assignments for which he/she is qualified.

(3) Full-time tenured faculty members who have been laid off will retain accrued benefits including but not limited to seniority and sick leave. Upon recall they shall be placed at least at the next higher increment on the salary schedule than at the time of layoff and will retain their tenured status.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-16-036 (Order 87-01, Resolution No. 87-01), § 132N-128-120, filed 7/27/87; Order 74-6, § 132N-128-120, filed 5/23/74.]

### Chapter 132N-156 WAC PARKING AND TRAFFIC RULES AND REGULATIONS

WAC

132N-156-015 Repealed.

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132N-156-025 Repealed.  
132N-156-035 Repealed.  
132N-156-045 Repealed.  
132N-156-055 Repealed.  
132N-156-065 Repealed.  
132N-156-075 Repealed.  
132N-156-085 Repealed.  
132N-156-095 Repealed.  
132N-156-105 Repealed.  
132N-156-115 Repealed.  
132N-156-125 Repealed.  
132N-156-135 Repealed.  
132N-156-145 Repealed.  
132N-156-155 Repealed.  
132N-156-165 Repealed.  
132N-156-175 Repealed.  
132N-156-185 Repealed.  
132N-156-195 Repealed.  
132N-156-205 Repealed.

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132N-156-310 Authority.  
132N-156-320 Definitions.  
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132N-156-015 Preamble. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-015, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.  
132N-156-025 Board policy statement—Parking and traffic regulations. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-025, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No.

- 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-035 Purpose. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-035, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-045 Regulatory signs and directions. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-045, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-055 Pedestrian right of way. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-055, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-065 Speed limitations. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-065, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-075 Permit parking on campus. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-075, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-085 Fees for permits. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-085, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-095 Designated and assigned parking. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-095, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-105 Allocation of parking spaces. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-105, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-115 Motorcycle and scooter parking. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-115, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-125 Visitor and guest parking. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-125, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-135 Prohibitions. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-135, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-145 Impounding of disabled/inoperative vehicles. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-145, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-155 Enforcement. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-155, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-165 Violations of the following traffic and parking rules will be cited. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-165, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-175 Payment of fines. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-175, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-185 Appeals. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-185, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-195 Unpaid fines. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-195, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-205 Revocations. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-205, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- WAC 132N-156-015 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 132N-156-025 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 132N-156-035 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 132N-156-045 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 132N-156-055 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 132N-156-065 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 132N-156-075 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 132N-156-085 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 132N-156-095 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 132N-156-105 Repealed.** See Disposition Table at beginning of this chapter.



**WAC 132N-156-115 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 132N-156-125 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 132N-156-135 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 132N-156-145 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 132N-156-155 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 132N-156-165 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 132N-156-175 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 132N-156-185 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 132N-156-195 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 132N-156-205 Repealed.** See Disposition Table at beginning of this chapter.

## INTRODUCTION

**WAC 132N-156-300 Purpose.** The parking and traffic regulations contained herein provide a fair and uniform method of regulating college vehicular and pedestrian traffic and are based on the following objectives:

- To protect and control pedestrian and vehicular traffic.
- To assure access at all times for emergency equipment.
- To minimize traffic disturbances during class hours.
- To facilitate the work of the college by assuring access for college vehicles and by assigning the limited parking space to the most efficient use.

Permission to park or operate a vehicle on college property governed by these regulations or the purchase of a permit for designated parking does not ensure the regular availability of a parking space.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-300, filed 9/18/87.]

**WAC 132N-156-310 Authority.** Pursuant to the authority granted by RCW 28B.50.140(10) the board of trustees of Clark College, is granted authority to establish rules and regulations for pedestrians and vehicular traffic over property owned, operated, and maintained by the college.

The enforcement of these parking and traffic rules and regulations shall be the responsibility of the college security department.

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College security officers are authorized to issue parking and traffic citations, impound and/or immobilize vehicles, and control and regulate traffic and parking as prescribed in these parking and traffic rules and regulations.

Any person interfering with a college security officer in the discharge of the provisions of these parking and traffic rules and regulations shall be in violation of chapter 9A.76 RCW, Obstructing governmental operation, and may be subject to arrest by a peace officer under RCW 9A.76.020.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-310, filed 9/18/87.]

**WAC 132N-156-320 Definitions.** College - Community College District No. 14.

College property - Campus property, parking lots, or land owned, leased or controlled by Clark College.

Impoundment - Removal of a vehicle to a storage facility or impoundment by use of a wheel-lock device to prevent removal of a vehicle.

Pedestrian - Any person afoot, as defined in chapter 46.04 RCW.

Student - Individual currently registered for classes at the college.

Vehicular traffic or vehicles - Those devices defined as "vehicles" in chapter 46.04 RCW.

Nonvehicular modes of transportation - Nonvehicular modes of transportation shall mean nonpedestrian transportation devices other than vehicles and shall include, but not be limited to, bicycles and skateboards.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-320, filed 9/18/87.]

**WAC 132N-156-330 Liability of Clark College.** The college assumes no liability for vehicles parking or traveling on college property, nor shall it be held liable for the loss of goods or property from vehicles parked on college property. Clark College, the college security department, college security officers, members and employees shall not be held liable for any damages or losses occurring to or from vehicles or equipment when rendering motorist assistance, impounding vehicles, or performing any duties as described in these parking and traffic rules and regulations.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-330, filed 9/18/87.]

## TRAFFIC REGULATIONS

**WAC 132N-156-400 Authorized use of campus avenues and parking facilities.** Only those vehicles as defined and regulated in chapter 46.04 RCW and as defined herein, may be operated in parking lots or in traffic areas by licensed drivers as defined in chapter 46.20 RCW. No vehicle, with the exception of nonmotorized bicycles, handicapped transportation devices, and certain maintenance vehicles, may be operated on

intracampus property, pathways, or sidewalks without permission of the college security department.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-400, filed 9/18/87.]

**WAC 132N-156-410 Vehicle speed limitations.** No vehicle shall be operated on the campus in excess of ten miles per hour. When safety circumstances dictate, a speed less than ten miles per hour should be maintained.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-410, filed 9/18/87.]

**WAC 132N-156-420 Regulatory signs and directions.** Drivers of vehicles shall obey regulatory signs at all times and shall comply with directions given by college security officers in the control and regulation of traffic and parking.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-420, filed 9/18/87.]

**WAC 132N-156-430 Pedestrian right of way.** The operator of a vehicle shall yield the right of way, slowing down or stopping if need be, to so yield to any pedestrian crossing any street, roadway, fire lane, or pathway with or without a crosswalk.

Whenever any vehicle is stopped at a marked crosswalk, unmarked crosswalk, intersection or any other place in order to permit a pedestrian to cross the roadway, the operator of any other vehicle approaching from the rear shall not overtake and pass the yielding vehicle.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-430, filed 9/18/87.]

**WAC 132N-156-440 Traffic accidents.** Persons involved in traffic accidents on college property are to report the accident to the college security department. An officer will be dispatched to investigate and file a report on the accident. In addition, RCW 46.52.030 requires that accidents on college property involving injury or property damage in excess of three hundred dollars be reported to local law enforcement agencies.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-440, filed 9/18/87.]

**WAC 132N-156-450 Traffic offenses.** College security officers may issue a citation for any of the following traffic offenses. Due to the severe risk to public safety, traffic offenses do not require a previous warning prior to the issuance of a fine.

- Failure to yield right of way (posted)
- Failure to yield right of way to pedestrian
- Failure to yield right of way to vehicle
- Failure to yield right of way to emergency vehicle
- Driving with excessive speed
- Failure to stop at traffic signal/sign
- Failure to use due care and caution
- Driving without lights after dark

Having a passenger or animal outside of vehicle while in motion

Driving with an obstructed view

Driving on shoulder, or sidewalk or intracampus sidewalk or lane without authorization

Disobeying flagman, peace officer, college security officer, or firefighter.

All traffic citations carry a twenty-dollar fine.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-450, filed 9/18/87.]

**WAC 132N-156-460 Bicycles and nonvehicular transportation usage.** Bicycles may be ridden any place where vehicles are permitted. They may also be ridden on campus sidewalks or pathways though pedestrians always have the right of way. An audible signal shall be used by bicyclists to warn pedestrians of oncoming bicycles. Bicyclists shall not ride in a reckless manner nor engage in stunts or dangerous acts nor operate at speeds greater than ten miles per hour or such lower speed as is reasonable and prudent under the circumstances. With the exception of handicap transportation devices, no other nonvehicular modes of transportation will be allowed on college property, including, but not limited to, skateboards, roller skates, and snow sleds.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-460, filed 9/18/87.]

## PARKING FACILITY USAGE

**WAC 132N-156-500 Allocation of parking space.** The parking spaces available on college properties shall be assigned by the college security department in such a manner as will best obtain the objectives of these regulations. The security department is authorized to mark various parking areas on college property with numbers or titles or by posting signs, curb or pavement markings.

**Open parking** - Open parking is limited to those parking areas not otherwise marked as faculty/staff, handicapped, special use, or visitor. Student vehicles are not required to display a parking permit. Open parking areas may be utilized by vehicles displaying a faculty/staff parking permit.

**Faculty/staff parking** - Only college employee vehicles displaying a valid parking permit may park in faculty/staff parking zones. Faculty/staff parking zones shall be considered open parking zones after 5:00 p.m. each day that the college is in regular session. Faculty/staff/administrators using college parking facilities up to 5:00 p.m. during the academic year are to purchase parking permits.

**Visitor parking** - All visitors, including guests, salespersons, maintenance or service personnel and all other members of the public may park on college property in open parking, in designated special use visitor zones, or as directed by the college security office.

**Handicapped parking** - Handicapped parking zones may only be occupied by vehicles displaying a valid handicapped parking permit issued by the college or issued

in compliance with RCW 46.16.381 and 46.16.390. Handicap parking permits are available in the college's wellness resource center.

Motorcycle parking – Motorcycle parking zones shall be reserved for motorcycles and motor-driven cycles. These vehicles are not to occupy regular automobile parking spaces.

Service vehicle parking – Service vehicle parking zones are limited to use by authorized college service vehicles.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-500, filed 9/18/87.]

**WAC 132N-156-510 Designated and assigned parking.** Vehicles shall be parked on college property only in those areas set aside and designated as parking areas. In any area requiring a special parking permit, no vehicle shall park without said permit.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-510, filed 9/18/87.]

**WAC 132N-156-520 Parking within designated areas.** No vehicle shall be parked so as to occupy any portion of more than one parking space or stall as designated within the parking area. The fact that other vehicles may have been so parked as to require a vehicle attempting to park to occupy a portion of more than one space or stall shall not constitute an excuse for a violation of this section.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-520, filed 9/18/87.]

**WAC 132N-156-530 Impounding of disabled/abandoned vehicles.** No disabled or inoperative vehicle shall be parked on college property for a period in excess of twenty-four hours unless permission is arranged with the college security department. Vehicles which have been parked for periods in excess of twenty-four hours may be impounded and stored at the expense of either or both the owner or operator thereof. Notice of intent to impound will be posted on the vehicle at least twenty-four hours prior to impound. Neither the college nor college employees shall be liable for loss or damage of any kind resulting from such impounding and storage.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-530, filed 9/18/87.]

**WAC 132N-156-540 Registered owner is responsible for illegal parking.** Every person in whose name a vehicle is registered (licensed) shall be responsible for any parking of said vehicle and for all offenses other than moving violations under these regulations. It shall be no defense that said vehicle was illegally parked or used by another, unless it be clearly established that at such time said vehicle was being used without the consent of the registered owner.

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[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-540, filed 9/18/87.]

**WAC 132N-156-550 Illegal parking.** No person shall stop, stand, or park a vehicle at any place where official signs, curb, or pavement markings prohibit parking, nor within fifteen feet of a fire hydrant or ten feet of any building, nor at any place for which the vehicle does not have a valid parking permit. Any vehicle not parked in a marked parking stall shall be considered illegally parked.

The driver of any vehicle who is instructed by a college security officer to either move an illegally parked vehicle or not to park in violation of this section, and refuses, will have their vehicle immediately impounded or immobilized.

College security officers may issue a warning citation for any of the following parking violations if a registration check shows that the vehicle has not previously been cited for any violation of these parking and traffic rules and regulations.

- Parking permit not displayed while parking in a designated parking area.

- Parking a disabled or inoperable vehicle on campus in excess of twenty-four hours.

College security officers may issue a citation resulting in a fine if the vehicle has received a previous warning citation for any violation of the parking and traffic rules and regulations or is found in the commission of any of the following parking violations:

- Occupying more than one space.

- Parking in a space not designated for parking.

- Parking in an area not authorized.

- Blocking traffic.

- Parking within fifteen feet of a fire hydrant.

- Parking in a fire lane, sidewalk, or intracampus avenue.

- Parking in a "No Parking" zone.

- Parking on the grass.

- Parking in "Handicapped" parking zone without a handicapped parking permit.

All parking citations carry a ten-dollar fine with the exception of "Handicapped" parking violations which carry a twenty-dollar fine.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-550, filed 9/18/87.]

**WAC 132N-156-560 Hazardous illegal parking.** No person shall stop, stand, or park a vehicle so as to obstruct traffic along or upon any street, firelane, or sidewalk nor at any location as described in RCW 46.61.570. Due to the severe risk to public safety created by any vehicle parking in violation of this section, college security officers are authorized to cite and immediately impound said vehicle. College security officers will complete a vehicle impound report including the reason for the impound.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-560, filed 9/18/87.]

**WAC 132N-156-570 Bicycle parking.** Bicycles shall be parked in bicycle racks or other facilities provided for the purpose. Where such facilities are provided, at no time shall a bicycle be parked in a building, against a building, near a building exit, on a path or sidewalk, nor chained or otherwise secured to trees, lamp standards, or sign posts. Any bicycle found in violation of this section may be cited for illegal parking and impounded by the college security department without warning.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-570, filed 9/18/87.]

**PARKING PERMIT REQUIREMENTS**

**WAC 132N-156-600 Faculty and staff parking permits.** All college faculty/staff/administrators using college parking facilities up to 5:00 p.m. during the academic year are to purchase and display a valid parking permit. The fact that an employee may be eligible to park in a handicapped parking zone, will not relieve the employee of this requirement. A valid faculty/staff parking permit does not, by itself, constitute authority to park in other parking facilities leased or owned by the college.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-600, filed 9/18/87.]

**WAC 132N-156-610 Permit parking on campus.** A valid parking permit is:

- A current vehicle permit properly displayed in accordance with permit instructions.
- A temporary parking permit authorized by the college security department and displayed in accordance with the instructions shown on the permit.

Parking permits are not transferable. The college reserves the right to deny any application, or to revoke any permit at any time, if actions resulting from such application or permission constitute present imminent danger of unlawful activity, or if a prospective user has previously violated the provisions of these parking policies or other written rules or regulations of the college. All outstanding college parking fines must be paid before a parking permit will be issued or renewed.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-610, filed 9/18/87.]

**WAC 132N-156-620 Fees for parking permits.** The fees charged by the college for the issuance of permits shall be those established under the authority of the board of trustees of the college. Parking permits are issued as a license to park on college property.

Fees collected will be utilized for parking operations only, including parking enforcement and parking lot maintenance.

Current faculty/staff parking permit fees are five dollars per quarter for one vehicle and six dollars per quarter for two or more vehicles. Permits may be purchased

on either an annual or quarterly basis. Permits are required for fall, winter, and spring quarters only and will not be required summer quarter.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-620, filed 9/18/87.]

**WAC 132N-156-630 Parking fee payment.** Faculty and staff can purchase annual permits by cash or check directly to the college or by payroll deduction. Annual contracted faculty and staff members may select the payroll deduction plan for payment of the annual permit only. Those selecting this payment plan must complete a payroll deduction authorization form before issuance of a permit.

Annual or quarterly parking permits may be purchased at either the college bookstore or at the cashier's office in the Baird Administration Building.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-630, filed 9/18/87.]

**WAC 132N-156-640 Temporary parking permits.** Any permit holder may obtain a temporary parking permit from the college security department for an unregistered vehicle when the registered vehicle is unavailable due to repairs or for another valid reason. These permits are good for a period of two weeks.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-640, filed 9/18/87.]

**WAC 132N-156-650 Revocations.** Parking permits are licenses and the property of the college and may be recalled for any of the following reasons:

- When the purpose for which the permit was issued changes or no longer exists.
- When a permit is used on an unregistered vehicle or by an unauthorized individual.
- Falsification on a parking permit application form.
- Continued violations of these parking regulations.
- Counterfeiting or altering of parking permits.
- Failure to comply with a decision of the security supervisor.

Appeals of parking permit revocations may be made to the dean of administrative services. Appeals must be filed within seven days of the date of notice of revocation.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-650, filed 9/18/87.]

**PARKING AND TRAFFIC RULES AND REGULATIONS ENFORCEMENT**

**WAC 132N-156-700 Policy enforcement.** The board of trustees of the college, or designee, shall set and approve fair and uniform fines for violations of these rules and shall provide adequate means for the enforcement and/or collection of such a fine policy. If a violation of the parking and traffic rules and regulations is committed, the college security department is authorized

to issue a citation, either warning or monetary, as prescribed by WAC 132N-156-450, 132N-156-550, and 132N-156-560. Any second violation of any parking and traffic rules and regulations will result in a citation.

Any violation occurring after the second citation may result in the violator's vehicle being impounded or immobilized and held until all outstanding citations have been paid and/or the loss of parking privileges on college property.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-700, filed 9/18/87.]

**WAC 132N-156-710 Payment of fines.** Persons cited for violations of the parking and traffic rules and regulations may respond either by filing a written appeal or by paying a fine within fifteen days of receipt of the citation. All fines are to be made payable to Clark College. Fines can be paid by mail or in person at the cashier's office in the Baird Administration Building. Fines that are mailed must be received within fifteen days of receipt of the citation.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-710, filed 9/18/87.]

**WAC 132N-156-720 Reduction in fines.** Fines for parking and traffic offenses will be reduced by two dollars if paid within forty-eight hours (excluding weekends and holidays), payable to Clark College. No reduction will be made on mail-in payments.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-720, filed 9/18/87.]

**WAC 132N-156-730 Appeals.** Persons who receive citations for violations of the parking and traffic rules and regulations may appeal to the security supervisor. Upon showing good cause or mitigating circumstances, the security supervisor is authorized to dismiss, suspend, impose any lesser fine, and/or grant an extension of time within which to comply with the determination of the fine.

If the situation is not resolved satisfactorily, an appeal in writing may be made to the dean of administrative services. Appeals must be submitted and received without posting of fine within fifteen days after the date of the citation. The security/parking committee shall consider each appeal on its merits and shall make written notification of each decision of the committee through the dean of administrative services to the appellant and the college security department.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-730, filed 9/18/87.]

**WAC 132N-156-740 Security/parking advisory committee.** The security/parking advisory committee is responsible for advising the college security department

on security and parking operations. Examples of committee activity include:

- Reviewing parking regulations and fees and recommending their adoption.
- Considering appeals of citations for violations of these parking and traffic rules and regulations, and making written notification of each decision of the committee to the appellant and the security department.
- Reviewing and recommending suggested changes to parking lot configuration and use to improve quality and quantity of parking on campus.
- Reviewing provisions for security on campus and recommending practices and procedures for the enhancement of security.

The security/parking advisory committee meets as needed when the college is in session. The security/parking advisory committee consists of the dean of administrative services (chair), the security supervisor, two faculty, two classified employees, and one student member.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-740, filed 9/18/87.]

**WAC 132N-156-750 Unpaid fines.** If any fine remains unpaid after fifteen days, any of the following actions may be taken by the college security department.

- A hold may be placed on transcripts.
- A delay of registration for the following quarter.
- Revocation of parking privileges.
- Fines due and payable will be withheld from paychecks of all college employees including faculty, staff, and students.
- All fines outstanding may be turned over to a collection agency.

If a violator has two or more unpaid fines, his/her vehicle will be impounded or immobilized and held until all outstanding fines are paid.

These procedures will be applicable to all students, faculty, and staff or other persons utilizing college facilities receiving fines for violations of these parking and traffic rules and regulations.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-750, filed 9/18/87.]

**WAC 132N-156-760 Special circumstances.** During special occasions causing additional heavy traffic and during emergencies, the college security department is authorized to impose additional traffic and parking regulations and instructions in order to lessen the chance of personal injury or property damage. Whenever possible, prior notice of these regulations or restriction changes shall be made known and posted. This authorization is of a temporary nature and should last only as long as the situation continues.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-19-103 (Order 87-02, Resolution No. 87-02), § 132N-156-760, filed 9/18/87.]