

Title 132H WAC

COMMUNITY COLLEGES—BELLEVUE COMMUNITY COLLEGE

Chapters

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- 132H-104-130** Delegation of authority for higher education personnel law—Classified personnel. [Order 50, § 132H-104-130, filed 4/8/77; Order 9, § 132H-104-130, filed 3/9/73.] Repealed by 78-10-017 (Order 61, Resolution No. 116), filed 9/13/78. Statutory Authority: RCW 28B.50.140.
- 132H-104-140** Written contracts. [Order 9, § 132H-104-140, filed 3/9/73.] Repealed by 78-10-017 (Order 61, Resolution No. 116), filed 9/13/78. Statutory Authority: RCW 28B.50.140.
- 132H-104-150** Tenure. [Order 9, § 132H-104-150, filed 3/9/73.] Repealed by 78-10-017 (Order 61, Resolution No. 116), filed 9/13/78. Statutory Authority: RCW 28B.50.140.

Chapter 132H-105 WAC

BYLAWS AND STANDING ORDERS OF COMMUNITY COLLEGE DISTRICT VIII

WAC

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WAC 132H-105-010 Introduction. The board of trustees is an agency of the state and derives its authority as described in chapter 8, Laws of 1967 ex. sess. The authority is vested in the board, not in its individual board members. To assist the board in carrying out its responsibilities, an executive officer of Community College District VIII and president of Bellevue Community College shall be employed with the delegated responsibility for administering the policies of the district as approved by the board.

Policies of the board of trustees are found in the records of board action and in the policies and procedures manual of which this document is a part. The bylaws which follow contain the rules adopted by the board which are in force and which relate to the organization and powers of the board and its method of conducting business.

DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 132H-104

BYLAWS AND STANDING ORDERS OF GOVERNING BOARDS

- 132H-104-010** Regular meeting of Community College District VIII board of trustees. [Order 26, § 132H-104-010, filed 3/7/75; Order 5, § 132H-104-010, filed 10/5/72.] Repealed by 78-10-017 (Order 61, Resolution No. 116), filed 9/13/78. Statutory Authority: RCW 28B.50.140.
- 132H-104-020** Procedure—Audience participation. [Order 8, § 132H-104-020, filed 3/9/73.] Repealed by 78-10-017 (Order 61, Resolution No. 116), filed 9/13/78. Statutory Authority: RCW 28B.50.140.
- 132H-104-030** Procedure—Order of the agenda. [Order 8, § 132H-104-030, filed 3/9/73.] Repealed by 78-10-017 (Order 61, Resolution No. 116), filed 9/13/78. Statutory Authority: RCW 28B.50.140.
- 132H-104-040** Preparation of agenda materials. [Order 8, § 132H-104-040, filed 3/9/73.] Repealed by 78-10-017 (Order 61, Resolution No. 116), filed 9/13/78. Statutory Authority: RCW 28B.50.140.
- 132H-104-050** Distribution of board materials. [Order 8, § 132H-104-050, filed 3/9/73.] Repealed by 78-10-017 (Order 61, Resolution No. 116), filed 9/13/78. Statutory Authority: RCW 28B.50.140.
- 132H-104-120** Appointing authority. [Order 9, § 132H-104-120, filed 3/9/73.] Repealed by 78-10-017 (Order 61, Resolution No. 116), filed 9/13/78. Statutory Authority: RCW 28B.50.140.

[Statutory Authority: RCW 28B.50.140. 81-19-094 (Order 74, Resolution No. 141), § 132H-105-010, filed 9/18/81; 78-10-017 (Order 61, Resolution No. 116), § 132H-105-010, filed 9/13/78.]

WAC 132H-105-020 Offices of the board of trustees. The board of trustees shall maintain an office at Bellevue Community College, 3000 Landerhold Circle S.E., Bellevue, Washington 98007, where all regular meetings shall be held, unless otherwise announced, and all records, minutes, and the official college seal shall be kept. This office shall be open during all normal business hours to any resident taxpayer of the state of Washington.

Correspondence or other business for the board shall be sent to the secretary of the board who is located in this office.

[Statutory Authority: RCW 28B.50.140. 78-10-017 (Order 61, Resolution No. 116), § 132H-105-020, filed 9/13/78.]

WAC 132H-105-030 Meetings of the board of trustees. The board of trustees of Community College District VIII shall hold at least two regular meetings each quarter and such other regular or special meetings as may be requested by the chairman or by a majority of the members of the board.

Therefore, the board of trustees will hold a regular meeting on the second Tuesday of each month. The meeting will begin at 12 noon in the Bellevue campus cafeteria, with a discussion of agenda items, and at 1:30 p.m. in the board room, Bellevue Campus, Bellevue, Washington, for a business session.

(1) If that day is a legal holiday, the meeting will be held as soon thereafter as possible.

(2) In the event the board of trustees of Community College District VIII is unable to meet on the regular meeting date, a special meeting may be scheduled and held as soon thereafter as possible.

(3) In the event the board of trustees of Community College District VIII is unable to meet, the chairman of the board may order that no regular meeting of the board of trustees be held that month.

(4) All regular and special meetings of the board of trustees shall be open to the general public in accordance with chapter 42.30 RCW (the Open Public Meetings Act).

(5) No official business shall be conducted by the board of trustees except during a regular or special meeting.

(6) The board of trustees may convene in executive session whenever it is deemed necessary pursuant to RCW 42.30.110.

[Statutory Authority: RCW 28B.50.140. 83-05-051 (Order 83, Resolution No. 154), § 132H-105-030, filed 2/16/83; 78-10-017 (Order 61, Resolution No. 116), § 132H-105-030, filed 9/13/78.]

WAC 132H-105-040 Agenda. (1) Preparation of information. Information and materials pertinent to the agenda of all regular meetings of the board should when possible be sent to trustees prior to each meeting. Persons wishing to recommend items for the agenda or present any matters of business or correspondence shall notify the secretary of the board, in writing, by 12 noon,

five working days prior to the meeting at which they desire to have the item considered. The chairman shall determine whether or not an item is placed on the agenda. The chairman will notify all other board members if he [/she] rejects an item suggested to be placed on the agenda. The chairman or secretary may, however, present a matter of urgent business received too late for inclusion on the agenda if in his [/her] judgment the matter is of importance.

Reports to the board will include provision for reports by students, faculty and classified employees.

All materials to be considered by the board must be submitted in sufficient quantities to provide each member of the board and the secretary with appropriate copies.

(2) Order of the agenda. The order of the agenda governing all regular meetings of the board of trustees of Community College District VIII shall be as follows:

1. Report and/or tour
2. Roll call
3. Approval of minutes
4. Administrative services
5. Instruction
6. Student services
7. General administration
8. Reports to the board
9. Executive session
10. Other business
11. Adjournment

The order of the agenda may be changed by the chairman with the consent of a majority of the board members present.

The chairman shall announce at the beginning of each meeting that members of the audience may speak to any item on the agenda at the time of its presentation. The chairman shall have the right to limit the length of time used by speakers for the discussion of any subject.

[Statutory Authority: RCW 28B.50.140. 82-09-025 (Order 77, Resolution No. 146), § 132H-105-040, filed 4/13/82; 79-10-050 (Order 65, Resolution No. 122), § 132H-105-040, filed 9/17/79; 78-10-017 (Order 61, Resolution No. 116), § 132H-105-040, filed 9/13/78.]

Reviser's note: RCW 34.05.395 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 132H-105-050 Records of board meetings. The minutes of all regular and special meetings, except executive sessions of the board, shall be recorded and such records shall be open for public inspection.

[Statutory Authority: RCW 28B.50.140. 78-10-017 (Order 61, Resolution No. 116), § 132H-105-050, filed 9/13/78.]

WAC 132H-105-060 Parliamentary procedure. Three members of the board of trustees shall constitute a quorum and no action shall be taken by less than a majority of the trustees of the board in accordance with RCW 28B.50.130.

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

In questions of parliamentary procedure, the actions of the board shall be conducted according to *Robert's*

Rules of Order unless specified otherwise by state law or regulation of the state board or Community College District VIII board of trustees.

[Statutory Authority: RCW 28B.50.140. 78-10-017 (Order 61, Resolution No. 116), § 132H-105-060, filed 9/13/78.]

WAC 132H-105-070 Officers of the board. At the meeting of the board in April the board shall elect from its membership a chairman and vice chairman to serve for the ensuing year. In addition, the president of Bellevue Community College or the president's designee shall serve as secretary to the board of trustees as specified by state law.

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

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

(3) The secretary of the board or the president's designee shall serve as chairman, without privilege of vote, in any official meeting of the board conducted in the absence of the chairman and vice chairman. In addition to any duties imposed by rules and regulations of the state board, the secretary shall keep the official seal of the board, maintain all records of meetings and other official actions of the board.

The secretary or the president's designee shall also be responsible for board correspondence, compiling the agenda of meetings, and distributing the minutes of the meetings and related reports.

The secretary or the president's designee must attend all regular and special meetings of the board and official minutes must be kept of all such meetings.

[Statutory Authority: RCW 28B.50.140. 78-10-017 (Order 61, Resolution No. 116), § 132H-105-070, filed 9/13/78.]

WAC 132H-105-090 Restrictions of individual authority. Legal authority is vested in the board of trustees and may be exercised by formal action of the board taken in regular or special meetings by the president or his designee pursuant to delegated authority. No individual member of the board may act on behalf of the board unless specifically instructed by action of the board. Every member of the board shall be under obligation to support the decision or policy of the majority and shall not actively oppose such a decision or policy after it has been adopted by the majority.

[Statutory Authority: RCW 28B.50.140. 78-10-017 (Order 61, Resolution No. 116), § 132H-105-090, filed 9/13/78.]

WAC 132H-105-100 Fiscal year of the board of trustees. The fiscal year of the board shall conform to the fiscal year of the state of Washington and shall be from July 1 to June 30 inclusive.

[Statutory Authority: RCW 28B.50.140. 78-10-017 (Order 61, Resolution No. 116), § 132H-105-100, filed 9/13/78.]

WAC 132H-105-110 Seal and name of the college. The board of trustees of Community College District VIII shall maintain an official seal for use upon any or all official documents of the board. The seal shall have inscribed upon it the name of the college which shall be: Bellevue Community College, Community College District VIII.

[Statutory Authority: RCW 28B.50.140. 78-10-017 (Order 61, Resolution No. 116), § 132H-105-110, filed 9/13/78.]

WAC 132H-105-120 Delegation of responsibility. It shall be the responsibility of the board of trustees to establish policy and to evaluate the total college program. The board of trustees shall appoint a college president to administer the college and shall delegate to him the authority and responsibility for implementation of board policy.

[Statutory Authority: RCW 28B.50.140. 78-10-017 (Order 61, Resolution No. 116), § 132H-105-120, filed 9/13/78.]

WAC 132H-105-130 Appointing authority. The board of trustees of Community College District VIII, pursuant to RCW 28B.10.528 and 28B.50.140, delegates to the president of Bellevue Community College the appointing authority for all nonclassified employees of the college.

[Statutory Authority: RCW 28B.50.140. 78-10-017 (Order 61, Resolution No. 116), § 132H-105-130, filed 9/13/78.]

WAC 132H-105-140 Delegation of authority for higher education personnel law—Classified personnel. Be it resolved that the president or his designee, the dean of student programs and personnel services, is hereby delegated the power and duty of the board of trustees to act in its behalf as the appointing authority of the college for the purpose of the Higher Education Personnel Law. This delegation shall include but not be limited to the authority to employ, dismiss, suspend, demote, lay off, reassign or accept the resignations of members of the classified staff. In addition, the president or his designee, the dean of student programs and personnel services, is hereby delegated such authority as is necessary to effectuate the administration of the classified personnel; provided that all contracts between recognized bargaining agents of classified personnel and Bellevue Community College shall be valid only after those contracts have received the approval of the board of trustees. The president of the college or his designee, the dean of student programs and personnel services, may be delegated the authority to negotiate on behalf of the board of trustees, but in no event shall the president or his designee, the dean of student programs and personnel services, be authorized to bind contractually the college in any agreement with a recognized bargaining agent of the classified staff.

[Statutory Authority: RCW 28B.50.140. 88-13-047 (Order 95, Resolution No. 178), § 132H-105-140, filed 6/10/88; 78-10-017 (Order 61, Resolution No. 116), § 132H-105-140, filed 9/13/78.]

WAC 132H-105-150 Written contracts. No full-time teacher, counselor, librarian or administrator shall be employed, and no teacher, counselor, librarian or administrator shall be employed in a different position from his present position, except by written contract or notice of employment signed by the proper appointing authority.

The president of Bellevue Community College may grant signing authority to the director of personnel for the purpose of consummating employment agreements for part-time employees.

[Statutory Authority: RCW 28B.50.140. 78-10-017 (Order 61, Resolution No. 116), § 132H-105-150, filed 9/13/78.]

WAC 132H-105-160 Tenure. The board of trustees of Community College District VIII reserves to itself the final determination of the granting of tenure to any academic employee of the district; the dismissal of a tenured academic employee; or the dismissal of a probationer during the term of his contract, pursuant to the policies of the board of trustees and the laws of the state of Washington.

[Statutory Authority: RCW 28B.50.140. 78-10-017 (Order 61, Resolution No. 116), § 132H-105-160, filed 9/13/78.]

WAC 132H-105-170 Bylaws of the board of trustees. Bylaws of the board may be revised by majority vote of the board provided such changes are proposed at least one meeting prior to the meeting at which the vote is taken. Bylaws may be revised by unanimous vote of the board at the same meeting at which the revision is originally proposed.

[Statutory Authority: RCW 28B.50.140. 78-10-017 (Order 61, Resolution No. 116), § 132H-105-170, filed 9/13/78.]

Chapter 132H-108 WAC

PRACTICE AND PROCEDURE AND FORMAL HEARING RULES FOR CONTESTED CASE HEARINGS

WAC

- 132H-108-005 Formal hearing policy.
- 132H-108-010 Grammatical definition.
- 132H-108-020 Definitions.
- 132H-108-030 Appearance and practice before agency.
- 132H-108-040 Notice and opportunity for hearing in contested cases.
- 132H-108-050 Service of process—By whom served.
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- 132H-108-070 Service upon parties.
- 132H-108-080 Method of service.
- 132H-108-090 When service complete.
- 132H-108-100 Filing with agency.
- 132H-108-110 Depositions and interrogatories in contested cases—Right to take.
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- 132H-108-140 Authorization.
- 132H-108-150 Protection of parties and deponents.
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- 132H-108-170 Recordation.
- 132H-108-180 Signing attestation and return.
- 132H-108-190 Use and effect.
- 132H-108-200 Fees of officers and deponents.

132H-108-210 Depositions upon interrogatories—Submission of interrogatories.

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132H-108-290 Definition of issues before hearing.

132H-108-300 Continuances.

132H-108-310 Rules of evidence—Admissibility criteria.

132H-108-320 Tentative admission—Exclusion—Discontinuance—Objections.

132H-108-330 Form and content of decisions in contested cases.

WAC 132H-108-005 Formal hearing policy. In each instance that a formal hearing is required by institutional policy or chapter 28B.19 RCW, the provisions of WAC 132H-108-005 through 132H-108-330 shall be applicable.

[Order 42, § 132H-108-005, filed 3/5/76.]

WAC 132H-108-010 Grammatical definition. In each instance personal pronouns are used such as he, his, she, hers, they should be deemed to mean either gender of sex as appropriate.

[Order 42, § 132H-108-010, filed 3/5/76.]

WAC 132H-108-020 Definitions. As used herein, the term "agency" shall mean the executive officer of Community College District VIII and president of Bellevue Community College as the legally delegated authority of the board of trustees of Community College District VIII, state of Washington.

[Order 42, § 132H-108-020, filed 3/5/76.]

WAC 132H-108-030 Appearance and practice before agency. No person may appear in a representative capacity before the agency other than the following:

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

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

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

(4) A bona fide officer, partner, or full-time employee of an individual firm, association, partnership, or corporation who appears for such individual firm, association, partnership or corporation.

[Order 42, § 132H-108-030, filed 3/5/76.]

WAC 132H-108-040 Notice and opportunity for hearing in contested cases. In any contested case, all parties shall be served with a notice at least ten days

before the date set for the hearing. The notice shall be signed by the executive officer of Community College District VIII and president of Bellevue Community College, or his designee, and shall state the time, place, and issues involved, as required by RCW 28B.19.120.

[Order 42, § 132H-108-040, filed 3/5/76.]

WAC 132H-108-050 Service of process—By whom served. The agency shall cause to be served all orders, notices and other papers issued by it, together with any other papers which it is required by law to serve. Every other paper shall be served by the party filing it.

[Order 42, § 132H-108-050, filed 3/5/76.]

WAC 132H-108-060 Upon whom served. All papers served by either the agency or any party shall be served upon all counsel or [of] record at the time of such filing and upon parties not represented by counsel or upon their agents designated by them or by law. Any counsel entering an appearance subsequent to the initiation of the proceeding shall notify all other counsel then on record and all parties not represented by counsel of such fact.

[Order 42, § 132H-108-060, filed 3/5/76.]

WAC 132H-108-070 Service upon parties. The final order, and any other paper required to be served by the agency upon a party, shall be served upon such party or upon the agent designated by him or by law to receive of* such papers, and a copy shall be furnished to counsel or [of] record.

[Order 42, § 132H-108-070, filed 3/5/76.]

*Reviser's note: The word "of" appears to be extraneous.

WAC 132H-108-080 Method of service. Service of papers shall be made personally or, unless otherwise provided by law, by first-class, registered, or certified mail; or by telegraph.

[Order 42, § 132H-108-080, filed 3/5/76.]

WAC 132H-108-090 When service complete. Service upon parties shall be regarded as complete: By mail, upon deposit in the United States mail properly stamped and addressed; by telegraph, when deposited with a telegraph company properly addressed and with charges prepaid.

[Order 42, § 132H-108-090, filed 3/5/76.]

WAC 132H-108-100 Filing with agency. Papers required to be filed with the agency shall be deemed filed upon actual receipt by the executive officer of Community College District VIII and president of Bellevue Community College at 3000 145th Place S.E., Bellevue, Washington 98007, accompanied by proof of service upon parties required to be served.

[Order 42, § 132H-108-100, filed 3/5/76.]

WAC 132H-108-110 Depositions and interrogatories in contested cases—Right to take. Except as may be otherwise provided, any party may take the testimony of

any person, including a party, by deposition upon oral examination or written interrogatories for use as evidence in the proceeding, except that leave must be obtained if notice of the taking is served by a proponent within twenty days after the filing of a complaint, application or petition. Depositions shall be taken only in accordance with this rule.

[Order 42, § 132H-108-110, filed 3/5/76.]

WAC 132H-108-120 Scope. Unless otherwise ordered, the deponent may be examined regarding any matter not privileged, which is relevant to the subject matter involved in the proceeding.

[Order 42, § 132H-108-120, filed 3/5/76.]

WAC 132H-108-130 Officer before whom taken. Within the United States or within a territory or insular possession subject to the dominion of the United States depositions shall be taken before an officer authorized to administer oaths by the laws of the state of Washington or of the place where the examination is held; within a foreign country, depositions shall be taken before a secretary of an embassy or legation, consul general, vice consul or consular agent of the United States, or a person designated by the agency or agreed upon by the parties by stipulation in writing filed with the agency. Except by stipulation, no deposition shall be taken before a person who is a party or the privy of a party, or a privy of any counsel of a party, or who is financially interested in the proceedings.

[Order 42, § 132H-108-130, filed 3/5/76.]

WAC 132H-108-140 Authorization. A party desiring to take the deposition of any person upon oral examination shall give reasonable notice of not less than three days in writing to the agency and all parties. The notice shall state the time and place for taking the deposition, the name and address of each person to be examined, if known, and if the name is not known, a general description sufficient to identify him or the particular class or group to which he belongs. On motion of a party upon whom the notice is served, the agency may for cause shown, enlarge or shorten the time. If the parties so stipulate in writing, depositions may be taken before any person, at any time or place, upon any notice and in any manner and when so taken may be used as other depositions.

[Order 42, § 132H-108-140, filed 3/5/76.]

WAC 132H-108-150 Protection of parties and deponents. After notice is served for taking a deposition, upon its own motion or upon motion reasonably made by any party or by the person to be examined and upon notice and for good cause shown, the agency may make an order that the deposition shall not be taken, or that it may be taken only at some designated place other than that stated in the notice, or that it may be taken only on written interrogatories, or that certain matters shall not be inquired into, or that the scope of the examination

shall be limited to certain matters, or that the examination shall be held with no one present except the parties to the action and their officers or counsel, or that after being sealed, the deposition shall be opened only by order of the agency, or that business secrets or secret processes, developments, or research need not be disclosed, or that the parties shall simultaneously file specified documents or information enclosed in sealed envelopes to be opened as directed by the agency, or the agency may make any other order which justice requires to protect the party or witness from annoyance, embarrassment, or oppression. At any time during the taking of the deposition, on motion of any party or of the deponent and upon a showing that the examination is being conducted in bad faith or in such manner as unreasonably to annoy, embarrass, or oppress the deponent or party, the agency may order the officer and* conducting the examination to cease forthwith from taking the deposition, or may limit the scope and manner of the taking of the deposition as above provided. If the order made terminates the examination, it shall be resumed thereafter only upon the order of the agency. Upon demand of the objecting party or deponent, the taking of the deposition shall be suspended for the time necessary to make a motion for an order.

[Order 42, § 132H-108-150, filed 3/5/76.]

*Reviser's note: The word "and" appears to be extraneous.

WAC 132H-108-160 Oral examination and cross-examination. Examination and cross-examination shall proceed as at an oral hearing. In lieu of participating in the oral examination, any party served with notice of taking a deposition may transmit written cross interrogatories to the officer who, without first disclosing them to any person, and after the direct testimony is complete, shall propound them seriatim to the deponent and record or cause the answers to be recorded verbatim.

[Order 42, § 132H-108-160, filed 3/5/76.]

WAC 132H-108-170 Recordation. The officer before whom the deposition is to be taken shall put the witness on oath and shall personally or by someone acting under his direction and in his presence, record the testimony by typewriter directly or by transcription from stenographic notes, electronic recorders, which record shall separately and consecutively number each interrogatory. Objections to the notice, qualifications of the officer taking the deposition, or to the manner of taking it, or to the evidence presented or to the conduct of the officer, or of any party, shall be noted by the officer upon the deposition. All objections by any party not so made are waived.

[Order 42, § 132H-108-170, filed 3/5/76.]

WAC 132H-108-180 Signing attestation and return. (1) When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by him, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness

desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed, unless on a motion to suppress the agency holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

(2) The officer shall certify on the deposition that the witness was duly sworn by him and that the deposition is a true record of the testimony given by the witness. He shall then securely seal the deposition in an envelope endorsed with the title of proceeding and marked "Deposition of (here insert name of witness)" and shall promptly send it by registered or certified mail to the agency for filing. The party taking the deposition shall give prompt notice of its filing to all other parties. Upon payment of reasonable charges therefor, the officer shall furnish a copy of the deposition to any party or to the deponent.

[Order 42, § 132H-108-180, filed 3/5/76.]

WAC 132H-108-190 Use and effect. Subject to rulings by the agency upon objections a deposition taken and filed as provided in this rule will not become a part of the record in the proceeding until received in evidence by the agency upon its own motion or the motion of any party. Except by agreement of the parties or ruling of the agency, a deposition will be received only in its entirety. A party does not make a party, or the privy of a party, or any hostile witness his witness by taking his deposition. Any party may rebut any relevant evidence contained in a deposition whether introduced by him or any other party.

[Order 42, § 132H-108-190, filed 3/5/76.]

WAC 132H-108-200 Fees of officers and deponents. Deponents whose depositions are taken and the officers taking the same shall be entitled to the same fees as are paid for like services in the superior courts of the state of Washington, which shall be paid by the party at whose instance the depositions are taken.

[Order 42, § 132H-108-200, filed 3/5/76.]

WAC 132H-108-210 Depositions upon interrogatories—Submission of interrogatories. Where the deposition is taken upon written interrogatories, the party offering the testimony shall separately and consecutively number each interrogatory and file and serve them with a notice stating the name and address of the person who is to answer them and the name or descriptive title and address of the officer before whom they are to be taken. Within ten days thereafter a party so served may serve cross-interrogatories upon the party proposing to take the deposition. Within five days thereafter, the latter

may serve redirect interrogatories upon the party who served cross-interrogatories.

[Order 42, § 132H-108-210, filed 3/5/76.]

WAC 132H-108-220 Interrogation. Where the interrogatories are forwarded to an officer authorized to administer oaths as provided in WAC 132H-108-130 the officer taking the same after duly swearing the deponent, shall read to him seriatim, one interrogatory at a time and cause the same and the answer thereto to be recorded before the succeeding interrogatory is asked. No one except the deponent, the officer and the court reporter or stenographer recording and transcribing it shall be present during the interrogation.

[Order 42, § 132H-108-220, filed 3/5/76.]

WAC 132H-108-230 Attestation and return. The officer before whom interrogatories are verified or answered shall:

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

(2) Promptly send by registered or certified mail the original copy of the deposition and exhibits with his attestation to the agency, one copy to the counsel who submitted the interrogatories and another copy to the deponent.

[Order 42, § 132H-108-230, filed 3/5/76.]

WAC 132H-108-240 Provisions of deposition rule. In all other respects, depositions upon interrogatories shall be governed by the previous deposition rule.

[Order 42, § 132H-108-240, filed 3/5/76.]

WAC 132H-108-250 Hearing officers. In each instance that a formal hearing is required by institutional policy or chapter 28B.19 RCW, and upon receipt of a request for a formal hearing filed in accordance with chapter 28B.19 RCW, the executive officer of Community College District VIII and president of Bellevue Community College may appoint one or more hearing officers, not to exceed three for any one hearing, to preside over, conduct, make decisions or proposals for decisions as directed by the board chairperson, including findings of fact and conclusions of law, in each instance, and shall afford an opportunity for a formal hearing after not less than ten days notice and provide such individual requesting formal hearing with notice of the hearing in accordance with the provisions of chapter 28B.19 RCW.

[Order 42, § 132H-108-250, filed 3/5/76.]

WAC 132H-108-260 Hearing procedures. Each hearing shall be conducted in the manner provided for in these rules and in chapter 28B.19 RCW.

(1989 Ed.)

[Order 42, § 132H-108-260, filed 3/5/76.]

WAC 132H-108-270 Duties of hearing officers. (1) All hearing officers appointed in accordance with WAC 132H-108-250 shall conduct hearings in the same manner and shall have the same authority as provided in hearings by the executive officer of Community College District VIII and president of Bellevue Community College: *Provided*, That hearing officers may take final and binding findings or proposals or either or both at the direction of the president as set forth in these rules and in chapter 28B.19 RCW.

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

[Order 42, § 132H-108-270, filed 3/5/76.]

WAC 132H-108-280 Stipulations and admissions of record. The existence or nonexistence of a material fact, as made or agreed in a stipulation or in an admission of record, will be conclusively presumed against any party bound thereby, and no other evidence with respect thereto will be received upon behalf of such party, provided:

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

(2) Withdrawal. Any party bound by a stipulation or admission or record at any time prior to final decision may be permitted to withdraw the same in whole or in part by showing to the satisfaction of the agency that such stipulation or admission was made inadvertently or under a bona fide mistake of fact contrary to the true fact and that its withdrawal at the time proposed will not unjustly prejudice the rights of other parties to the proceeding.

[Order 42, § 132H-108-280, filed 3/5/76.]

WAC 132H-108-290 Definition of issues before hearing. In all proceedings the issue to be adjudicated shall be made initially as precise as possible, in order that the agency may proceed promptly to conduct the hearings on relevant and material matter only.

[Order 42, § 132H-108-290, filed 3/5/76.]

WAC 132H-108-300 Continuances. Any party who desires a continuance shall, immediately upon receipt of notice of a hearing, or as soon thereafter as facts requiring such continuance come to his knowledge, notify the agency of said desire, stating in detail the reasons why such continuance is necessary. The agency, in passing upon a request for continuance, shall consider whether such request was promptly and timely made. For good cause shown, the agency may grant such a continuance and may at any time order a continuance upon its motion. During a hearing, if it appears in the public interest or in the interest of justice that further testimony or argument should be received, the agency may in its discretion continue the hearing and fix the date for introduction of additional evidence or presentation of argument. Such oral notice shall constitute final notice of such continued hearing.

[Order 42, § 132H-108-300, filed 3/5/76.]

WAC 132H-108-310 Rules of evidence--Admissibility criteria. Subject to the other provisions of these rules, all relevant evidence is admissible which, in the opinion of the agency is the best evidence reasonably obtainable, having due regard for its necessity, availability and trustworthiness. In passing upon the admissibility of evidence, the agency shall give consideration to, but shall not be found [bound] to follow, the rules of evidence governing civil proceedings, in matters not involving trial by jury, in the superior court of the state of Washington.

[Order 42, § 132H-108-310, filed 3/5/76.]

WAC 132H-108-320 Tentative admission--Exclusion--Discontinuance--Objections. When objection is made to the admissibility of evidence, such evidence may be received subject to a later ruling. The agency may, in its discretion, either with or without objection, exclude inadmissible evidence or order cumulative evidence discontinued. Parties objecting to the introduction of evidence shall state the precise grounds of such objection at the time such evidence is offered.

[Order 42, § 132H-108-320, filed 3/5/76.]

WAC 132H-108-330 Form and content of decisions in contested cases. Every decision and order, whether proposed, initial, or final, shall:

- (1) Be correctly captioned as to name of agency and name of proceeding;
- (2) Designate all parties and counsel to the proceeding;
- (3) Include a concise statement of the nature and background of the proceeding;
- (4) Be accompanied by appropriate numbered findings of fact and conclusions of law;
- (5) Whenever practical, the conclusions of law shall include the reason or reasons for the particular order or remedy afforded;
- (6) Wherever practical, the conclusions and/or order shall be referenced to specific provisions of the law

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and/or regulations appropriate thereto, together with reasons and precedents relied upon to support the same.

[Order 42, § 132H-108-330, filed 3/5/76.]

Chapter 132H-112 WAC RULES FOR SELECTION OF A BARGAINING AGENT

WAC

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

WAC 132H-112-003 Purpose. Pursuant to chapter 196, Laws of 1971 ex. sess., the board of trustees of Community College District VIII establishes the following rules to strengthen methods of administering employer-employee relations through the establishment of orderly methods of communication between academic employees of Community College District VIII and the board of trustees of Community College District VIII.

[Order 7, § 132H-112-003, filed 10/17/72.]

WAC 132H-112-006 Request for election--Canvass of academic employees by independent and neutral person or association. Any organization of academic employees of Community College District VIII desiring to be recognized as the majority organization representing such employees pursuant to chapter 196, Laws of 1971 ex. sess., shall request in writing of the board of trustees of Community College District VIII that an election be held to determine whether a majority of such employees desire to designate it as their representative for the purposes of the act. Upon the receipt of such a request the board of trustees of Community College District VIII

will request some independent and neutral person or association to determine whether thirty percent or more of the academic employees of Community College District VIII have indicated that they desire to be represented by that organization for such purposes. The independent and neutral person or association shall make such determination upon the basis or records of dues, paying memberships, signed authorizations to represent, or other reliable and probative evidence.

[Order 7, § 132H-112-006, filed 10/17/72.]

WAC 132H-112-009 Notice of election--Organizations to be included on ballot--Time for filing. If the independent and neutral person or association determines that thirty percent or more of the academic employees of Community College District VIII have indicated that they desire to be represented by that organization for such purposes, the board of trustees of Community College District VIII will publish a notice that it will hold an election as soon as practical to determine whether the academic employees of Community College District VIII desire for requesting organization or any other organization to represent them for the purposes of chapter 196, Laws of 1971 ex. sess. Any other organization of academic employees desiring to be designated as the majority organization representing such employees shall, within seven days after publication of such notice by the board of trustees of Community College District VIII, file with the board of trustees a request in writing that its name be included on the ballot in the election to be held together with written proof of at least ten percent representation of the academic employees of the district. The request by this organization shall be submitted to the same neutral person or association designated pursuant to WAC 132H-112-006 who shall rule according to the criteria stated therein as to each request received pursuant to this section. No organization shall be permitted to have its name placed on the ballot used in the election unless such a request has been received within seven days after the publication of the notice that an election will be held. Each academic employee may be included in only one organization for purposes of fulfilling the required percentage of employees for inclusion in the election. If an employee's name is submitted by more than one organization, the neutral person shall determine which organization has the present support of that employee. If evidence of such present support is unavailable the person shall be excluded from all organizations for purposes of determining whether the necessary percentage has been met.

[Order 7, § 132H-112-009, filed 10/17/72.]

WAC 132H-112-012 Contents of notice of election--Designation of chief election officer--Duties. The notice published by the board of trustees of Community College District VIII, pursuant to WAC 132H-112-009, shall state the date, hours, and polling places for the election. The notice shall also designate a chief election officer of the election and charge him with the duty of

preparing the ballots and promulgating instructions concerning the details of the election to be conducted pursuant to WAC 132H-112-003 through 132H-112-063.

[Order 7, § 132H-112-012, filed 10/17/72.]

WAC 132H-112-015 List of academic employees--Posting of list. In any election conducted pursuant to WAC 132H-112-003 through 132H-112-063, lists of academic employees eligible to vote shall be prepared by the board of trustees, listing academic employees by voting places. Such lists shall be posted at least 24 hours before the election. Such lists shall be for informational purposes and shall not be conclusive as to the rights of an academic employee to vote in the election.

[Order 7, § 132H-112-015, filed 10/17/72.]

WAC 132H-112-018 Election inspectors--Duties--Right to challenge voter--Improper conduct. The election officer shall designate at least one inspector for each polling place to observe the conduct of the election. Any organization whose name shall appear on the ballot in the election shall also be entitled to have one inspector present at each polling place to observe the conduct of the election. Each organization shall also be entitled to have an inspector present at the college district office for the counting of the ballots cast. Such inspectors must refrain from electioneering during the election. They may challenge the eligibility of any person to vote in the election, and, upon such challenge, the ballot of that person shall be treated as provided in WAC 132H-112-024 and 132H-112-036 through 132H-112-048. Inspectors shall also report in writing to the chief election officer any conduct which they observe in the course of balloting which they believe may have improperly affected the result of the voting at the polling place at which they serve as observers.

[Order 7, § 132H-112-018, filed 10/17/72.]

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

To select for representation purposes to chapter 196, Laws of 1971 ex. sess., a majority organization to represent academic employees of Community College District VIII.

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

[Order 7, § 132H-112-021, filed 10/17/72.]

WAC 132H-112-024 Record of vote--Signature--Challenge. At the time of the election the name of each employee voting shall be recorded by his signature written beside his name on the voting list for the polling place at which he votes. Each academic employee may cast only one ballot in any election held pursuant to these rules, and the presence of a signature beside the name of an employee desiring to vote shall automatically

constitute grounds for challenge to his right to cast a ballot in an election.

[Order 7, § 132H-112-024, filed 10/17/72.]

WAC 132H-112-027 Incorrectly marked ballot. Any voter who incorrectly marks his ballot may obtain a new ballot by returning the incorrectly marked ballot to the chief election officer's inspector. Such incorrectly marked ballot shall be marked void in the presence of the inspectors of organizations participating in the election before the new ballot is delivered to the voter.

[Order 7, § 132H-112-027, filed 10/17/72.]

WAC 132H-112-030 Privacy for voter—Equipment. Voters shall be provided with tables or desks so arranged that a voter may mark his ballot without making it possible for other persons to observe the manner in which he has marked it.

[Order 7, § 132H-112-030, filed 10/17/72.]

WAC 132H-112-033 Folding ballot—Ballot box. Each voter shall fold his ballot so that the manner in which he has marked it cannot be observed and shall then place it in the locked ballot box provided at the designated voting place.

[Order 7, § 132H-112-033, filed 10/17/72.]

WAC 132H-112-036 Challenged ballot—Procedure. A challenged ballot shall be placed in an envelope bearing no identifying marks. It shall then be placed in another envelope upon which shall be written the name of the employee desiring to cast the ballot, the reasons for which the ballot was challenged, by whom it was challenged, and the polling places at which it was challenged, and the envelope shall be sealed and initialed by the election inspectors.

[Order 7, § 132H-112-036, filed 10/17/72.]

WAC 132H-112-039 Employees present entitled to vote—Sealing ballot box—Unused ballots. At the time for closing the polls, all academic employees present and waiting at the polling place shall be entitled to vote. The ballot box shall then be sealed. All unused ballots shall then be counted in the presence of election inspectors.

[Order 7, § 132H-112-039, filed 10/17/72.]

WAC 132H-112-042 Election inspectors' duties after voting has terminated. When all voting has terminated at a polling place, the election inspectors will bring to the chief election officer at the community college district office the following: 1) Signed voting list of eligible academic employees, 2) all unused ballots, 3) all challenged ballots, and 4) the sealed ballot box containing all ballots cast.

[Order 7, § 132H-112-042, filed 10/17/72.]

WAC 132H-112-045 Disposition of challenged ballots—Tally sheets—Investigation by chief election officer. The challenged ballots previously placed in separate envelopes shall be placed in a sealed envelope marked

"challenged ballots" and sent along with the tally sheet to the chief election officer. The challenged ballots shall not be opened or counted unless the counting of such ballots might affect the results of the election. If the challenged ballots might affect the results of the election, the chief election officer shall conduct an investigation into, or if necessary a formal hearing on, the validity of the challenges made. If he concludes that the challenge was properly made, that ballot shall be excluded from the count. Otherwise, such ballot shall be counted as cast.

[Order 7, § 132H-112-045, filed 10/17/72.]

WAC 132H-112-048 Counting of ballots—Procedure—Certification of results of election—Retention of ballots—Signed voting lists. When ballot boxes from all voting places have been received by the chief election officer's inspector, he shall open them and thoroughly mix all ballots cast so that it is impossible to identify the polling place from which any particular ballot came. The ballots cast shall be separated into the categories as they have been cast for organizations participating in the election, for no organization, and void ballots which are unintelligible or for an organization not participating in the election. The ballots in these categories shall be counted by the chief election officer with the assistance of such of his election inspectors as shall be necessary in the presence of the inspectors for the organizations participating in the election. After the ballots have been so counted each inspector designated by the organizations to serve at the community college district office shall indicate by his signature upon the tally sheet that he agrees with the count made, or in case of disagreement, he shall write a short statement of his grounds for disagreement with the count. The chief election officer shall certify to the board of trustees the results of the election within forty-eight hours after the polls have been closed. The used ballots, the unused ballots, the challenged ballots, and the signed voting lists of eligible academic employees shall be kept by the chief election officer or some person designated by him for one year after the election.

[Order 7, § 132H-112-048, filed 10/17/72.]

WAC 132H-112-051 Electioneering within the polls forbidden. No election signs, banners, or buttons shall be permitted in the room in which the balloting takes place, nor shall any person in that room discuss the advantages or disadvantages of representation by an organization whether on the ballot or otherwise, nor shall any person in that room engage in any other form of electioneering.

[Order 7, § 132H-112-051, filed 10/17/72.]

WAC 132H-112-054 Contest of election—Time for filing objections—Investigation of objections. Any organization, the name of which appears on the ballot, or any academic employee may within five days after the certification of the results of an election under the provisions of WAC 132H-112-048, file objections to the conduct of the election with the chief election officer

designated by the board of trustees pursuant to WAC 132H-112-012. The election officer shall investigate such objections and, if necessary, hold formal hearings thereon. He shall report thereon to the board of trustees. If the board of trustees shall conclude that the conduct objected to may have improperly affected the results of the election, it shall order a new election. Otherwise, it shall overrule the objections and the results of the election shall be considered final. Objections to the conduct of the election which are not filed in accordance with the provisions of this section shall be waived and of no effect.

[Order 7, § 132H-112-054, filed 10/17/72.]

WAC 132H-112-057 Persons eligible to vote--Definition of "academic employee." All academic employees of Community College District VIII shall be eligible to vote pursuant to WAC 132H-112-003 through 132H-112-063 who are employed at the time of the election provided for by such rules and who: 1) Are employed on a full-time basis, or 2) if employed on a part-time basis, have been employed as an academic employee of the district for at least one other quarter (i.e. fall, winter, spring, or summer quarter) during either the current or the previous academic year. "Academic employee" shall mean any teacher, counselor, librarian, or department head, division head, or administrator, who is employed by Community College District VIII, with the exception of the chief administrative officer of the district.

[Order 7, § 132H-112-057, filed 10/17/72.]

WAC 132H-112-060 Election determined by majority of valid votes cast--Run-off election. An organization of academic employees which receives a majority of the valid votes cast in an election held in accordance with WAC 132H-112-003 through 132H-112-063 shall be recognized as representing the academic employees of Community College District VIII pursuant to chapter 196, Laws of 1971 ex. sess. If more than one organization of academic election and a majority of the valid votes cast have not been either for representation by one of the organizations or for no representation, a run-off election shall be held. In such a run-off, only those two choices receiving the highest number of valid votes cast in the initial election shall appear on the ballot.

[Order 7, § 132H-112-060, filed 10/17/72.]

WAC 132H-112-063 Time lapse for new election.
 (1) If no organization of academic employees is selected as representative in an election held pursuant to these rules, another election shall not be held until the lapse of one year from the date of the certification of the results of the earlier election. If an organization of academic employees is selected as bargaining representative in an election held pursuant to these rules, another election shall not be held until the lapse of one year from the date of the certification of the results of the earlier election.

(1989 Ed.)

(2) If an organization is selected pursuant to these rules, which organization 1) enters into a written agreement concerning terms and conditions of employment with the district, 2) and which written agreement is by its terms to expire on a specified date, and 3) that date is not more than two years from the effective date of the agreement, then no petition by a different organization to challenge the designated employee organization may be filed during the life of the agreement except during a period not more than 120 days nor less than 60 days prior to the expiration of the agreement.

(3) If a petition is filed and a different employee organization is selected, it shall become the recognized employee organization on the day after the termination of the agreement, provided, however, that the trustees or their designees may meet, confer and negotiate with the newly elected organization prior to the expiration of the agreement to discuss matters relating to the time period commencing after the day after the expiration of the agreement.

[Order 10, § 132H-112-063, filed 3/9/73; Order 7, § 132H-112-063, filed 10/17/72.]

**Chapter 132H-116 WAC
 PARKING AND TRAFFIC RULES**

WAC

- 132H-116-300 Preamble.
- 132H-116-310 Objectives of parking and traffic rules and regulations.
- 132H-116-320 Applicable parking and traffic rules and regulations--Areas affected.
- 132H-116-330 Enforcement of Bellevue Community College rules and regulations.
- 132H-116-340 Modification of parking and traffic regulations.
- 132H-116-350 Permits required for vehicles on campus.
- 132H-116-360 Tourists and visitors--Exemption from permit requirements.
- 132H-116-370 Speed.
- 132H-116-380 Regulatory signs and directions.
- 132H-116-390 Pedestrians--Right of way.
- 132H-116-400 Designated and assigned parking areas.
- 132H-116-410 Parking within designated spaces.
- 132H-116-420 Disabled and inoperative vehicles--Impounding.
- 132H-116-430 Special parking and traffic regulations and restrictions authorized.
- 132H-116-440 Liability of college.
- 132H-116-450 Parking--Prohibited places.
- 132H-116-460 Parking--Operator's responsibility.
- 132H-116-470 Exceptions to parking and traffic restrictions.
- 132H-116-480 Authorization for issuance of permits.
- 132H-116-490 Allocation of parking space and priorities of applicants.
- 132H-116-500 Visitors and guests.
- 132H-116-510 Special permits.
- 132H-116-520 Permit revocations.
- 132H-116-530 Car pool permits.
- 132H-116-540 Second car permits.
- 132H-116-542 Temporary permit.
- 132H-116-550 Annual and quarterly permit periods.
- 132H-116-560 Parking area, zone and reserved space designations and area assignments.
- 132H-116-570 Responsibility of person to whom permit issued.
- 132H-116-580 Display of permits.
- 132H-116-590 Parking of motorcycles and scooters.
- 132H-116-600 Annual parking fee payment.
- 132H-116-610 Schedule of fees.
- 132H-116-620 Fines.

- 132H-116-630 Appeals.
- 132H-116-640 Establishment of citation review committee, appointment of members and appointment of institutional hearing officer.
- 132H-116-650 Jurisdiction of the citation review committee.
- 132H-116-660 Procedure—Summons and service thereof.
- 132H-116-670 Election to forfeit or contest.
- 132H-116-680 Procedure—Rules of evidence.
- 132H-116-690 Procedure—Review decision.
- 132H-116-700 Mitigation and suspension of fines.
- 132H-116-710 Enforcement of the decisions of the citation review committee.
- 132H-116-720 Procedure—Review decision appeal.
- 132H-116-730 Regulatory signs, markings, barricades, etc.
- 132H-116-740 Impounding of vehicles.
- 132H-116-750 Delegation of authority.
- 132H-116-760 Prohibition of dumping.
- 132H-116-770 Horses on campus.
- 132H-116-780 Bicycle and other foot propelled devices.
- 132H-116-790 Prohibition of literature.
- 132H-116-810 Parking and traffic fines schedule.
- 8/10/76. Later promulgation, see WAC 132H-116-520.
- 132H-116-160 Section X—Fines. [Order 37, § 132H-116-160, filed 10/10/75; Order 12, § 132H-116-160, filed 3/12/73.] Repealed by Order 43, filed 8/10/76. Later promulgation, see WAC 132H-116-620.
- 132H-116-170 Section XI—Appeals. [Order 37, § 132H-116-170, filed 10/10/75; Order 12, § 132H-116-170, filed 3/12/73.] Repealed by Order 43, filed 8/10/76. Later promulgation, see WAC 132H-116-630.
- 132H-116-180 Section XII—Impounding of vehicles. [Order 37, § 132H-116-180, filed 10/10/75; Order 12, § 132H-116-180, filed 3/12/73.] Repealed by Order 43, filed 8/10/76. Later promulgation, see WAC 132H-116-740.
- 132H-116-190 Section XIII—Speed limit. [Order 12, § 132H-116-190, filed 3/12/73.] Repealed by Order 43, filed 8/10/76. Later promulgation, see WAC 132H-116-370.
- 132H-116-200 Section XIV—Loss and damage. [Order 12, § 132H-116-200, filed 3/12/73.] Repealed by Order 43, filed 8/10/76. Later promulgation, see WAC 132H-116-440.
- 132H-116-210 Section XV—Parking areas. [Order 22, § 132H-116-210, filed 8/9/74; Order 12, § 132H-116-120, filed 3/12/73.] Repealed by Order 43, filed 8/10/76. Later promulgation, see WAC 132H-116-490.
- 132H-116-220 Section XVI—Prohibition of dumping. [Order 18, § 132H-116-220, filed 8/10/73.] Repealed by Order 43, filed 8/10/76. Later promulgation, see WAC 132H-116-760.
- 132H-116-230 Section XVII—Horses on campus. [Order 18, § 132H-116-230, filed 8/10/73.] Repealed by Order 43, filed 8/10/76. Later promulgation, see WAC 132H-116-770.
- 132H-116-800 Parking fees. [Order 51, § 132H-116-800, filed 4/8/77; Order 43, § 132H-116-800, filed 8/10/76.] Repealed by 84-07-040 (Order 87, Resolution No. 163), filed 3/20/84. Statutory Authority: RCW 28B.50.140.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 132H-116-010 Prohibition of dumping. [Order 2, § 132H-116-010, filed 7/13/72 and Emergency Order 1, filed 7/13/72.] Repealed by Order 18, filed 8/10/73. Later promulgation, see WAC 132H-116-220.
- 132H-116-020 Off-road motor vehicle traffic. [Order 2, § 132H-116-020, filed 7/13/72 and Emergency Order 1, filed 7/13/72.] Repealed by Order 18, filed 8/10/73.
- 132H-116-030 Horseback riding. [Order 2, § 132H-116-030, filed 7/13/72 and Emergency Order 1, filed 7/13/72.] Repealed by Order 18, filed 8/10/73. Later promulgation, see WAC 132H-116-230.
- 132H-116-040 Driving without license. [Order 2, § 132H-116-040, filed 7/13/72 and Emergency Order 1, filed 7/13/72.] Repealed by Order 18, filed 8/10/73. Later promulgation, see WAC 132H-116-070.
- 132H-116-050 Title. [Order 12, § 132H-116-050, filed 3/12/73.] Repealed by Order 43, filed 8/10/76.
- 132H-116-070 Section I—Obligations of vehicle operator. [Order 12, § 132H-116-070, filed 3/12/73.] Repealed by Order 43, filed 8/10/76.
- 132H-116-080 Section II—Objectives of traffic rules and regulations. [Order 12, § 132H-116-080, filed 3/12/73.] Repealed by Order 43, filed 8/10/76. Later promulgation, see WAC 132H-116-310.
- 132H-116-090 Section III—Traffic rules and regulations. [Order 12, § 132H-116-090, filed 3/12/73.] Repealed by Order 43, filed 8/10/76. Later promulgation, see WAC 132H-116-320.
- 132H-116-100 Section IV—Pedestrians. [Order 12, § 132H-116-100, filed 3/12/73.] Repealed by Order 43, filed 8/10/76. Later promulgation, see WAC 132H-116-390.
- 132H-116-110 Section V—Registration of student vehicles. [Order 12, § 132H-116-110, filed 3/12/73.] Repealed by Order 43, filed 8/10/76.
- 132H-116-120 Section VI—Parking permit required for vehicles on campus. [Order 41, § 132H-116-120, filed 3/5/76; Order 38, § 132H-116-120, filed 12/5/75; Order 12, § 132H-116-120, filed 3/12/73.] Repealed by Order 43, filed 8/10/76. Later promulgation, see WAC 132H-116-350.
- 132H-116-130 Section VII—Placement of parking permits. [Order 12, § 132H-116-130, filed 3/12/73.] Repealed by Order 43, filed 8/10/76. Later promulgation, see WAC 132H-116-580.
- 132H-116-140 Section VIII—Responsibility of person to whom the permit is issued. [Order 12, § 132H-116-140, filed 3/12/73.] Repealed by Order 43, filed 8/10/76. Later promulgation, see WAC 132H-116-570.
- 132H-116-150 Section IX—Permit revocations. [Order 12, § 132H-116-150, filed 3/12/73.] Repealed by Order 43, filed 8/10/76. Later promulgation, see WAC 132H-116-520.
- 132H-116-300 Preamble. Pursuant to the authority granted by RCW 28B.50.140(10) and 28B.19.020(2) the board of trustees of Community College District VIII, Bellevue Community College is granted authority to establish rules and regulations for pedestrians and vehicular traffic over property owned, operated, or maintained by the college district. [Order 43, § 132H-116-300, filed 8/10/76.]
- WAC 132H-116-310 Objectives of parking and traffic rules and regulations. The objectives of these regulations are:
- (1) To protect and control pedestrian and vehicular traffic.
 - (2) To assure access at all times for emergency equipment.
 - (3) To minimize traffic disturbances during class hours.
 - (4) To facilitate the work of the college by assuring access to its vehicles and by assigning limited parking space for the most efficient use by all.
 - (5) To protect state property.
- [Order 43, § 132H-116-310, filed 8/10/76. Formerly WAC 132H-116-080.]
- WAC 132H-116-320 Applicable parking and traffic rules and regulations—Areas affected. The following rules and regulations apply upon state lands devoted

mainly to the educational or recreational activities of Bellevue Community College:

(1) The motor vehicle and other traffic laws of the state of Washington. These shall be applicable upon all lands located within the state of Washington.

(2) The traffic code of the city of Bellevue. This code applies upon all lands located within the city of Bellevue.

(3) The Bellevue Community College parking and traffic regulations. These shall be applicable to all state lands which are or may hereafter be devoted mainly to educational, recreational, or parking activities of Bellevue Community College. In case of conflict among the provisions of the motor vehicle and other traffic laws of the state of Washington or the traffic code of the city of Bellevue and Bellevue Community College parking and regulations, the provisions of the state of Washington motor vehicle laws shall govern.

[Order 43, § 132H-116-320, filed 8/10/76. Formerly WAC 132H-116-090.]

WAC 132H-116-330 Enforcement of Bellevue Community College rules and regulations. Duly appointed security officers of Bellevue Community College shall be delegated the authority to enforce all college rules and regulations. Employees of the Bellevue Community College parking division may be delegated the authority to enforce college parking and traffic regulations.

[Order 43, § 132H-116-330, filed 8/10/76.]

WAC 132H-116-340 Modification of parking and traffic regulations. The board of trustees reserves the right to add, delete or modify portions of these regulations including the appended fee and fine and penalty schedules in accordance with its regulations and applicable laws.

[Order 43, § 132H-116-340, filed 8/10/76.]

WAC 132H-116-350 Permits required for vehicles on campus. No person shall park, or leave any vehicle, whether attended or unattended, upon the campus of Bellevue Community College without a permit issued by the security division, cashier or registration offices. Permission to park on campus will be shown by display of a valid permit.

(1) A valid permit is:

(a) A current vehicle permit and area designator displayed in accordance with instructions. (See WAC 132H-116-580.)

(b) A temporary permit authorized by the security division and displayed in accordance with instructions.

(c) A parking permit issued by a gate attendant. This permit must be displayed on the vehicle in accordance with instructions shown on permit.

(d) A parking permit dispensed by machine at Bellevue Community College and displayed in accordance with instructions shown on permit.

(2) Parking permits are not transferable, except as provided in WAC [132H-116-530] [132H-116-350].

(3) The college reserves the right to refuse the issuance of a parking permit.

(1989 Ed.)

[Statutory Authority: RCW 28B.50.140. 82-04-005 (Order 75, Resolution No. 143), § 132H-116-350, filed 1/21/82; 79-10-052 (Order 63, Resolution No. 120), § 132H-116-350, filed 9/17/79; Order 43, § 132H-116-350, filed 8/10/76. Formerly WAC 132H-116-120.]

Reviser's note: RCW 34.05.395 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 132H-116-360 Tourists and visitors--Exemption from permit requirements. The security division supervisor may allow tourists and visitors without permits to drive through the campus without parking, but he may require them to wait at the entrances to the campus during times when pedestrian and/or vehicular traffic congestion is above normal, such as at the time of class changes. (See WAC 132H-116-430.)

[Order 43, § 132H-116-360, filed 8/10/76.]

WAC 132H-116-370 Speed. No vehicle shall be operated on the campus at a speed in excess of twenty miles per hour or such lower speed as is reasonable and prudent in the circumstance.

[Statutory Authority: RCW 28B.50.140. 82-04-005 (Order 75, Resolution No. 143), § 132H-116-370, filed 1/21/82; Order 43, § 132H-116-370, filed 8/10/76. Formerly WAC 132H-116-190.]

WAC 132H-116-380 Regulatory signs and directions. Drivers of vehicles shall obey regulatory signs and signs related to the collection of parking fees. Drivers of vehicles shall comply with directions given to them by college security officers in the control and regulation of traffic. Drivers shall also comply with directions given to them by the traffic guides or parking checkers of the security division in the assignment of parking space and in the collection of parking fees.

[Order 43, § 132H-116-380, filed 8/10/76.]

WAC 132H-116-390 Pedestrians--Right of way.

(1) 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 or roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(2) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the operator of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

(3) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the street or roadway.

(4) Pedestrians on a street or roadway where a sidewalk is provided shall proceed upon such sidewalk. Pedestrians upon a street or roadway where no sidewalk is provided shall proceed on the extreme left-hand side of

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the roadway and upon meeting an oncoming vehicle shall step to their left and clear of the street or roadway.

(5) Notwithstanding the foregoing provisions of this section, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway.

[Order 43, § 132H-116-390, filed 8/10/76. Formerly WAC 132H-116-100.]

WAC 132H-116-400 Designated and assigned parking areas. (1) No vehicle shall be parked on the campus except in those areas set aside and designated as parking areas.

(2) No vehicle shall be parked in any parking area without a permit for that area.

[Order 43, § 132H-116-400, filed 8/10/76.]

WAC 132H-116-410 Parking within designated spaces. No vehicle shall be parked so as to occupy any portion of more than one parking space or stall as designated within the parking area. The fact that other vehicles may have been so parked as to require the vehicle parked to occupy a portion of more than one space or stall shall not constitute an excuse for a violation of this section.

[Order 43, § 132H-116-410, filed 8/10/76.]

WAC 132H-116-420 Disabled and inoperative vehicles--Impounding. No disabled or inoperative vehicle shall be parked on the campus for a period in excess of 72 hours. Vehicles which have been parked for periods in excess of 72 hours and which appear to be disabled or inoperative may be impounded and stored at the expense of either or both the owner and operator thereof. Neither the college nor its employees shall be liable for loss or damage of any kind resulting from such impounding and storage. Notice of intent to impound will be posted on the vehicle 24 hours prior to impound.

[Order 43, § 132H-116-420, filed 8/10/76.]

WAC 132H-116-430 Special parking and traffic regulations and restrictions authorized. During special occasions causing additional heavy traffic and during emergencies, the security/safety supervisor is authorized to impose additional traffic and parking regulations and restrictions for the achievement of the specified objectives of these regulations and provide appropriate notice thereof whenever possible.

[Order 43, § 132H-116-430, filed 8/10/76.]

WAC 132H-116-440 Liability of college. The college assumes no liability for vehicles parked on college properties. No bailment but only a license is created by the purchase and/or issuance of a permit.

[Order 43, § 132H-116-440, filed 8/10/76. Formerly WAC 132H-116-200.]

WAC 132H-116-450 Parking--Prohibited places. (1) No person shall stop, stand or park any vehicle so as to obstruct traffic along or upon any street or sidewalk.

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(2) No vehicle shall be parked:

- (a) At any place where official signs prohibit parking.
- (b) Within ten feet of a fire hydrant.

[Order 43, § 132H-116-450, filed 8/10/76.]

WAC 132H-116-460 Parking--Operator's responsibility. No person driving or in charge of a motor vehicle shall permit it to stand unattended without first:

- (1) Stopping the engine, locking the ignition and removing the key.
- (2) Effectively setting the brake and transmission to prevent movement of the vehicle.

[Order 43, § 132H-116-460, filed 8/10/76.]

WAC 132H-116-470 Exceptions to parking and traffic restrictions. WAC 132H-116-350, 132H-116-400, 132H-116-450 and 132H-116-780 of these rules and regulations shall not apply to the drivers of state-owned or operated vehicles which are operated by Bellevue Community College in the performance of assigned functions.

[Order 43, § 132H-116-470, filed 8/10/76.]

WAC 132H-116-480 Authorization for issuance of permits. The Bellevue Community College [controller] [director of finance] is authorized to issue annual and quarterly permits to park upon the campus.

The Bellevue Community College security supervisor is authorized to issue daily, car pool, and special permits to park upon the campus.

These permits are issued pursuant to the provisions of WAC 132H-116-480 through 132H-116-560 of these regulations. All outstanding campus parking violations must be satisfactorily settled before a special parking permit will be issued or renewed.

[Statutory Authority: RCW 28B.50.140. 82-04-005 (Order 75, Resolution No. 143), § 132H-116-480, filed 1/21/82; Order 43, § 132H-116-480, filed 8/10/76.]

Reviser's note: RCW 34.05.395 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 132H-116-490 Allocation of parking space and priorities of applicants. The parking space available on the campus shall be allocated by the director of campus operations and services among applicants for permits in such manner as will best obtain the objectives of these regulations. The director of campus operations and services is further authorized to designate and mark the various parking areas on the campus with numbers or titles or both by posting of signs in those areas.

Students, staff and faculty may obtain daytime and/or evening parking on campus to the extent spaces are available as follows:

- (1) Student daytime parking is limited to areas designated student parking.
- (2) Staff/faculty daytime parking is limited to areas designated staff/faculty parking.
- (3) Evening parking, after 3:00 p.m., for students, staff and faculty is available in all designated parking areas with the exceptions of the parking spaces for the

handicapped, the college motor pool, and specifically signed reserved areas.

[Statutory Authority: RCW 28B.50.140. 82-04-005 (Order 75, Resolution No. 143), § 132H-116-490, filed 1/21/82; 79-10-052 (Order 63, Resolution No. 120), § 132H-116-490, filed 9/17/79; Order 43, § 132H-116-490, filed 8/10/76. Formerly WAC 132H-116-210.]

WAC 132H-116-500 Visitors and guests. All visitors, including guests, salespersons, maintenance or service personnel and all other members of the public will park in available space as directed by Bellevue Community College security officers, traffic guides or parking checkers and will pay the established parking fee except as noted below.

(1) Federal, state, county, city, school district and similar governmental personnel, on official business in vehicles with tax exempt licenses, will be admitted without charge and may not be required to obtain a parking permit.

(2) Vehicles owned by contractors and their employees working on campus construction may be parked within available construction sites or designated areas without charge.

(3) Members of the press, television, radio and wire services, on official business, may park in designated spaces without charge.

(4) Taxis and commercial delivery vehicles may enter the campus without payment [of] [or] the parking fee for pick up and delivery of passengers, supplies and equipment only.

(5) Visitors invited to the campus for the purpose of rendering uncompensated services to Bellevue Community College will be parked without charge, provided prior notification is given to the security office.

(6) Persons holding emeritus or similar appointments will be parked in designated areas without charge.

[Statutory Authority: RCW 28B.50.140. 82-04-005 (Order 75, Resolution No. 143), § 132H-116-500, filed 1/21/82; Order 51, § 132H-116-500, filed 4/8/77; Order 43, § 132H-116-500, filed 8/10/76.]

Reviser's note: RCW 34.05.395 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 132H-116-510 Special permits. (1) Physically handicapped faculty members, staff personnel and students may apply through the security office for a special parking permit in a reserved area. Such individuals must obtain a certificate from a physician indicating that special parking assignment is essential in order for them to perform their assigned duties or to attend classes.

(2) Salespersons, maintenance and service personnel, persons serving the college without pay, and other visitors who must frequently visit the campus on college business, may be issued a parking permit from the security division, upon request of the division benefiting from the services provided, subject to approval by the director of campus operations and services. Parking on [the] campus will not be provided to persons intending to make personal solicitations from or personal sales to college employees or students.

(3) The security division supervisor will assist college divisions which sponsor functions such as conferences, seminars, dinners and similar events, in arranging reserved parking and direction signs as needed. Notification must be received 48 hours in advance by the security division supervisor.

(4) Overnight or extended period permits may be obtained from the security office for disabled vehicles, field trips or other valid reason[,] that may necessitate the operator leaving the vehicle on the Bellevue Community College campus.

[Statutory Authority: RCW 28B.50.140. 79-10-052 (Order 63, Resolution No. 120), § 132H-116-510, filed 9/17/79; Order 43, § 132H-116-510, filed 8/10/76.]

Reviser's note: RCW 34.05.395 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 132H-116-520 Permit revocations. Permits are licenses and the property of the college, and may be recalled for any of the following reasons:

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

(2) When a permit is used by an unauthorized individual.

(3) Falsification on a second car parking permit application.

(4) Continued violations of parking regulations.

(5) Counterfeiting or altering of permits.

(6) Failure to comply with a final decision of the citation review committee.

(7) Appeals of permit revocations may be made to the institutional hearing officer. Appeal must be filed within fifteen days of revocation.

[Statutory Authority: RCW 28B.50.140. 79-10-052 (Order 63, Resolution No. 120), § 132H-116-520, filed 9/17/79; Order 43, § 132H-116-520, filed 8/10/76. Formerly WAC 132H-116-150.]

WAC 132H-116-530 Car pool permits. Car pool permits may be purchased by faculty, staff and students. A car pool is defined as being from three to five persons. One transferable permit will be issued by the security office for each car pool. This permit is transferable only among the registered members of the car pool. This permit will be displayed in accordance with the instructions provided with the permit.

(1) Second car permits may not be purchased by persons who have been issued car pool permits.

[Order 43, § 132H-116-530, filed 8/10/76.]

WAC 132H-116-540 Second car permits. Faculty, staff and students may be issued a second car permit for another vehicle either personally owned, family owned, or owned by their employer at the fee listed in the schedule of fees.

[Statutory Authority: RCW 28B.50.140. 79-10-052 (Order 63, Resolution No. 120), § 132H-116-540, filed 9/17/79; Order 43, § 132H-116-540, filed 8/10/76.]

WAC 132H-116-542 Temporary permit. Any permit holder may obtain a temporary permit at the security office without charge for another vehicle when the

vehicle for which a permit was purchased is unavailable due to repair or for another valid reason. These permits are good for a period of two weeks only and may not be renewed.

[Statutory Authority: RCW 28B.50.140. 79-10-052 (Order 63, Resolution 120), § 132H-116-542, filed 9/17/79; Order 43, § 132H-116-542, filed 8/10/76.]

WAC 132H-116-550 Annual and quarterly permit periods. (1) Annual parking permits shall be valid from the first day of fall quarter until the first day of the following fall quarter.

(2) Nine month annual parking permits shall be valid from the first day of fall quarter until the first day of summer quarter.

(3) Quarterly parking permits shall be valid from the first day of each quarter until the first day of the following quarter.

[Statutory Authority: RCW 28B.50.140. 82-04-005 (Order 75, Resolution No. 143), § 132H-116-550, filed 1/21/82; Order 43, § 132H-116-550, filed 8/10/76.]

WAC 132H-116-560 Parking area, zone and reserved space designations and area assignments. The director of plant operations shall designate parking areas, zones, and reserved spaces, and may change area assignments in a manner which will promote the objectives of these regulations.

[Order 43, § 132H-116-560, filed 8/10/76.]

WAC 132H-116-570 Responsibility of person to whom permit issued. The person to whom a permit is issued pursuant to these regulations shall be responsible for all parking violations of these rules and regulations involving the vehicle [on] which the permit was displayed provided, however, that such responsibility shall not relieve other persons who violate these rules and regulations.

[Statutory Authority: RCW 28B.50.140. 79-10-052 (Order 63, Resolution No. 120), § 132H-116-570, filed 9/17/79; Order 43, § 132H-116-570, filed 8/10/76. Formerly WAC 132H-116-140.]

Reviser's note: RCW 34.05.395 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 132H-116-580 Display of permits. The vehicle permit issued by the college shall be permanently affixed on the inside of the rear window so that the permit is visible while standing directly behind the vehicle. If the vehicle is a convertible or a truck-camper or has no permanently fixed rear window, the permit shall be displayed in the front windshield. Permits not displayed in accordance with the provisions of this section shall not be valid and vehicles displaying the improperly placed permit shall be subject to citation. Permits [will] [shall] be displayed on the front fender of a motorcycle.

[Statutory Authority: RCW 28B.50.140. 82-04-005 (Order 75, Resolution No. 143), § 132H-116-580, filed 1/21/82; Order 43, § 132H-116-580, filed 8/10/76. Formerly WAC 132H-116-130.]

Reviser's note: RCW 34.05.395 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 132H-116-590 Parking of motorcycles and scooters. (1) Motorcycles, motorized bicycles and scooters are for the purpose of these regulations considered to be motor vehicles and are subject to all traffic and parking rules and regulations controlling other motor vehicles.

(2) Motorcycles, motorized bicycles and scooters may be parked in designated areas in addition to the regular parking lots.

(3) Motorcycles, motorized bicycles and scooters are not permitted on paths, sidewalks, in buildings or authorized bicycle areas or in pedestrian areas at any time.

[Statutory Authority: RCW 28B.50.140. 82-04-005 (Order 75, Resolution No. 143), § 132H-116-590, filed 1/21/82; Order 43, § 132H-116-590, filed 8/10/76.]

WAC 132H-116-600 Annual parking fee payment.

(1) Payment for an annual parking permit must be made in one of the following ways:

(a) By cash or check directly to the college.

(b) By payroll deduction. Annually-contracted faculty and staff members may select the payroll deduction plan for payment of the annual permit only. Deductions will be made from each month's paycheck; i.e., the deductions from July earnings will cover the July installment. Those selecting this plan must complete a payroll deduction authorization form and an appropriate parking permit application before issuance of the permit.

[Order 43, § 132H-116-600, filed 8/10/76.]

WAC 132H-116-610 Schedule of fees. Fees for parking are those detailed in WAC 132H-116-800.

[Statutory Authority: RCW 28B.50.140. 82-04-005 (Order 75, Resolution No. 143), § 132H-116-610, filed 1/21/82; Order 43, § 132H-116-610, filed 8/10/76.]

WAC 132H-116-620 Fines. The fines to be assessed for violations of these regulations shall be detailed in WAC 132H-116-810.

(1) Fines - payment

(a) Persons cited for violation of these regulations may respond either by filing a written appeal as detailed in WAC 132H-116-630 or by forfeiting a fine within fifteen days of receipt of the citation.

(b) All fines are payable to the Bellevue Community College cashier. Fines may be paid by mail by sending the citation and amount of fine to the Bellevue Community College cashier.

(2) Fines - unpaid

(a) If any citation remains unpaid after fifteen days, the following action shall be taken by Bellevue Community College:

(i) Registration for the following quarter shall be delayed.

(ii) The college shall consider impounding violator's vehicle.

(iii) Faculty, students and staff will be unable to purchase parking permits unless outstanding tickets are paid.

(b) These procedures will be applicable to all students, faculty and staff members receiving citations for violation of these regulations.

(3) Excessive citations

(a) The citation review committee or institutional hearing officer may review the parking privileges of students, faculty and staff acquiring an excessive number of citations (3 or more) and may take action as the circumstances warrant.

[Statutory Authority: RCW 28B.50.140, 82-04-005 (Order 75, Resolution No. 143), § 132H-116-620, filed 1/21/82; 79-10-052 (Order 63, Resolution No. 120), § 132H-116-620, filed 9/17/79; Order 54, § 132H-116-620, filed 12/9/77; Order 43, § 132H-116-620, filed 8/10/76. Formerly WAC 132H-116-160.]

WAC 132H-116-630 Appeals. Students, faculty or staff members receiving citations for violations of these regulations may appeal to the chairperson of the citation review committee in writing through the dean of student services. Appeals must be submitted without posting of fine within seven days after date of citation. The citation review committee meets a minimum of once a month while the college is in session.

(a) The citation review committee shall consider each appeal on its merits and shall make written notification of each decision of the citation review committee to the appellant and the security division.

[Order 43, § 132H-116-630, filed 8/10/76. Formerly WAC 132H-116-170.]

WAC 132H-116-640 Establishment of citation review committee, appointment of members and appointment of institutional hearing officer. (1) A Bellevue Community College citation review committee is hereby established, the members of which shall be composed of the following:

(a) One faculty member appointed by the Bellevue Community College education association president;

(b) One staff member appointed by the Washington public employees association - Bellevue Community College chapter president;

(c) Two matriculated students appointed by the president of the associated students, Bellevue Community College.

The ASBCC president shall appoint one of the two students as chairperson for the citation review committee.

(2) An institutional hearing officer shall be appointed by the president of Bellevue Community College.

[Order 43, § 132H-116-640, filed 8/10/76.]

WAC 132H-116-650 Jurisdiction of the citation review committee. The citation review committee established by WAC 132H-116-640 of these regulations shall have jurisdiction to hear and review citations involving alleged violations of these rules.

[Order 43, § 132H-116-650, filed 8/10/76.]

WAC 132H-116-660 Procedure--Summons and service thereof. Upon probable cause to believe that a

violation of these regulations has occurred, an appropriate summons or parking/traffic violation notice may be issued setting forth the date, the approximate time, the locality, and the nature of the violation. Such summons may be served by delivering or mailing a copy thereof to the alleged violator, by attaching or affixing a copy thereof to the vehicle allegedly involved in such violation, or by placing a copy thereof in some prominent place within such vehicle. Service by mail shall be accomplished by placing a copy of the summons in the mail, addressed to the alleged violator at the address shown on the records of the office of the registrar or the college personnel office for that person, or any other last known address of that person.

[Order 43, § 132H-116-660, filed 8/10/76.]

WAC 132H-116-670 Election to forfeit or contest. The summons or parking/traffic violation notice issued pursuant to WAC 132H-116-660 of these regulations shall direct the alleged violator that he/she may elect either to forfeit the fine applicable to the violation(s) charged or to appeal the matter(s) to the citation review committee.

(1) If the alleged violator chooses to forfeit the fine(s), he/she may do so by paying directly to the Bellevue Community College cashier or by mail, forwarding the appropriate amount by check or money order to Bellevue Community College, attention cashier. This shall be accomplished within 15 days of the date of citation. Such forfeiture shall constitute a waiver of the right to an appeal.

(2) If the alleged violator chooses to contest, a written appeal will be filed with the chairman of the citation review committee, through the dean for student services and development. Appeals must be submitted without posting of [the] fine within fifteen days after date of citation.

(3) Failure of an alleged violator to appear before the citation review committee on the date set or to apply for a continuance of the review date shall, unless extenuating circumstances are shown, constitute an admittance of guilt to the complaint and such penalty or fine may be imposed by the citation review committee as is appropriate under the schedule of fines established pursuant to WAC 132H-116-620.

[Statutory Authority: RCW 28B.50.140, 79-10-052 (Order 63, Resolution No. 120), § 132H-116-670, filed 9/17/79; Order 43, § 132H-116-670, filed 8/10/76.]

Reviser's note: RCW 34.05.395 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 132H-116-680 Procedure--Rules of evidence. The rules of evidence applicable to courts of law shall not apply and any oral or documentary evidence may be received, but the chairperson of the citation review committee may exclude such evidence as is irrelevant, immaterial or unduly repetitious.

[Order 43, § 132H-116-680, filed 8/10/76.]

WAC 132H-116-690 Procedure--Review decision. Upon conclusion of the review, the chairperson of the citation review committee shall render the decision of the review committee as to guilty or not guilty and shall assess fines or penalties not in excess of the schedule of fines set forth in WAC 132H-116-810. The decision shall be recorded in the records maintained by the security division and the chairperson of the citation review committee shall endorse his signature therein, certifying the record to be correct.

[Order 43, § 132H-116-690, filed 8/10/76.]

WAC 132H-116-700 Mitigation and suspension of fines. Upon the showing of good cause or mitigating circumstances the citation review committee may impose any lesser fine than those established in WAC 132H-116-810 [132H-116-810] of these regulations or may suspend the fine. The chairperson may grant an extension of time within which to comply with the review decision.

[Order 43, § 132H-116-700, filed 8/10/76.]

WAC 132H-116-710 Enforcement of the decisions of the citation review committee. In the event of a parking permit holder failing to comply with a decision of the citation review committee, the security supervisor shall notify the individual that the failure to comply with the decision of the citation review committee constitutes grounds for recall of the individuals parking permit as provided in WAC 132H-116-520. If there is no response to this notice, a parking permit holder's parking privileges shall be revoked.

[Order 43, § 132H-116-710, filed 8/10/76.]

WAC 132H-116-720 Procedure--Review decision appeal. (1) Upon conclusion of the review, if an individual wishes, an appeal of the review may be made to the institutional hearing officer within ten days.

(2) The institutional hearing officer may, after a thorough review of the appeal, decide not to hear the appeal.

(3) A written response shall be made to the appellant within ten calendar days of the appeal by the institutional hearing officer

(4) If the appeal is heard, it shall be an informal proceeding not to exceed thirty minutes in length.

(5) The final legal recourse for an appellant is to the Washington state superior court system.

[Statutory Authority: RCW 28B.50.140. 82-04-005 (Order 75, Resolution No. 143), § 132H-116-720, filed 1/21/82; Order 43, § 132H-116-720, filed 8/10/76.]

WAC 132H-116-730 Regulatory signs, markings, barricades, etc. (1) The director of plant operations is authorized to erect signs, barricades and other structures and to paint marks and other directions upon the streets and roadways for the regulation of traffic and parking upon state lands devoted mainly to the educational, recreational, or parking activities of Bellevue Community College. Such signs, barricades, structures, markings and

directions shall be so made and placed as in the opinion of the director of plant operations will best effectuate the objectives of these regulations as stated in WAC 132H-116-310.

(2) No person without authorization from the director of plant operations shall move, deface, or in any way change a sign, barricade, structure, marking or direction so placed, or previously placed, for the purpose of regulating traffic or parking.

[Order 43, § 132H-116-730, filed 8/10/76.]

WAC 132H-116-740 Impounding of vehicles. Any vehicle parked upon state lands devoted mainly to the educational, recreational, or parking activities of Bellevue Community College in violation of these regulations, including the motor vehicle and other traffic laws of the state of Washington and the traffic code of the city of Bellevue as incorporated in WAC 132H-116-320 may be impounded or immobilized and taken to such place for storage as the campus security/safety supervisor selects. The expense of such [impounding] [impoundings] and storage, shall be charged to the owner or operator of the vehicle and paid by him prior to its release. The college and its employees shall not be liable for loss or damage of any kind resulting from such immobilization, impounding and/or storage.

(1) Impounding of vehicles shall include but not be limited to the following:

- (a) Blocking roadway which blocks the flow of traffic.
- (b) Blocking walkway which impedes the flow of pedestrian traffic.
- (c) Blocking a fire hydrant or fire lane.
- (d) Safety hazard (danger to life, limb or property).
- (e) Blocking another legally parked car.
- (f) Parked in a marked tow-away zone.

[Statutory Authority: RCW 28B.50.140. 82-04-005 (Order 75, Resolution No. 143), § 132H-116-740, filed 1/21/82; 79-10-052 (Order 63, Resolution No. 120), § 132H-116-740, filed 9/17/79; Order 43, § 132H-116-740, filed 8/10/76. Formerly WAC 132H-116-180.]

Reviser's note: RCW 34.05.395 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 132H-116-750 Delegation of authority. The authority and powers conferred upon the director of plant operations or the security/safety supervisor by these regulations shall be subject to delegation by them to their subordinates.

[Order 43, § 132H-116-750, filed 8/10/76.]

WAC 132H-116-760 Prohibition of dumping. No person shall dump any materials on the campus without the permission or authority of the college.

[Order 43, § 132H-116-760, filed 8/10/76. Formerly WAC 132H-116-220.]

WAC 132H-116-770 Horses on campus. No horses shall be allowed on campus.

[Order 43, § 132H-116-770, filed 8/10/76. Formerly WAC 132H-116-230.]

WAC 132H-116-780 Bicycle and other foot propelled devices. No foot propelled device designed for recreation and/or transportation purposes shall be allowed on the walkways, corridors or hallways of Bellevue Community College with the exception of designated parking areas for such devices. They also shall not be allowed inside Bellevue community educational buildings unless they are to be used as part of the educational process in an authorized program requiring their use.

When on college roadways, bicycle riders shall obey the college traffic regulations. Bicycles, when left unattended, shall be placed in designated areas only and should be securely locked. They may not be locked to light poles, trees, shrubs, sign posts, or corridor railings.

Bicycles found to be in violation of these regulations may be impounded and a citation and/or fine imposed on the owner.

[Statutory Authority: RCW 28B.50.140. 82-11-038 (Order 79, Resolution No. 148), § 132H-116-780, filed 5/12/82; 82-04-005 (Order 75, Resolution No. 143), § 132H-116-780, filed 1/21/82; Order 43, § 132H-116-780, filed 8/10/76.]

WAC 132H-116-790 Prohibition of literature. Distribution of literature by placing the same on motor vehicles parked on Bellevue Community College is hereby prohibited. Literature includes but is not limited to:

- (1) Pamphlets
- (2) Flyers
- (3) Stickers.

[Order 43, § 132H-116-790, filed 8/10/76.]

WAC 132H-116-810 Parking and traffic fines schedule. Parking and traffic fines shall be charged for offenses as indicated in the following fines schedule.

- | | |
|---|---------|
| (1) Permit not displayed..... | \$ 5.00 |
| (2) Parking in area designated for handicapped parking | 15.00 |
| (3) Occupying space not designated for parking | 5.00 |
| (4) Parking on landscape | 5.00 |
| (5) Parking in area not authorized | 5.00 |
| (6) Parked in reserved stall | 5.00 |
| (7) Blocking traffic | 5.00 |
| (8) Parking in zone or area marked "NO PARKING" | 5.00 |
| (9) Impound or immobilization | 5.00 |
| (10) Failure to yield right of way | 10.00 |
| (11) Failure to stop - sign/signal | 10.00 |
| (12) Speeding | 20.00 |
| (13) Reckless or negligent driving | 30.00 |
| (14) Other violations of the college parking and traffic regulations and its objectives | 5.00 |

[Statutory Authority: RCW 28B.50.140. 82-04-005 (Order 75, Resolution No. 143), § 132H-116-810, filed 1/21/82; 79-10-052 (Order 63, Resolution No. 120), § 132H-116-810, filed 9/17/79; Order 43, § 132H-116-810, filed 8/10/76.]

**Chapter 132H-120 WAC
THE STUDENT CODE OF COMMUNITY COLLEGE
DISTRICT VIII**

WAC

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- 132H-120-490 Procedural guidelines for liquor policy implementation.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 132H-120-060 Student grievance appeal procedures. [Statutory Authority: RCW 28B.50.140. 82-11-037 (Order 78, Resolution No. 147), § 132H-120-060, filed 5/12/82; Order 16, § 132H-120-060, filed 3/15/73.] Repealed by 86-19-036 (Order 94, Resolution No. 173), filed 9/12/86. Statutory Authority: RCW 28B.50.140.

WAC 132H-120-010 Title. WAC 132H-120-010 through 132H-120-490 will be known as the student code of Community College District VIII.

[Order 16, § 132H-120-010, filed 3/15/73.]

WAC 132H-120-020 Preamble. Bellevue Community College is maintained by the state of Washington for the purpose of providing its students with appropriate learning programs which will facilitate the orderly pursuit and achievement of their educational objectives. The

college is dedicated not only to learning and the advancement of knowledge but also to the development of ethically sensitive and responsible persons through policies which encourage independence and maturity.

The student is in the unique position of being a member of the college community and the community at large. Admission to the college carries with it the expectation that: (1) Students will respect the laws of the community, state, and nation; (2) adhere to college rules and regulations which assure the orderly conduct of college affairs; (3) maintain high standards of integrity and honesty; (4) respect the rights, privileges, and property of other members of the college community; and (5) will not interfere with legitimate college affairs.

Bellevue Community College may apply sanctions or take other appropriate action only when student conduct directly and significantly interferes with the college's: (1) Primary educational responsibility of ensuring the opportunity of all members of the college community to attain their educational objectives; or (2) subsidiary responsibilities of protecting property, keeping records, providing services, and sponsoring nonclassroom activities, such as lectures, concerts, athletic events and social functions.

An atmosphere of learning and self-development is created by appropriate conditions in the college community. The rights, freedoms and responsibilities in this document are critical ingredients toward the free, creative and spirited educational environment to which the students, faculty, and staff of Bellevue Community College are committed.

[Order 16, § 132H-120-020, filed 3/15/73.]

WAC 132H-120-030 Definitions. As used in this code of student rights and responsibilities the following words and phrases shall mean:

(1) "Assembly" means any overt activity engaged in by two or more persons, the object of which is to gain publicity, advocate a view, petition for a cause or disseminate information to any person, persons or group of persons.

(2) "Board" means the board of trustees of Community College District No. VIII, state of Washington.

(3) "College" means Bellevue Community College located within Community College District No. VIII, state of Washington.

(4) "College facilities" means and includes any and all real and personal property owned or operated by the college and shall include all buildings and appurtenances affixed thereon or attached thereto.

(5) "College personnel" refers to any person employed on a full-time or part-time basis, except those who are faculty members, by Bellevue Community College.

(6) "Disciplinary action" means and includes expulsion, suspension or any lesser sanction of any student by the dean for student services and development, the college discipline committee, the president or the board of trustees for the violation of any of the provisions of the code of student rights and responsibilities for which sanctions may be imposed.

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(7) "District" means Community College District VIII, state of Washington.

(8) "Faculty members" means any employee of Bellevue Community College who is employed on a full-time or part-time basis as a teacher, counselor, librarian or other position for which the training, experience and responsibilities are comparable as determined by the appointing authority, including administrative appointment.

(9) "President" means the duly appointed chief executive officer of Bellevue Community College, state of Washington, or in his absence, the acting chief executive officer.

(10) "Recognized student organization" shall mean and include any group or organization composed of students which is formally recognized by the associated students of Bellevue Community College.

(11) A "sponsored event or activity" shall mean any activity that is scheduled by the college and supervised and controlled by the college's faculty members or college personnel. Such "sponsorship" shall continue only as long as the event is supervised and controlled by the college faculty member or college personnel. When the sponsored event or activity is of prolonged nature, and free time periods are permitted to the students participating in the event, any activity taking place during such a free time period outside of the supervision and control of the activity shall be deemed to a nonsponsored activity.

(12) "Student," unless otherwise qualified, means and includes any person who is enrolled for classes or has been accepted for admission to the college.

[Order 16, § 132H-120-030, filed 3/15/73.]

WAC 132H-120-040 Jurisdiction. (1) All rules herein adopted concerning student conduct and discipline shall apply to every student attending a community college within the district whenever said student is engaged in or present at any college-related activity whether occurring on or off college facilities.

(2) Faculty members, other college employees, and members of the public who breach or aid or abet another in the breach of any provision of this chapter shall be subject to possible prosecution under the state criminal trespass law and/or other possible civil or criminal remedies available to the public and/or appropriate disciplinary action pursuant to the state of Washington higher education personnel board, the district's tenure rules and regulations, or other applicable board policy.

[Order 16, § 132H-120-040, filed 3/15/73.]

WAC 132H-120-050 Student rights and freedoms. The following enumerated rights and freedoms are guaranteed to each student within the confines of the limitations set forth in this chapter which are deemed necessary to effect the educational objectives of the college:

(1) **Freedom of expression.**

(a) Fundamental to the democratic process are the rights of free inquiry, free speech and peaceful assembly upon and within college facilities that are generally open

and available to the public. Students and other members of the college community shall always be free to express their views or support causes by orderly means which do not disrupt the regular and essential operation of the college.

(b) Students shall have the right of "assembly" as defined in WAC 132H-120-030 upon college facilities that are generally available to the public: *Provided*, That such assembly shall:

- (1) Be conducted in an orderly manner; and
- (2) Not unreasonably interfere with vehicular or pedestrian traffic; or
- (3) Not unreasonably interfere with classes, schedules, meetings, or ceremonies, or with the educational functions of the college; and
- (4) Not unreasonably interfere with college functions.

(c) Freedom of expression in the classroom must be encouraged and protected. It is the responsibility of the instructor to assure the realization of the spirit of free inquiry. The instructor has the responsibility to maintain order, but this authority must not be used to inhibit the expression of views contrary to his own. It is not inconsistent with freedom in the classroom for the instructor to require participation in classroom discussion and/or submission of written materials relevant to the class. Fair and professional academic evaluation is a legitimate classroom experience. It is the responsibility of the student to support the instructor's efforts to assure freedom of expression and to maintain order.

[Order 16, § 132H-120-050, filed 3/15/73.]

WAC 132H-120-062 Student grievance procedures—Purpose and scope. The purpose of these procedures is to enable a student to express and resolve misunderstandings, complaints, or grievances with faculty and other college personnel in a fair and equitable manner. Students have the right to receive clear information and fair application of college policies, standards, rules, and requirements and are responsible for complying with them in their relationships with faculty and other college personnel. This grievance procedure emphasizes an informal resolution.

(1) **STUDENT COMPLAINTS.** A complaint is any expression of dissatisfaction with the performance of a college employee or procedure. Students who have a complaint about an action of a college employee shall use the following procedure:

(a) **Initiating the complaint process.**

(i) The college employee and student shall make a good faith effort to resolve the grievance on a one-to-one basis. (If the student feels as a result of extraordinary circumstances, that she/he cannot meet with the employee face to face he/she may contact the organizational unit administrator for advice on how to proceed with the complaint. The organizational unit administrator is responsible for advising the employee of the complaint.)

(ii) If the student determines that the complaint cannot be resolved appropriately with the employee concerned, the student may contact the organizational unit

administrator of the employee to facilitate a solution to the grievance which may include a facilitator agreeable to both parties.

(iii) If complaints filed with the appropriate organizational unit administrator have not been resolved, the student may proceed with a formal complaint.

(b) **Proceeding with a formal complaint.**

(i) **Office to address.** Complaints regarding an instructor, instructional employee, or instructional policy shall be coordinated by the dean of instruction or his designee. Complaints regarding a student programs employee or personnel office employee or policy shall be coordinated by the dean of student programs and personnel services. Complaints regarding an administrative services employee or policy shall be coordinated by the dean of administrative services.

(ii) The dean/designee shall discuss with the student the concerns of the student and the options available to resolve the concern. If the student should elect to proceed with a formal complaint, the student should outline in writing the complaint, identifying dates and persons involved as accurately as possible.

(iii) In case of a grade review, the student should indicate to the dean in writing the grade received in the course in question, together with the reason for the grade complaint, specifying as accurately as possible all necessary performance scores and attendance data.

(iv) The dean shall also inform the student that the ASBCC vice-president of student affairs or another person the student chooses may act as an advocate who will assist the student in completion of the complaint process. The student may waive the right to an advocate.

(v) The student's written complaint shall be forwarded to the employee concerned who shall provide a written response within ten instructional days.

(vi) If the written response does not resolve the complaint to the satisfaction of the student, the dean shall convene a conference of all the involved parties within ten instructional days except regarding issues of grades or counseling.

(vii) If the complaint concerns a grade or a counseling issue (an academic matter) the student shall have her/his grievance heard before the student academic grievance committee.

(c) **Composition, organization and procedures of the student academic grievance committee.**

(i) The student academic grievance committee shall be comprised of six members: Four faculty and two students. One faculty member shall be elected annually by the faculty at large under the auspices of the BCCAHE in the conduct of their annual elections. The elected faculty member shall serve as permanent chair for the academic year commencing with the fall quarter. The remaining three faculty members shall be appointed by the dean in consultation with the permanent faculty chair. Two faculty members shall be selected from the same or closely aligned discipline (normally within the organizational unit of the college employee against whom the grievance is filed). One faculty member. One faculty member from the same or other organizational unit who is sufficiently aware of related discipline issues

so as to add professional perspective to the hearing committee shall be appointed by the dean, in concurrence with the permanent faculty chair. The two students shall be the student justices appointed by the ASBCC president from the ASBCC judicial board.

(ii) The student academic grievance committee shall consider each case separately within five instructional days of the filing of the grievance with the faculty chair. All hearings shall be closed meetings of the student academic grievance committee to include the student and the college employee except that any party to the grievance may have one representative or advisor in attendance. Based upon the evidence and proceedings the student academic grievance committee shall find findings of fact and make a written recommendation of the action to resolve the grievance within five instructional days of the hearing to the college employee, the student and the dean. If either of the parties does not agree to fulfill the recommendations of the student academic grievance committee, or if they do not respond, or if the committee recommends the dean take action, the chair of the student academic grievance committee shall immediately forward the entire record of the hearing deliberations to the dean.

(d) Decisions and dispensation of records.

(i) The dean shall keep all written statements, transcripts and minutes associated with the complaint as part of the files of the college, but not in the personnel files of the employee. The files will be destroyed after two years from the initiation of the complaint.

(ii) As a result of the conference and/or the recommendation of the student academic grievance committee, the dean shall issue a decision to resolve the complaint.

(iii) The recommendation of the dean will be reviewed by the president who may amend, modify, reverse or accept the recommendation and who shall then implement the resolution.

(iv) Since the evaluation of the course content is exclusively within the province of the instructor for a particular course, any adjustments or grade changes may be initiated only by that instructor, or, under extenuating circumstances, by the dean of instruction, upon the approval of the college president. In such an instance, the course grade record shall be coded and indicate "grade changed by administrative action." The transcript shall indicate "changed by administrative action."

(v) The decision of the president shall be final.

(e) Time limits on filing a complaint

(i) The student must file a complaint within one academic quarter after termination of the course or procedure in question. The dean may suspend this rule under exceptional circumstances such as extended illness, or sabbatical leave of a party to the complaint.

(ii) No complaints requesting a grade review will be considered after two consecutive quarters from the date of issue of that grade.

(iii) When either party of the complaint is no longer in residence at the college and does not expect to return, the dean will give reasonable opportunity to complete appeal procedures or reply to the charges before making a decision.

[Statutory Authority: RCW 28B.50.140. 86-19-036 (Order 94, Resolution No. 173), § 132H-120-062, filed 9/12/86.]

WAC 132H-120-070 Confidentiality of student records. The college continually receives requests from outside sources for information about students, both past and present. The staff and faculty of the college are reminded that Public Law 90-380, the Family Educational Rights and Privacy Act of 1974 states the college adopt a policy on student education records to insure that information contained in such records is treated in a responsible manner with due regard to the personal nature of the information contained in these records. In order to prevent embarrassment or possible legal involvement of the college and its employees because of improper disclosure of information, it is important that college policy be implemented in the release of such information.

[Order 32, § 132H-120-070, filed 8/7/75; Order 16, § 132H-120-070, filed 3/15/73.]

WAC 132H-120-072 Definition of a student. A student is defined as any person who is or has been officially registered at the college and with respect to whom the college maintains education records or personally-identifiable information.

[Order 32, § 132H-120-072, filed 8/7/75.]

WAC 132H-120-073 Education records--Student's right to inspect. (1) A student has the right to inspect and review his education records. A list of the types of education records maintained by the college and the record locations may be obtained by the student at college's student records office.

(a) For purposes of this section the term "education records" means those records, files, documents and other materials which contain information directly related to a student.

(b) The term "education records" does not include:

(i) Records of instructional, supervisory and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute.

(ii) Records of the campus security department which are kept apart from those records described in WAC 132H-120-073 (1)(a) and which are maintained solely for law enforcement purposes and which are not made available to persons other than law enforcement officials of the same jurisdiction.

(iii) In the case of persons who are employed by an educational agency or institution but who are not in attendance at such agency or institution, records made and maintained in the normal course of business which relate exclusively to such person in that person's capacity as an employee and are not available for use for any other purpose.

(iv) Records on a student which are created or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his professional or paraprofessional capacity, or assisting in

that capacity and which are created, maintained or used only in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment; provided, however, that such records can be personally reviewed by a physician or other appropriate professional of the student's choice.

(2)(a) Recommendations, evaluations or comments concerning a student that are provided in confidence, either expressed or implied, as between the author and the recipient, shall be made available to the student, except as provided in paragraphs (b), (c) and (d) of this section.

(b) The student may specifically release his right to review where the information consists only of confidential recommendations respecting:

- (i) Admission to any educational institution, or
- (ii) An application for employment, or
- (iii) Receipt of an honor or honorary recognition.

(c) A student's waiver of his or her right of access to confidential statements shall apply only if:

(i) The student is, upon request, notified of the names of all persons making confidential statements concerning him, and

(ii) Such confidential statements are used solely for the purpose for which they are originally intended, and

(iii) Such waivers are not required as a condition for admission to receipt of financial aid from, or receipt of any other services or benefits from the college.

(d) Recommendations, evaluations or comments concerning a student that have been provided in confidence, either expressed or implied, as between the author and the recipient, prior to January 1, 1975, shall not be subject to release under WAC 132H-120-073 (2)(a). Such records shall remain confidential and shall be released only with the consent of the author. Such records shall be used by the institution only for the purpose for which they were originally intended.

(3) Where requested records or data include information on more than one student, the student shall be entitled to receive or be informed of only that part of the records or data that pertains to the student.

(4) Students have the right to obtain copies of their education records. Charges for the copies shall not exceed the cost normally charged by the college (except in cases where charges have previously been approved by the board of trustees action for certain specified services, such as transcripts and grade sheets).

(5) The registrar is the official custodian of academic records and therefore is the only official who may issue a transcript of the student's official academic record.

(6) Student education records may be destroyed in accordance with a department's routine retention schedule. In no case will any record which is requested by a student for review in accordance with WAC 132H-120-073 and 132H-120-075 be removed or destroyed prior to providing the student access.

[Order 32, § 132H-120-073, filed 8/7/75.]

WAC 132H-120-075 Requests and appeal procedures. (1) A request by a student for review of information should be made in writing to the college

individual(s) or office(s) having custody of the particular record.

(2) An individual(s) or office(s) must respond to a request for education records within a reasonable period of time, but in no case more than 45 days after the request has been made. A college individual(s) or office(s) which is unable to comply with a student's request within the above-stated time period shall inform the student of that fact and the reasons in writing.

(3)(a) A student who feels his or her request has not been properly answered by a particular individual(s) or office(s) should contact the appropriate dean or director responsible for the individual(s) or office(s) for mediation.

(b) In cases where a student remains dissatisfied after consulting with the appropriate dean or director, the student may then request a hearing by the college's records committee. Following the hearing, the college's records committee shall render its decision within a reasonable period of time. In all cases the decision of the college's records committee shall be final.

(c) In no case shall any request for review by a student be considered by the college's records committee which has not been filed with that body in writing within 90 days from the date of the initial request to the custodian of the record.

(d) The college's records committee shall not review any matter regarding the appropriateness of official academic grades.

[Order 32, § 132H-120-075, filed 8/7/75.]

WAC 132H-120-077 Release of personally-identifiable records. (1) The college shall not permit access to or the release of education records or personally-identifiable information contained therein, other than "directory information," without the written consent of the student, to any party other than the following:

(a) College staff, faculty and students when officially appointed to a faculty council or administrative committee, when the information is required for a legitimate educational interest within the performance of their responsibilities to the college, with the understanding that its use will be strictly limited to the performance of those responsibilities.

(b) Federal and state officials requiring access to education records in connection with the audit and evaluation or a federally-or-state-supported education program or in connection with the enforcement of the federal or state legal requirements which relate to such programs. In such cases the information required shall be protected by the federal or state official in a manner which will not permit the personal identification of students and their parents to other than those officials, and such personally identifiable data shall be destroyed when no longer needed for such audit, evaluation or enforcement of legal requirements.

(c) Agencies or individuals requesting information in connection with a student's application for, or receipt of, financial aid.

(d) Organizations conducting studies for or on behalf of the college for purposes of developing, validating or

administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students by persons other than representatives of such organizations, and such information will be destroyed when no longer needed for the purposes for which it was provided.

(e) Accrediting organizations in order to carry out their accrediting functions.

(f) Any person or entity designated by judicial order or lawfully-issued subpoena, upon condition that the student is notified of all such orders or subpoenas in advance of the compliance therewith. Any college individual(s) or office(s) receiving a subpoena or judicial order for education records should immediately notify the attorney general.

(2) Where the consent of a student is obtained for the release of education records, it shall be in writing, signed and dated by the person giving such consent, and shall include:

(a) A specification of the records to be released,

(b) The reasons for such release, and

(c) The names of the parties to whom such records will be released.

(3) In cases where records are made available without student release as permitted by WAC 132H-120-077 (1)(b), (c), (d), (e) and (f), the college shall maintain a record kept with the education record released, which will indicate the parties which have requested or obtained access to a student's records maintained by the college and which will indicate the legitimate interest of the investigating party. Releases in accordance with WAC 132H-120-077 (1)(a) need not be recorded.

(4) Personally-identifiable education records released to third parties, with or without student consent, shall be accompanied by a written statement indicating that the information cannot be subsequently released in a personally-identifiable form to any other parties without obtaining consent of the student.

(5) The term "directory information" used in WAC 132H-120-077(1) is defined as student's name, address, telephone number, date and place of birth, major field of studies, participation in officially-recognized activities in sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student. Students may request that the college not release directory information only through written notice to the registrar's office.

(6) Information from education records may be released to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health of safety of a student or other person(s).

[Order 32, § 132H-120-077, filed 8/7/75.]

WAC 132H-120-078 College records. All college individual(s) or office(s) which have custody of education records will develop procedures in accord with WAC 132H-120-070 through 132H-120-079. Any

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supplementary regulations found necessary by departments will be filed with the college's records committee, which will be responsible for periodic review of policy and procedures.

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

(2) No records shall be kept that reflect a student's political or ideological beliefs or associations.

[Order 32, § 132H-120-078, filed 8/7/75.]

WAC 132H-120-079 Records committee. The college's records committee shall be responsible for reviewing unusual requests for information and for assisting in the interpretation of these rules. The committee shall also be responsible for hearing appeals as defined in WAC 132H-120-075. The committee shall consist of the registrar/records officer, executive assistant to the president, two faculty, two students and one faculty or administrator at large. Members shall be appointed by the president of College District VIII.

[Order 32, § 132H-120-079, filed 8/7/75.]

WAC 132H-120-080 Freedom of association and organization. Students bring to the campus a variety of interests previously acquired and develop many new interests as members of the college community. They are free to organize and join associations, to promote any legal purpose whether it be religious, political, educational, recreational, or social.

Student organizations must be granted a charter by the associated students of Bellevue Community College before they may be officially recognized. Prior to becoming chartered a student organization must submit to the office of the associated students of Bellevue Community College a statement of purpose and a statement of operating rules or procedures. Student organizations must also submit a list of officers and submit minutes of all regular meetings to the office of the associated students of Bellevue Community College and the office of student programs and activities.

Student organizations must be open to all students without regard to sex, race, creed or national origin except for religious qualifications which may be required by organizations whose aims are primarily sectarian, or for other reasonable justifications which are directly related to the purpose of the organization. Affiliation with a noncampus organization shall not be grounds for denial or charter provided that other conditions for charter issuance have been met.

[Order 16, § 132H-120-080, filed 3/15/73.]

WAC 132H-120-090 Student participation in college governance. As members of the college community

students will be free individually and collectively to express their views on college policy and on matters of general interest to the associated students of Bellevue Community College. Bellevue Community College governance policy provides clear channels for student participation in the formulation of institutional policies. Individuals affected by a policy shall have a representative voice in the formulation of that policy.

[Order 16, § 132H-120-090, filed 3/15/73.]

WAC 132H-120-100 Freedom of individual privacy.

(1) The rights of students to be secure in their persons, papers and effects against unreasonable searches and seizures is guaranteed.

(2) State law relative to public institutions restricts the use or possession of intoxicants on campus or at college functions except at designated events, for students, alumni, staff and the community, where alcohol is permitted when approved by the president of the college and/or the board of trustees. The use or possession of unlawful narcotics or drugs, not medically prescribed, on college property or at college functions, is prohibited. Lotteries or any other form of gambling is prohibited by state law in reference to public institutions. The use of tobacco is restricted by law and by regulations of the fire marshal to designated smoking areas. Destruction of property is also prohibited by state law in reference to public institutions.

(3) Freedom of responsible expression in student publications and radio broadcasting.

(a) Student publications. Bellevue Community College recognizes that student publications are a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. The college does, therefore, subscribe to *The Canons of Journalism*, as written by the American Society of Newspapers Editors, *The Canons of Journalism*, in George L. Bird, et al., *The Press and Society* (New York: Prentice-Hall, Inc., 1951) pp. 108-110.

Bellevue Community College, as the publisher of student publications, must bear the legal responsibility for the contents of the publications. The student publication policy must protect the student's freedom to deal with any ideas and to express any opinions without fear of their censorship. Editors and managers of student publications are protected from arbitrary suspension and removal. Only for proper and stated causes should editors and managers be subject to removal and then by orderly and prescribed procedures. Student editors and managers have corollary responsibilities to be governed by *The Canons of Journalism*.

(b) Radio broadcasting. Bellevue Community College recognizes that student participation in radio broadcasting is a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. The college does, therefore, expect radio station KBCS to conform to Federal Communications Commissions regulations. A KBCS broadcast advisory board has been established to serve as a sounding board for KBCS operational policies

and to advise the station manager of any concerns with the implementation of such policies.

[Order 44, § 132H-120-100, filed 8/11/76; Order 16, § 132H-120-100, filed 3/15/73.]

WAC 132H-120-110 Commercial and promotional activities. College facilities may be used for commercial solicitation, advertising or promotional activities only when such activities clearly serve educational objectives, and when they are conducted under the sponsorship or at the request of a college faculty member or an officially recognized student group, and so long as such use does not interfere with or operate to the detriment of the conduct of college affairs.

[Order 16, § 132H-120-110, filed 3/15/73.]

WAC 132H-120-120 Distribution and posting of campus literature. This policy provides for the distribution of any kind of literature from any source, subject to the following restrictions:

(1) Literature must be distributed in established distribution locations:

- (a) Entrance to the student lounge
- (b) One entrance to principal college buildings
- (c) None in college classrooms (unless an individual instructor gives his permission)

(d) None in the college library-media center (unless the associate dean for library-media center so chooses, but in no case may such choice supersede the book selection policy of the library-media center)

(2) A distribution table should be set up in one entrance lobby, foyer, or area to permit ease of and equitability of distribution.

(3) All literature distributed on college grounds in accordance with this policy must bear some identification of the organization or individual who publishes, sponsors, or distributes same. No anonymous literature may be distributed on campus: This stricture intends to establish legal responsibility for any illegal or libelous content in such literature so that the college need assume no legal responsibility for such literature and may confiscate any anonymous literature.

(4) **Informational items and advertising.**

(a) Notices may be posted on bulletin boards, kiosks, stairwells and cement surfaces. They are not to be posted on any glass, wood or painted surfaces.

(b) Such notices must bear identification of the organization or individual who publishes, sponsors, or distributes them.

(c) Notices are to be stamped with a date by the group putting them up. The date stamped is to be the date that the notices are to be taken down.

(d) The group which puts the notices up will be held responsible for taking them down. An end of quarter review will be conducted by the office of student programs and activities to assure that posted information is current.

(e) The size of notices posted on bulletin boards and marquees will not exceed 12" x 18" with the exception of 4 marquees designated for larger posters. In addition,

larger notices may also be posted on the cement surfaces and in the stairwells.

(f) Any type of prior authorization including approval stamp, whether issued by the college or student administration, works against the principles of this policy.

(g) The above procedures do not pertain to registration notices and posters.

[Order 16, § 132H-120-120, filed 3/15/73.]

WAC 132H-120-130 Campus speakers. Without freedom of inquiry, true intellectual responsibility and courage can never be realized. Therefore, in accordance with the basic principle of freedom of inquiry, the Bellevue Community College makes this specific statement with reference to the appearance of campus speakers who are not members of the college community:

(1) Any student group which is recognized by the associated students of Bellevue Community College may invite any speaker to the campus whom it would wish to hear.

(2) The appearance of an invited speaker on the campus does not involve an endorsement, either implicit or explicit, of his views by this college, its students, its faculty, its administration, or its board of trustees. Bellevue Community College is not required to take a stand either for or against the ideas presented by any speaker.

(3) The college assumes no obligation to provide an audience for invited speakers.

(4) It is assumed that all invited speakers will observe the laws of the United States, the state of Washington, and the rules of Bellevue Community College.

(5) It is the intention of Bellevue Community College to present different points of view on controversial questions.

(6) In order to assure that various aspects of an issue will be critically examined, invited speakers shall submit to questions from the audience immediately following their presentations.

[Order 16, § 132H-120-130, filed 3/15/73.]

WAC 132H-120-200 Student responsibilities. Any student shall be subject to disciplinary action who either as a principal actor or aide or abettor:

(1) Materially and substantially interferes with the personal rights or privileges of others or the educational process of the college[:] [:]

(2) Violates any provisions of this chapter; or

(3) Commits any of the following acts which are hereby prohibited:

(a) Possessing or consuming any form of liquor or alcoholic beverage except as a participant of legal age in a student program, banquet or educational program which has the special written authorization of the college president or his designee. (See WAC 132H-200-490)

(b) Using, possessing, selling or being under the influence of any narcotic drug or controlled substance as defined in RCW 69.50.101 now law or hereafter amended, or any dangerous drug as defined in RCW 69.50.308 as now law or hereafter amended, except when the use or possession of a drug is specifically prescribed as medication by an authorized medical doctor or dentist. For the

purpose of this regulation, "sale" shall include the statutory meaning defined in RCW 69.04.005 as now law or hereafter amended.

(c) Entering any locked or otherwise closed college facility in any manner, at any time, without permission of the college employee or agent in charge thereof.

(d) Forgery, as defined in RCW 9.44.010 of any district record of instrument or tendering any forged record of instrument to any employee or agent of the district acting in his official capacity as such.

(e) Participation in an assembly which materially and substantially interferes with vehicular or pedestrian traffic, classes, hearings, meetings, the education and administrative functions of the college, or the private rights and privileges of others.

(f) Intentionally destroying or damaging any college facility or other public or private real or personal property.

(g) Failure to comply with directions of properly identified college officials acting in performance of their duties.

(h) Physical abuse of any person or conduct which is intended unlawfully to threaten imminent bodily harm or to endanger the health or safety of any person on college-owned or controlled property or at college-sponsored or supervised functions.

(i) Malicious damage to or malicious misuse of college property, or the property of any person where such property is located on the college campus.

(j) Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities of the college campus, except for authorized college purposes or for law enforcement officers, unless written approval has been obtained from the dean of student programs and personnel services, or any other person designated by the president.

(k) Engaging in lewd, indecent or obscene behavior on college-owned or controlled property or at college-sponsored or supervised functions.

(l) Falsely setting off or otherwise tampering with any emergency safety equipment, alarm or other device established for the safety of individuals and/or college facilities.

(m) Being under the influence of liquor or alcoholic beverages or narcotic drugs while on college property or while participating in any college program, class or event or while in attendance in any class or college-sponsored or supervised activity.

(n) Engaging in cheating, stealing, plagiarizing, or knowingly furnishing false information to the college.

[Statutory Authority: RCW 28B.50.140. 86-01-056 (Order 91, Resolution No. 169), § 132H-120-200, filed 12/16/85; 83-12-012 (Order 84, Resolution No. 155), § 132H-120-200, filed 5/23/83; 81-07-034 (Order 71, Resolution No. 135), § 132H-120-200, filed 3/13/81; 80-15-011 (Order 71, Resolution No. 131), § 132H-120-200, filed 10/6/80; 78-07-024 (Order 57, Resolution No. 111), § 132H-120-200, filed 6/15/78; Order 44, § 132H-120-200, filed 8/11/76; Order 16, § 132H-120-200, filed 3/15/73.]

Reviser's note: RCW 34.05.395 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 132H-120-205 Application for utilization of alcoholic beverages.

COMMUNITY COLLEGE DISTRICT VIII
BELLEVUE COMMUNITY COLLEGE
3000 LANDERHOLM CIRCLE, S.E.
P.O. BOX 92700
BELLEVUE, WASHINGTON 98009-2037

Address

Phone No. Driver's License No.

Signature of BCC Authorized Representative

APPLICATION FOR UTILIZATION OF ALCOHOLIC BEVERAGES

Granted --- Denied --- Date ---

Authorized representative please complete the information requested and file with: 1. Student Organization: Dean of Student Programs & Personnel Services; 2. College Administrative Unit: President's Office; 3. Community Organization: President's Office.

President or Designee [BCC 010-116(6-78)]

Dean of Student Programs & Personnel Services

DATE OF EVENT --- DATE OF REQUEST ---

[Statutory Authority: RCW 28B.50.140. 86-01-056 (Order 91, Resolution No. 169), § 132H-120-205, filed 12/16/85; 78-07-024 (Order 57, Resolution No. 111), § 132H-120-205, filed 6/15/78.]

SPONSORING GROUP () Community Organization () College Personnel () Student Organization (check security requirements)

Reviser's note: RCW 34.05.395 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.

ADDRESS --- PHONE NO. ---

WAC 132H-120-210 Purpose of disciplinary action. The college may apply sanctions or take other appropriate action as defined in WAC 132H-120-200 this document. Disciplinary action proceedings shall determine whether and under what conditions the violator may continue as a student of the college.

TYPE OF EVENT (Circle appropriate group: Student organization; college administrative group; community organization. Describe function and the appropriate serving of food.)

[Order 16, § 132H-120-210, filed 3/15/73.]

FACILITY REQUESTED ---

WAC 132H-120-220 Responsibility/college discipline committee. The dean of student programs and personnel services is the college administrator responsible for student discipline. All discipline procedures will be initiated by the dean and he/she is responsible for assembling all facts on cases referred to his/her office, making provisions for suitable hearings, convening the college discipline committee, notifying students and others concerned, keeping confidential files and reports on cases, following up each discipline case until it is closed, and destroying out-of-date files on discipline cases.

I have read the WAC 132H-120-490 "Procedural guidelines for liquor policy implementation" on the reverse side of this form and agree to abide by these regulations. I further agree to indemnify and hold harmless Bellevue Community College, Community College District VIII, its officers, employees and agents (the "indemnitees") against and from any and all liability, loss or damage the indemnitees may suffer as a result of claims, demands, costs, or judgments, including reasonable attorneys' fees against the indemnitees arising from the event described above in general, and in particular arising out of the use of alcoholic beverages at this event. I further agree to assume total and complete responsibility for the total and complete adherence to all the rules and regulations that apply to the provision of alcoholic beverages at this event and to the forfeiture of the deposit paid if any such action is brought against the above-named indemnities or if violation of rules occur.

The composition of the college discipline committee shall be as follows: The committee shall be established each fall. It will be composed of the following persons:

- (1) A faculty member appointed by the president of the college.
(2) A member of the faculty, appointed by the president of the Bellevue Community College professional association.
(3) Two representatives [selected] by the student services council.
(4) Three students. The three students will be appointed by the president of the student body association.

Name of Person Representing Sponsoring Group and Responsible for Purchasing Banquet License and Liquor.

None of the above-named persons shall sit in any case in which he/she has a conflict of interest, is a complainant or witness, has a direct or personal interest, or has acted previously in an advisory capacity. Decisions in

this regard, including the selection of alternates, shall be made by the college discipline committee as a whole.

The college discipline committee chairman will be elected by the members of the college discipline committee.

There shall be a list of alternates provided in the same manner and number in which membership was obtained.

[Statutory Authority: RCW 28B.50.140. 86-01-056 (Order 91, Resolution No. 169), § 132H-120-220, filed 12/16/85; Order 16, § 132H-120-220, filed 3/15/73.]

Reviser's note: RCW 34.05.395 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 132H-120-230 Initial proceedings. While the primary purpose of college disciplinary actions, other than those requiring expulsion, are intended to be developmental rather than punitive, formal procedures must be specified to insure that students receive due process of law.

(1) **Initiation of prosecution.** Students, faculty members, administrators and other employees of the district shall have concurrent authority to report violations which will be acted upon by the dean of student programs and personnel services or his/her designated representative.

(2) **Requirements of notice.** Any student charged in a report filed pursuant to WAC 132H-120-200 with a violation of the code of student rights and responsibilities shall be notified by the dean of student programs and personnel services or his/her designated representative within three academic calendar days after the filing of such a report, if possible. The notice shall not be ineffective if presented later due to the student's absence. Such notice shall:

(a) Inform the student that a report has been filed alleging that the student violated specific provisions of the code and the date of the violation;

(b) Set forth those provisions allegedly violated and inform the student as to what appears to be maximum penalties which might result from consideration of same;

(c) Specify the exact time and date the student is required to meet with the dean of student programs and personnel services;

(d) After considering the evidence in the case and interviewing the student accused of violating specific provisions of the code, the dean of student programs and personnel services or his/her designee may take any of the following actions:

(i) Terminate the proceedings, exonerating the student.

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

(iii) Impose the minor sanction directly (disciplinary warning) subject to the student's right of appeal described below. The student shall be notified of the action taken; this notification must be in writing.

(iv) Refer the matter to the college discipline committee. The student shall be notified in writing that the matter has been referred to the committee. In all cases,

the student shall be advised of his rights by reference to the appropriate section of this document.

(e) If, after the preliminary conference with the student, the recommendation of the dean of student programs and personnel services is for disciplinary action, the student shall receive the following in writing:

(i) Notification of the findings of the investigation and conclusion of the dean of student programs and personnel services.

(ii) Notification of the disciplinary action which is to be recommended.

(iii) Notification that the student may either accept the disciplinary action, or, within seven calendar days following receipt of the notification, file a written request for a hearing by the college discipline committee. If the request is not filed within the prescribed time, the right to do so is waived.

(iv) If the student does not request a hearing, the president or designee shall review the recommendation of the dean of student programs and personnel services and within seven calendar days announce a decision with regard to the disciplinary action to be taken.

[Statutory Authority: RCW 28B.50.140. 86-01-056 (Order 91, Resolution No. 169), § 132H-120-230, filed 12/16/85; Order 16, § 132H-120-230, filed 3/15/73.]

WAC 132H-120-240 Appeals. Any disciplinary action taken by the dean for student services and development or his designee may be appealed to the college discipline committee; and disciplinary action taken by the college discipline committee may be appealed by the student to the college president. All appeals by a student must be made in writing to the college discipline committee or the president and presented within 7 days after the student has been notified of the action taken by the college discipline committee or the college president.

[Order 16, § 132H-120-240, filed 3/15/73.]

WAC 132H-120-300 Discipline committee procedural guidelines. (1) The college discipline committee will hear, de novo, and make recommendations to the president of the college on all disciplinary cases referred to it by the dean for student services and development or his designee.

(2) The student has a right to a fair and impartial hearing before the college discipline committee on any charge of violating specific provisions of the student code of Community College District VIII. The student's failure to cooperate with the hearing procedures hereinafter outlined, however, shall not preclude the college discipline committee from making its findings of fact, conclusions and recommendations as provided hereafter. Failure by the student to cooperate may be taken into consideration by the college discipline committee in recommending to the president the appropriate disciplinary action.

(3) The student shall be given written notice of the time and place of his hearing before the college discipline committee, and be afforded not less than 20 days' notice thereof. Said notice shall contain:

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

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

(c) A list of witnesses who will appear and a summary description of any documentary or other physical evidence that will be presented by the college at the hearing.

(4) The student shall be entitled to hear and examine the evidence against him and be informed of the identity of its source; he shall be entitled to present evidence in his own behalf and cross-examine witnesses testifying against him as to factual matters. The student shall have all authority possessed by the college to obtain information he specifically describes, in writing, and tenders to the dean for student services and development no later than 3 days prior to the hearings, or request the presence of witnesses or the production of other evidence relevant to the issues of the hearings. The student shall have the right to dismiss a member of the college discipline committee on prejudicial grounds if notice is tendered in writing to the dean for student services and development at least 3 days prior to the scheduled hearing.

(5) The student may be represented by counsel of his choice at the disciplinary hearing. If the student elects to choose a duly licensed attorney as his counsel, he must tender 3 days' notice thereof to the dean for student services and development.

(6) In all disciplinary proceedings the college may be represented by the dean for student services and development or his designee who shall present the case to the college discipline committee. In the event the student elects to be represented by a licensed attorney, the dean for student services and development may elect to have the college represented by an assistant attorney general.

(7) An adequate summary of all the evidence and facts presented to the college discipline committee during the course of the proceeding shall be taken. A copy thereof shall be available at the office of the dean for student services and development.

(8) The chairman of the college discipline committee shall preside at the disciplinary hearing, and make rulings on all evidentiary procedural matters heard in the course of the disciplinary hearing.

(9) Hearings conducted by the college disciplinary committee generally will be held in closed session, except when a student requests that persons other than those directly involved be invited to attend. If at any time during the conduct of a hearing invited guests are disruptive of the proceedings, the chairman of the committee may exclude such persons from the hearing room.

(10) Any student attending the college discipline committee hearing as an invited guest who continues to disrupt said proceedings after the chairman of the committee has asked him to cease and desist thereof, shall be subject to disciplinary action.

(11) Only those matters presented at the hearing in the presence of the accused student, except where the student fails to attend after receipt of proper notice, will

be considered in determining whether the college discipline committee has sufficient cause to believe that the accused student is guilty of violating specific provisions of the student code that he is charged with having violated.

(12) The chairman of the college discipline committee shall, in the course of presiding at the disciplinary hearing, give effect to the rules of privilege recognized by law and exclude incompetent, irrelevant, immaterial and unduly repetitious evidence.

[Order 16, § 132H-120-300, filed 3/15/73.]

WAC 132H-120-310 Decision by the college discipline committee. (1) Upon conclusion of the disciplinary hearing, the college discipline committee shall consider all the evidence therein presented and decide by majority vote whether to recommend to the president any of the following actions:

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

(b) That the college impose any of the disciplinary actions as provided in WAC 132H-120-350 disciplinary terms.

(2) The student will be provided with a copy of the college discipline committee's findings of fact and conclusions regarding whether the student did violate any provision of the student code. The committee shall also advise the student of his rights to present, within 7 calendar days, a written statement to the president of the college appealing the recommendation of the college discipline committee.

[Order 16, § 132H-120-310, filed 3/15/73.]

WAC 132H-120-320 The president's review. (1) The president of the college or his designee, except the dean for student services and development shall, after reviewing the record of the case, include in the report of the college discipline committee any statement filed by the student. The president or his designee shall indicate approval of the recommendations of the college discipline committee or give directions as to what lesser disciplinary action shall be taken.

(2) If the president decides that discipline is to be imposed after the review provided by the above section, the president or his designee shall notify the student in writing of the discipline imposed. In case of an unmarried student under 18 years of age, written notice of any action involving suspension, expulsion, or other disciplinary action shall also be sent to parents or guardian of the student.

[Order 16, § 132H-120-320, filed 3/15/73.]

WAC 132H-120-330 Appeals. An appeal by a student shall be made in writing and addressed to the chairman of the college discipline committee within 7 days after the student has been notified of the action taken. In all proceedings where the student is not exonerated, there shall be one automatic review by a reviewing authority.

(1) Disciplinary action by the dean of student programs and personnel services may be appealed to, and shall be reviewed by, the college discipline committee.

(2) Disciplinary action by the college discipline committee may be appealed to, and shall be reviewed by, the college president.

(3) Final authority in all disciplinary action shall rest with the board of trustees of the college.

[Statutory Authority: RCW 28B.50.140. 86-01-056 (Order 91, Resolution No. 169), § 132H-120-330, filed 12/16/85; Order 16, § 132H-120-330, filed 3/15/73.]

WAC 132H-120-340 Disciplinary terms. The following definitions of disciplinary terms have been established to provide consistency in the application of penalties:

(1) **Disciplinary warning:** Formal action censoring a student for violation of college rules or regulations or for failure to satisfy the college's expectations regarding conduct. Disciplinary warnings are always made in writing to the student by the dean of student programs and personnel services. A disciplinary warning indicates to the student that continuation of the specific conduct involved or other misconduct will result in one of the more serious disciplinary actions described below.

(2) **Disciplinary probation:** Formal action placing conditions upon the student's continued attendance for violation of college rules or regulations or failure to satisfy the college's expectations regarding conduct. Disciplinary probation warns the student that any further misconduct will make him liable to suspension or expulsion from the college. Disciplinary probation may be for a specific term or for an indefinite period.

(3) **Suspension:** Formal action dismissing a student temporarily from the college for unacceptable conduct or violation of college rules or regulations. Suspension may be for an indefinite period, but the implication of the action is that the student may eventually return if evidence or other assurance is presented that the unacceptable conduct will not be repeated.

(4) **Expulsion:** Students may be expelled only on the approval of the president of the college and on the recommendation of the dean of student programs and personnel services or the college discipline committee. The notification expelling a student will indicate, in writing, the term of the expulsion and any conditions which must be met before readmission. There is no refund of fees for the quarter in which the action is taken, but fees paid in advance for a subsequent quarter are to be refunded.

(5) **Registration denied:** Formal action refusing to allow a student to register for subsequent quarters, for violation of college rules or regulations, or failure to satisfy the college's expectations regarding conduct, or failure to fulfill obligations to the college. Students may be denied registration only on the approval of the president and on the recommendation of the dean of student programs and personnel services or college discipline committee. The initiating authority, in his written notification to the student, will detail the reasons for the denial of registration and the conditions to be met before registration will be allowed. Registration may be denied

for a fixed or indefinite period. Future registration will not be allowed until the initiating authority is satisfied that the conditions have been met.

[Statutory Authority: RCW 28B.50.140. 86-01-056 (Order 91, Resolution No. 169), § 132H-120-340, filed 12/16/85; Order 16, § 132H-120-340, filed 3/15/73.]

WAC 132H-120-350 Readmission after expulsion. Any student expelled from the college may be readmitted only on written petition to the office which initiated the action resulting in his expulsion. Such petitions must indicate how specified conditions have been met and if the term of the expulsion has not expired, any reasons which support a reconsideration of the matter. Because the president of the college participates in all disciplinary actions expelling students from the college, decisions on such petitions for readmission must be reviewed and approved by the president before readmission is granted.

[Order 16, § 132H-120-350, filed 3/15/73.]

WAC 132H-120-360 Reporting, recording and maintenance of records. Records of all disciplinary cases shall be kept in the office of the dean of student programs and personnel services. Except in proceedings wherein the student is exonerated, all documentary or other physical evidence produced or considered in disciplinary proceedings and all recorded testimony shall be preserved for not more than 5 years. No record of proceedings wherein the student is exonerated, other than the fact of exoneration, shall be maintained in the student's file or other college repository after the date of the student's graduation.

[Statutory Authority: RCW 28B.50.140. 86-01-056 (Order 91, Resolution No. 169), § 132H-120-360, filed 12/16/85; Order 16, § 132H-120-360, filed 3/15/73.]

WAC 132H-120-400 Initiation of summary suspension proceedings. The president or his designee may suspend any student of the college for not more than 3 academic calendar days without hearing if the president or his designee has reason to believe the student's physical or emotional safety and well-being, or the safety and well-being of the other college community members, or the safety and well-being of the college property require such suspension.

[Order 16, § 132H-120-400, filed 3/15/73.]

WAC 132H-120-410 Permission to enter or remain on campus. During this 3 day period the student shall not enter any campus of District No. VIII other than to meet with the dean for student services and development or to attend the hearing. However, the dean for student services and development or the college president may grant the student special permission to enter a campus for the express purpose of meeting with faculty, staff, or students in preparation for a probable cause hearing.

[Order 16, § 132H-120-410, filed 3/15/73.]

WAC 132H-120-420 Notice of summary suspension proceedings. (1) When the president or his designee exercises the authority to summarily suspend a student, he

shall cause notice thereof to be served upon that student by registered or certified mail at the student's last known address, or by causing personal service of such notice upon that student.

(2) The notice shall be entitled "notice of summary suspension proceedings" and shall state:

(a) The charges against the student including reference to the provisions of the code of student rights and responsibilities involved; and

(b) That the student charged must appear before the dean for student services and development at a time specified in the notice for a hearing as to whether probable cause exists to continue the summary suspension for a further period not to exceed 10 days.

[Order 16, § 132H-120-420, filed 3/15/73.]

WAC 132H-120-430 Procedures of summary hearing. (1) At the summary suspension hearing, the dean for student services and development shall determine whether there is probable cause to believe the student's presence on campus would endanger the student's physical or emotional safety and well-being, or the safety and well-being of the other college community members, or the safety and well-being of the college property. In the course of making such a decision, the dean for student services and development may consider the sworn affidavits or oral testimonies of persons who have alleged that the student or students charged has committed a violation of law or of provisions of the student code and the oral testimony and affidavits submitted by the student charged.

[Order 16, § 132H-120-430, filed 3/15/73.]

WAC 132H-120-440 Decision by the dean for student services and development. If the dean for student services and development, following the conclusion of the summary suspension proceedings, finds that there is probable cause to believe that:

(1) The student against whom specific violations of law or of provisions of the code of student rights and responsibilities are alleged has committed one or more of such violations upon any college facility; and

(2) That summary suspension of said student is necessary under the provisions of WAC 132H-120-400 summary suspension rules; and

(3) Such violation or violations of the law or of provisions of the code of student rights and responsibilities constitute grounds for disciplinary action, then the dean for student services and development may, with the written approval of the president, suspend such student from the college.

[Order 16, § 132H-120-440, filed 3/15/73.]

WAC 132H-120-450 Notice of suspension. (1) If a student is suspended pursuant to the above rules, he shall be provided with a written copy of the dean for student services and development's findings of fact and conclusions, as expressly concurred in by the president, which constituted probable cause to believe that the conditions for summary suspension existed.

(2) The student suspended pursuant to the authority of this rule shall be served a copy of the notice of suspension by personal service or by registered mail. Notice by mail shall be sent to said student's last known address. The suspension, following the hearing shall be effective for no more than 10 days.

[Order 16, § 132H-120-450, filed 3/15/73.]

WAC 132H-120-460 Suspension for failure to appear. If the student against whom specific violations of provisions of the code of student rights and responsibilities have been alleged has been served pursuant to the notice required and then fails to appear at the time designated for the summary suspension proceedings, the dean for student services and development may, with the written concurrence of the president, suspend the student from college for no more than 10 days.

[Order 16, § 132H-120-460, filed 3/15/73.]

WAC 132H-120-470 Appeal. (1) Any student aggrieved by an order issued at the summary suspension proceedings may appeal the same to the board of trustees. No such appeal shall be entertained, however, unless written notice of the appeal, specifically describing alleged errors in the proceedings of findings of the dean for student services and development and the president, is tendered at the office of the president within 72 hours following the date notice of summary suspension was served or mailed to the student, whichever occurred first.

(2) The board of trustees or a committee of the board shall, as soon as possible, examine the allegations contained within the notice of appeal, along with the findings of the dean and president, the record of the summary suspension proceedings and determine therefrom whether the summary suspension order is justified. Following such examination, the board may, at its discretion, stay the summary suspension pending determination of the merits of the disciplinary proceedings pursuant to the provisions of the code procedures.

(3) The board of trustees or a committee of the board shall notify the appealing student within 48 hours following its consideration of the notice of appeal, as to whether the summary suspension shall be maintained or stayed pending disposition of the disciplinary proceedings pursuant to the provisions of the code procedures.

[Order 16, § 132H-120-470, filed 3/15/73.]

WAC 132H-120-480 Summary suspension proceedings not duplicitous. (1) The summary suspension proceedings shall in no way substitute for the disciplinary proceedings provided for in provisions of the code procedure. At the end of the suspension, the student shall be reinstated to his full rights and privileges as a student, subject to whatever sanctions may have been or may be in the future imposed for violation of the code of student rights and responsibilities.

(2) Any disciplinary proceeding initiated against the student which led to the summary suspension proceedings shall be heard de novo, provided, that the records made and evidence presented during the course of any

facet of the summary suspension proceedings brought against the student shall be available for the use of the student and of the college in the disciplinary proceeding initiated under the provisions of the code procedures.

(3) No summary suspension shall last more than 20 days. A student is entitled to a formal proceeding on the merits within 10 days of any determination of probable cause.

[Order 16, § 132H-120-480, filed 3/15/73.]

WAC 132H-120-490 Procedural guidelines for liquor policy implementation. (1) When approved by the president or his designee, alcoholic beverages may be served by a recognized student organization, college administrative unit or a community organization. Such groups must adhere to the stipulation of building use policies (chapter 132H-140 WAC) and fully meet all laws, rules and regulations as set forth in the Washington state liquor control board regulations, RCW 66.20.010, which permits consumption of spirits.

(2) Approval for the serving of alcoholic beverages must be requested at least seven calendar days prior to the date of use. A student organization request (Form BCC 010-116 (9-85)) must be filed with the office of the dean of student programs and personnel services. If, in the judgment of the dean, the request is congruent with the best interests of the student group and the college, the dean will forward the request to the president for final approval. All other requests (Form BCC 010-116(9-85)) shall be filed with the office of the president. The request shall be approved or denied at least three calendar days prior to the proposed event. The application for utilization of alcoholic beverages must be completed by an authorized representative who accepts responsibility for compliance with the college and other governmental rules and regulations, where applicable, and agrees to be present at the function. The dean of student programs and personnel services shall designate an appropriate person to be available at all student functions involving alcoholic beverages and empower that person to make decisions that might arise covering college policies or procedures.

(3) Upon approval for the use of alcoholic beverages at Bellevue Community College, it shall be the responsibility of the sponsor to obtain all necessary licenses from the Washington state liquor control board and to display such licenses at the time of the event.

(4) Banquet events (sit-down dinners) are recognized as different in nature from student program events. At student program events, permission to serve alcoholic beverages shall be restricted to beer and wine and food appropriate for the event must be available. Banquet events shall be approved in accordance with Washington state liquor control board regulations, RCW 66.20.010, which permits the consumption of spirits.

(5) The Student Union Complex shall be set aside as the only location for the sale and/or consumption of beer and wine at student program-sponsored events. There shall be no consumption of any alcoholic beverage at such program sponsored events outside this complex.

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(6) A driver's license with picture or a Washington state liquor control board identification card are the only acceptable identification sources in determining legal age.

(7) The policing of identification cards shall be the responsibility of campus security if the function is a student program sponsored event.

(8) No person who is under the influence of alcohol or dangerous substances or who is disorderly in conduct shall be allowed to serve, consume or dispense alcoholic beverages.

(9) All sales and use of alcoholic beverages shall be governed by the Washington state law as interpreted by the Washington state liquor control board. The regulation shall be posted outside of the room where alcoholic beverages are consumed.

(10) No alcoholic beverages may be consumed outside the approved area for the event (building, room etc.).

(11) Nonalcoholic beverages shall be available to persons under the legal age at all events where alcoholic beverages are permitted.

(12) No state monies shall be used to purchase any alcoholic beverages or to pay any license fees or related expense. All revenues generated by the sale of alcoholic beverages shall be processed in accordance with normal college policy and procedures.

(13) To insure variety in programming, the use of alcoholic beverages shall be approved for only a limited number of major college-wide activities.

[Statutory Authority: RCW 28B.50.140. 86-01-056 (Order 91, Resolution No. 169), § 132H-120-490, filed 12/16/85.]

Chapter 132H-128 WAC REDUCTION IN FORCE POLICY

WAC

132H-128-010 Title.
132H-128-020 Objective.
132H-128-030 Authority.
132H-128-040 Procedure.

WAC 132H-128-010 Title. Chapter 132H-128 WAC will be known as reduction in force policy of Community College District VIII.

[Order 44, § 132H-128-010, filed 1/14/74.]

WAC 132H-128-020 Objective. The general objective of this procedure is to provide for the accomplishment of the reduction in the academic employee work force to the end that insofar as practical the reduction will be made equitably, expeditiously and economically. At the same time this will result in retention on the payroll of those academic employees regarded by the board as comprising the academic employee work force that will best accomplish the institution's goals.

[Order 44, § 132H-128-020, filed 1/14/74.]

WAC 132H-128-030 Authority. The location, occurrence and existence of any conditions affecting enrollment, funding or program obsolescence necessitating

the work force reduction of academic employees will be determined exclusively by the board upon recommendation of the president. A full review of all factors contributing to a possible reduction in force including other alternative courses of action that may relieve the condition will be made prior to instituting the reduction in force procedure.

Academic employees to be laid off as a result of the reduction in force policy will be laid off without prejudice and will be given 60 calendar days notice prior to layoff.

[Order 44, § 132H-128-030, filed 1/14/74.]

WAC 132H-128-040 Procedure. If an annually contracted employee is to be laid off, the following criteria and procedures will be used:

(1) The president, with consultation from his administrative staff, will review the nature of the problem facing the college. If the president determines that reductions in the staff are or will be necessary in the near future, he will give notice of the potential reductions to the Bellevue Community College education association. The notice which the president gives to the Bellevue Community College education association shall include:

- (a) The reasons for the proposed reduction in force.
- (b) The number of academic employees to be considered for layoff.

(2) Representatives of the Bellevue Community College education association will then have the right to meet with the president who shall document the need for such reduction in staff. All data included in the decision-making process including the most current financial information available to the college will be made available to the Bellevue Community College education association. The president shall present and explain the criteria to be used to identify those to be laid off. Programs to be reduced or eliminated shall be identified.

(3) If academic employees are to be laid off, the president, with advice from the deans and division chairmen, shall decide in the case of each affected division what course offerings and/or other services are most necessary to maintain quality education at Bellevue Community College. The president shall consider but not be limited to the following factors:

(a) The enrollment and the trends in enrollment for not less than four consecutive quarters, if applicable, and their effect upon each division.

(b) The goals and objectives of Bellevue Community College and the state board for community college education.

(c) Information concerning faculty and administrative vacancies occurring through retirement, resignation, sabbatical and leave of absence.

(4) The president, after reviewing data and alternatives shall determine those support services to be most necessary at Bellevue Community College.

(5) If it appears a reduction in force may occur, a reduction in force review committee will be formed.

(a) The committee will be comprised of:

(i) Four academic employees to be elected by the academic employees and division chairpersons-at-large.

(ii) The college business manager.

(iii) A designee of the president.

(iv) The president of Bellevue Community College education association shall serve as ex officio, nonvoting resource to the reduction in force review committee

(b) The functions of the review committee will be to:

(i) Elect a chairperson.

(ii) Assess the data utilized in the decision-making process leading to a reduction in force.

(iii) Advise the president of other possible alternatives.

(iv) Act as a review committee for the appeals of affected employees.

(6) If a reduction in force is necessary, the following order of layoff will be utilized; first, probationary appointees with the least seniority; second, tenured academic employees with the least seniority. Seniority shall be calculated by program. Academic employees shall retain their full college seniority in each program within which they have worked at Bellevue Community College.

(7) Seniority shall be determined by establishing the date of the signing of the first annual contract for the most recent period of continuous annually contracted professional service for Bellevue Community College which shall include: Leaves of absence, sabbatical leaves and periods of layoff.

(This shall include professional services for the Bellevue School District #405 prior to July 1967, if assigned to Bellevue Community College.)

The longest term of employment as thus established shall be considered the highest level of seniority. In instances where academic employees have the same signature date of the first annual contract, seniority shall be determined by the president, based on his review of the sequence of events leading to the employment decision.

(8) The president with advice from the appropriate dean and the appropriate division chairman will determine if an academic employee is qualified for an assignment when considering possible reassignment due to reduction in force.

(9) Upon receipt of a written notice from the president of the college that reductions in staff are, or may be, necessary in the near future, the president of Bellevue Community College education association will within 15 calendar days of the receipt of the written notice submit to the president the names of the three elected annually contracted academic employees who will serve on a reduction in force review committee (RIFRC). The elected will be conducted by the Bellevue Community College education association with participation limited to annually contracted academic employees.

Following the election, and after alerting the other members of the RIFRC, the president of the college will meet with the RIFRC to present and explain the criteria, all the data and current financial information available to the college used to identify those annually contracted academic employee(s) who are to be or may

be laid off as well as the program(s) to be reduced or eliminated.

Following this meeting the RIFRC will proceed to review the information provided by the president together with his reduction in force decision and within 15 calendar days of the president's meeting with them the RIFRC shall submit to the president of the college its suggestions, and/or recommendations.

The president of the college shall within five calendar days following receipt of the RIFRC suggestions and/or recommendations, advise the RIFRC of his final decision. If a reduction in force of annually contracted academic employee(s) is to be instituted the president shall direct the director of personnel to prepare written notification of layoff. Notification shall be mailed within five calendar days of the president's directive and shall be sent by registered letter, return receipt requested, to the affected employee.

(10) Any annually contracted academic employee, upon receipt of a layoff notice, shall have seven calendar days to submit a written request for appeal to the RIFRC for a review of his/her individual case. Arguments in the appeal process shall be limited to data and reasons for the selection of the individual employee selected for layoff.

The RIFRC shall meet with the affected employee within ten calendar days of the receipt of the appeal and shall inform the academic employee concerned and the president of the college in writing of its recommendation within seven calendar days of the meeting.

Within five calendar days after receipt of the RIFRC recommendation each appellant may appeal in writing for a final review by the president of the college. The president shall within 15 calendar days of receipt of the written request, meet with the appellant, make his decision and give written notification to the academic employee concerned.

(11) An annually contracted academic employee whose contract was not renewed as a result of this academic employee staff reduction procedure has a right to recall (the right to accept or right to first refusal) to any annually contracted teaching position, either a newly created one or a vacancy, providing he is qualified as determined by the college president. The recall shall be in reverse seniority, the most senior first. The right of recall shall extend three years from the date of layoff provided that the laid off academic employee advises the director of personnel, in writing, of his current address by the first of each July, October, January and April. Notification of recall shall be sent by registered letter, return receipt requested, and a copy of such notification shall be sent to the BCCEA.

If a laid off academic employee rejects an offer of recall, or fails to respond within ten calendar days from the date of acknowledgment of receipt of the registered letter or within 20 calendar days of the actual posting date of the registered letter, whichever date is sooner, layoff status will be terminated. However, the academic employee shall remain on layoff status if he/she rejects an offer of recall for a position less than commensurate with the position formerly held as determined by the

college president. All benefits accrued at the time of lay off shall be reinstated at the time of recall.

(12) The director of personnel shall notify all other institutions of higher education in the state in a reasonable effort to obtain similar employment for academic employees laid off as a result of reduction in force procedure.

[Order 29, § 132H-128-040, filed 3/7/75; Order 44, § 132H-128-040, filed 1/14/74.]

Chapter 132H-132 WAC

BELLEVUE COMMUNITY COLLEGE CALENDAR

WAC

132H-132-010 Title.

132H-132-020 Bellevue Community College calendar.

WAC 132H-132-010 Title. WAC 132H-132-010 through 132H-132-020 shall be known as Bellevue Community College calendar.

[Order 17, § 132H-132-010, filed 9/11/73.]

WAC 132H-132-020 Bellevue Community College calendar. (1) The college calendar for the subsequent year will be approved annually by the board of trustees at the regular December board meeting. The calendar will specify the instructional days for each of the four quarters and will include holidays.

(2) The college calendar will be published in the annual catalog.

(3) The public can obtain specific information regarding the calendar by contacting the college registration office.

[Order 17, § 132H-132-020, filed 9/11/73.]

Chapter 132H-136 WAC

LIBRARY-MEDIA CENTER CODE

WAC

132H-136-010 Title.

132H-136-020 Loans.

132H-136-030 Fines.

132H-136-040 Student handbook.

WAC 132H-136-010 Title. WAC 132H-136-010 through 132H-136-040 will be known as the library-media center code of Community College District VIII.

[Order 13, § 132H-136-010, filed 3/9/73.]

WAC 132H-136-020 Loans. Materials from the Bellevue Community College library-media center are checked out to the following groups.

(1) All currently registered students of Bellevue Community College.

(2) All current faculty and administrative staff members.

(3) All persons currently employed in classified staff positions.

(4) All holders of currently valid courtesy cards. This latter group includes members of the board of trustees,

community educators whose work might necessitate usage of library-media materials, and other individuals who show a particular need for specialized items in the library-media collections which are not available elsewhere.

(5) Students from other institutions with which the Bellevue Community College library-media center has a reciprocal lending agreement through the "shared use plan." This group may use materials on a loan basis at the discretion of the circulation supervisor who shall determine lending priorities based upon the current usage of individual items by Bellevue Community College students.

[Order 35, § 132H-136-020, filed 10/10/75; Order 13, § 132H-136-020, filed 3/9/73.]

WAC 132H-136-030 Fines. In cases where damage or loss of library material is evident, the offending patron is assessed the replacement cost. In other instances where library-media materials are retained by the borrower beyond the designated due date, fines are levied as a sanction to effect the prompt return of items which might be in demand by others. When materials are not returned, or fines not paid, holds are placed on the transcript records of those involved—only as a sanction to cause the ultimate return of library-media material in order to protect the integrity of the library-media collection. In extreme cases, when expensive or valuable items are involved, the provisions of RCW 27.12.340 may be invoked.

[Order 35, § 132H-136-030, filed 10/10/75; Order 13, § 132H-136-030, filed 3/9/73.]

WAC 132H-136-040 Student handbook. Detailed information governing the operation of the library-media center and the rules for loan of books, other print materials and nonprint materials is included in the student handbook of Bellevue Community College.

[Order 35, § 132H-136-040, filed 10/10/75; Order 13, § 132H-136-040, filed 3/9/73.]

Chapter 132H-140 WAC

FEES—FACILITY RENTAL—ADDITIONAL SERVICES FOR COMMUNITY COLLEGE DISTRICT VIII

WAC

- 132H-140-010 Title.
- 132H-140-020 Statement of purpose.
- 132H-140-030 Request for use of facilities.
- 132H-140-040 Facility usage board policy.
- 132H-140-050 Scheduling and reservation practices.
- 132H-140-060 Limitations.
- 132H-140-070 Other requirements.
- 132H-140-080 Basic facility fee structure.
- 132H-140-090 Services and equipment fees.
- 132H-140-100 Delegation of authority.
- 132H-140-110 Pet policy.
- 132H-140-900 Form—No. BCC-040-026—Application for use of college facilities.

(1989 Ed.)

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132H-140-9001 Form—No. BCC-040-035—Request for optional services. [Order 28, Form BCC-040-035 (codified as WAC 132H-140-9001), filed 3/7/75.] Repealed by 79-10-051 (Order 64, Resolution No. 121), filed 9/17/79. Statutory Authority: RCW 28B.50.140.

WAC 132H-140-010 Title. WAC 132H-140-010 through 132H-140-110 will be known as facility usage for Community College District VIII.

[Statutory Authority: RCW 28B.50.140. 82-11-039 (Order 80, Resolution No. 149), § 132H-140-010, filed 5/12/82; 79-10-051 (Order 64, Resolution No. 121), § 132H-140-010, filed 9/17/79; Order 28, § 132H-140-010, filed 3/7/75.]

WAC 132H-140-020 Statement of purpose. Bellevue Community College District VIII is an educational institution provided and maintained by the people of the state of Washington. The college reserves its facilities, buildings and grounds for those activities which are related to its broad educational mission. At other times, the college facilities will be made available to other individuals and organizations.

The purpose of these regulations is to establish a basic facility fee structure and additional services regulations for noncollege groups and for college groups where applicable.

[Statutory Authority: RCW 28B.50.140. 82-11-039 (Order 80, Resolution No. 149), § 132H-140-020, filed 5/12/82; 79-10-051 (Order 64, Resolution No. 121), § 132H-140-020, filed 9/17/79; Order 28, § 132H-140-020, filed 3/7/75.]

WAC 132H-140-030 Request for use of facilities. Requests by noncollege groups for utilization of college facilities shall be made to the director of campus operations and services who shall be the agent of the college in consummating rental agreements. Application for use of college facilities Form BCC 040-026 is to be completed by noncollege groups requesting facilities or college groups which use facilities under circumstances where a service charge would be levied.

[Statutory Authority: RCW 28B.50.140. 79-10-051 (Order 64, Resolution No. 121), § 132H-140-030, filed 9/17/79; Order 28, § 132H-140-030, filed 3/7/75.]

WAC 132H-140-040 Facility usage board policy. The board of trustees of Bellevue Community College District VIII provides college personnel, students, faculty, staff, college formal and informal organizations and other outside individuals and organizations for the purpose other than in connection with BCC's regular educational, public service or support programs the opportunity to use the college grounds and buildings subject to WAC 132H-140-010 through 132H-140-110 and in compliance with local, state and federal laws if

(1) The individual or organization requesting the space is eligible to use it and

(2) The space is available and has been reserved for the activity.

[Statutory Authority: RCW 28B.50.140. 82-11-039 (Order 80, Resolution No. 149), § 132-140-040 (codified as WAC 132H-140-040),

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filed 5/12/82; 79-10-051 (Order 64, Resolution No. 121), § 132H-140-040, filed 9/17/79; Order 28, § 132H-140-040, filed 3/7/75.]

WAC 132H-140-050 Scheduling and reservation practices. No college facilities may be used by individuals or groups from outside the college unless the facilities including buildings, equipment and facilities land have been reserved. Facilities will be scheduled according to the following priorities:

- (1) Bellevue Community College scheduled programs and activities.
- (2) Major college events.
- (3) Foundation related events.
- (4) Noncollege (outside individual or organization) events.

[Statutory Authority: RCW 28B.50.140. 82-11-039 (Order 80, Resolution No. 149), § 132H-140-050, filed 5/12/82; 79-10-051 (Order 64, Resolution No. 121), § 132H-140-050, filed 9/17/79; Order 28, § 132H-140-050, filed 3/7/75.]

WAC 132H-140-060 Limitations. (1) Individuals, groups or organizations will be denied use of the college facilities if such requests are judged to interfere with the college's own teaching, public services or support programs or which interfere with the free flow of pedestrian or vehicular traffic.

(2) College facilities may not be used for private or commercial purpose unless such activities clearly serve the educational mission of the college and when sponsored by an appropriate college unit or when by contractual agreement with the college.

[Statutory Authority: RCW 28B.50.140. 82-11-039 (Order 80, Resolution No. 149), § 132H-140-060, filed 5/12/82; 79-10-051 (Order 64, Resolution No. 121), § 132H-140-060, filed 9/17/79; Order 28, § 132H-140-060, filed 3/7/75.]

WAC 132H-140-070 Other requirements. (1) When deemed advisable by the dean of administrative services, an individual or organization may be required to make an advance deposit, post a bond and/or obtain insurance to protect the college against cost or other liability.

(2) When the college grants permission to an individual or organization to use its facilities it is with the expressed understanding and condition that the individual or organization assumes full responsibility for any loss or damage resulting from such use and agrees to hold harmless and indemnify the college against any loss or damage claim arising out of such use.

[Statutory Authority: RCW 28B.50.140. 82-11-039 (Order 80, Resolution No. 149), § 132H-140-070, filed 5/12/82.]

WAC 132H-140-080 Basic facility fee structure. For the purpose of establishing and collecting facility rental fees users have been divided into three categories:

- (1) Recognized Bellevue Community College activities that are supported by a budgeting unit of the college are exempt from facilities fees.
- (2) Bellevue Community College student organizations, groups who have contracted for food catering services, government agencies, and educational and nonprofit organizations are not charged facility rental fees during the hours of 7 a.m. to 11 p.m., Monday

through Thursday and 7 a.m. to 5 p.m., Friday. However, facility usage outside of these established hours will require a payment by the user to the college for out-of-pocket costs. Individuals and organizations, exclusive of Bellevue Community College student organizations and recognized Bellevue Community College activities, who derive financial benefits as a result of the use of facilities, will be charged as stated on the facility fee schedule.

(3) All other individuals, groups and organizations not covered in items (1) and (2) above will be charged as stated on the facility fee schedule.

[Statutory Authority: RCW 28B.50.140. 82-11-039 (Order 80, Resolution No. 149), § 132H-140-080, filed 5/12/82.]

WAC 132H-140-090 Services and equipment fees. Noncollege groups may be charged fees for additional services or equipment. These fees are to be assessed by the campus operations and services office (scheduling office) in conjunction with special area managers. These services or equipment fees shall be recorded on the application for use of facilities Form BCC 040-026. Additional services and equipment include the following:

- (1) Custodial
- (2) Maintenance
- (3) Audiovisual services and/or equipment
- (4) Music equipment
- (5) Managers or technicians
- (6) Security
- (7) Other equipment.

[Statutory Authority: RCW 28B.50.140. 82-11-039 (Order 80, Resolution No. 149), § 132H-140-090, filed 5/12/82.]

WAC 132H-140-100 Delegation of authority. The board of trustees of Community College District VIII delegates to the president or his/her designee, dean of administrative services, the authority to establish and collect fees from facility users as specified in WAC 132H-140-010 through 132H-140-110.

[Statutory Authority: RCW 28B.50.140. 82-11-039 (Order 80, Resolution No. 149), § 132H-140-100, filed 5/12/82.]

WAC 132H-140-110 Pet policy. Pets (dogs, cats, birds, etc.) are prohibited from entering buildings operated by Bellevue Community College.

Pets on the grounds of Bellevue Community College shall be in the physical control of their owner in accordance with the city of Bellevue "leash law" ordinance, chapter 8.04.

Exceptions to these regulations are animals used for the following purposes:

- (1) Assisting the visual or hearing impaired persons
- (2) As part of an authorized BCC program purpose requiring their use.
- (3) As part of a law enforcement agency in the performance of its duties.
- (4) Participation in authorized special events.

Animals found to be in violation of these regulations shall be impounded and turned over to the King County animal control or a citation issued and a fine imposed on the owner. Exceptions to these regulations other than

those listed above shall be directed to the dean of administrative services.

[Statutory Authority: RCW 28B.50.140. 82-11-039 (Order 80, Resolution No. 149), § 132H-140-110, filed 5/12/82.]

WAC 132H-140-900 Form--No. BCC-040-026--Application for use of college facilities.

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BELLEVUE COMMUNITY COLLEGE
Bellevue, Washington 98007

NO. 0844

APPLICATION FOR USE OF COLLEGE FACILITIES

I. NAME Applicant or Organization Address
 Name of Person in Charge Address of Person in Charge Phone No.

II. FACILITIES REQUESTED
 What Facilities are Requested?
 Classroom No. Gym Auditorium Other
 No. of People Expected - Audience Days of Week No. of Hrs
 Performers

III. TIME
 Date(s) Requested Facilities Are To Be Used Hours:From To

IV. PURPOSE
 What is the Nature or Purpose of the Meeting?
 A. Name of Lecturer B. Subject of Lecture
 C. Character of Entertainment D. Object of Meeting

V. MISCELLANEOUS
 What Type of Supervision Will Be Provided?
 Will There Be Admission, Yes No Adults Children Other
 Collection Or Funds Solicited? \$ \$ \$
 For What Purpose Will If Admission, State Amount
 The Proceeds Be Used? How Much Do You
 Expect to Net?

VI. PAYMENT OF RENTAL FEES
 Rental fees shall be determined by the latest established rental rates and are payable in advance to Bellevue Community College, 3000-145th Place S. E., Bellevue, Washington 98007, attention: Cashier

VII. AGREEMENT

The undersigned hereby makes application to Bellevue Community College for use of college facilities described above and certifies that the information given in the application is correct. The undersigned further states that he has the authority to make this application for the applicant and agrees that the applicant will observe all rules and regulations of the college. The undersigned further acknowledges that he has read the rules and regulations of the college pertaining to facilities use and that said rules and regulations are hereby incorporated in and made a part of this agreement. The applicant agrees to exercise the utmost care in the use of the school premises and property and to hold the Bellevue Community College harmless from all liability resulting from the use of said facilities. The applicant further agrees to reimburse Bellevue Community College for any damage arising from the applicant's use of said facilities, and will accept the college's estimate of damage.

Date _____ Applicant _____ Signature _____

TO BE FILLED IN BY THE COLLEGE

PLANT OPERATIONS

DIVISION CHAIRMAN

STUDENT SERVICES
REQUEST FOR OPTIONAL SERVICES

CLEAN-UP FEE \$
STANDARD ROOM \$
OTHER ROOM \$
\$
TOTAL CHARGES \$

DATE _____ SIGNATURE _____
Director of Plant Operations

BCC-040-026

[

BELLEVUE COMMUNITY COLLEGE
Bellevue, Washington 98007

NO. 0818

REQUEST FOR OPTIONAL SERVICES

Applicant Or Organization _____ Address _____

Who to Contact _____ Phone Number _____ Date of Request _____

I. PLANT OPERATIONS - Specify Special Furniture, Arrangement, Etc.

	Plant Ops Set Up	User Set Up
_____	_____	_____
_____	_____	_____
_____	_____	_____

Application for Use of College Facilities Submitted? Yes ___ # No ___

II. AUDIOVISUAL

Specify Audiovisual Equipment Desired: Include Type of Projector, Tape Recorder, Etc:

III. FOOD SERVICES (Check Option Desired)

A. If Dining Room is Specified, Date(s) and Time(s) _____

1. No Table Service - Obtain Meal at Cafeteria Line - No Host _____

2. No Table Service - Obtain Meal at Cafeteria Line - Bill Organization _____

3. Set Table (Silverware, Water and Coffee Poured) - Cafeteria Line _____

_____ Per Person for _____ People.

4. Catered Meal or Reception (Single Menu for All) _____

If you desire catering service, the food service manager will call you to determine menu and cost.

PRICE RANGE \$ _____ PER PERSON _____

B. If Coffee Service is Desired:

1. Date(s) and Time(s) to be Served _____

2. Room to be Served In _____

3. Number of Cups at 15¢ Per Cup (Specify Coffee, Tea, or, if both, how many of each)

4. If you wish doughnuts, cookies, pastries, etc., served with coffee/tea, the food services will call you to determine items and cost.

Yes No

BCC-040-035



3000 Landerholm Circle S.E., Bellevue, Washington 98007

APPLICATION FOR USE OF COLLEGE FACILITIES Complete in full and return all copies to Plant Operations.	Application No.
	Acct. Control No.

APPLICANT	Organization _____ Address _____ Phone _____
	Person in Charge _____ Address _____ Phone _____

PROGRAM	Nature or Purpose of Function	
	Lecturer and Subject Matter	Anticipated Attendance
	Will there be Admission/Tuition/Donation Specify Amount	Use of Proceeds

TIME	Day(s) and Date(s)	Program Start - Finish
	Day(s) and Date(s)	Unlock Time for Set-up

FACILITY	Facility Requested	
	Special Set-up	Catering Requested
	AV Equipment	

AGREEMENT	The undersigned hereby certifies that the information given in the application is correct. The applicant agrees to observe all rules and regulations of the college and to exercise the utmost care in the use of the school premises and property. The applicant also agrees to hold Bellevue Community College harmless from all liability resulting from the use of said facilities. The applicant further agrees to reimburse Bellevue Community College for any damage arising from the applicant's use of said facilities and will accept the college's estimate of damage.	
	Applicant's Signature _____	Date _____

APPROVAL	Dept. Head	CHARGES			
	Director of Plant Operations				
	Date				
	Total				

BCC 040-026 (2/79)

[Statutory Authority: RCW 28B.50.140, 79-10-051 (Order 64, Resolution No. 121), § 132H-140-900, filed 9/17/79; Order 28, Form BCC-040-026 (codified as WAC 132H-140-900), filed 3/7/75.]

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.

Chapter 132H-148 WAC
AFFIRMATIVE ACTION PROGRAM

WAC

- 132H-148-010 Title.
132H-148-110 Equal employment opportunity/affirmative action policy.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 132H-148-020 Equal opportunity employer. [Order 3, § 132H-148-020, filed 9/19/72.] Repealed by 88-23-051 (Order 97, Resolution No. 182), filed 11/14/88. Statutory Authority: RCW 28B.50.140.
- 132H-148-030 Responsibility for administration and implementation. [Order 3, § 132H-148-030, filed 9/19/72.] Repealed by 88-23-051 (Order 97, Resolution No. 182), filed 11/14/88. Statutory Authority: RCW 28B.50.140.
- 132H-148-040 Affirmative action committee. [Order 36, § 132H-148-040, filed 10/10/75. Prior: Order 3, § 132H-148-040, filed 9/19/72.] Repealed by 88-23-051 (Order 97, Resolution No. 182), filed 11/14/88. Statutory Authority: RCW 28B.50.140.
- 132H-148-050 Personnel recruitment. [Order 3, § 132H-148-050, filed 9/19/72.] Repealed by 88-23-051 (Order 97, Resolution No. 182), filed 11/14/88. Statutory Authority: RCW 28B.50.140.
- 132H-148-060 Utilization analysis. [Order 3, § 132H-148-060, filed 9/19/72.] Repealed by 88-23-051 (Order 97, Resolution No. 182), filed 11/14/88. Statutory Authority: RCW 28B.50.140.
- 132H-148-070 Complaint of discrimination grievance procedure. [Order 3, § 132H-148-070, filed 9/19/72.] Repealed by 88-23-051 (Order 97, Resolution No. 182), filed 11/14/88. Statutory Authority: RCW 28B.50.140.
- 132H-148-080 Dissemination. [Order 3, § 132H-148-080, filed 9/19/72.] Repealed by 88-23-051 (Order 97, Resolution No. 182), filed 11/14/88. Statutory Authority: RCW 28B.50.140.
- 132H-148-090 Purchasing subcontractors. [Order 3, § 132H-148-090, filed 9/19/72.] Repealed by 88-23-051 (Order 97, Resolution No. 182), filed 11/14/88. Statutory Authority: RCW 28B.50.140.
- 132H-148-100 Public works projects. [Order 3, § 132H-148-100, filed 9/19/72.] Repealed by 88-23-051 (Order 97, Resolution No. 182), filed 11/14/88. Statutory Authority: RCW 28B.50.140.

WAC 132H-148-010 Title. WAC 132H-148-010 through 132H-148-100 will be known as the affirmative action policy of Community College District VIII.

[Order 3, § 132H-148-010, filed 9/19/72.]

WAC 132H-148-110 Equal employment opportunity/affirmative action policy. Bellevue Community College is an equal opportunity employer committed to providing equal opportunity and nondiscrimination to applicants and employees without regard to race or ethnicity, creed, color, national origin, sex, marital status, sexual orientation, age, religion, the presence of any sensory, mental or physical disability or whether a disabled or Vietnam era veteran. The college is equally committed to take affirmative action to increase the numbers of Asians, Blacks, Hispanics, Native Americans, women, and persons between the ages of 40 and 70, persons of disability and disabled and Vietnam era veterans in positions where it is determined they are underutilized. The college will make every effort to eliminate barriers to equal employment opportunity

(1989 Ed.)

encountered by these protected group members and improve employment opportunities available to underutilized groups. The following are specific goals within the policy:

(1) The college will recruit, hire, train and promote individuals in all job classifications solely upon their qualifications and ability or potential ability to do the job, and shall consider race, religion, color, national origin, sex, age, physical, mental or sensory disability or whether a disabled veteran or a veteran of the Vietnam era only when such is a bona fide occupational qualification.

(2) All other personnel actions such as compensation, benefits, layoffs, return from layoffs, terminations, college-sponsored training, education, tuition assistance, social and recreational programs will be administered without regard to race, religion, color, national origin, sex, age, physical or sensory disability, sexual preference or whether a disabled veteran or a veteran of the Vietnam era.

(3) Numerical goals will be set in areas where protected classes are determined to be underutilized. The college will make every good faith effort to meet these goals within the timetables set for them.

(4) The president is charged with the overall responsibility for assuring that the equal employment opportunity/affirmative action policy is administered effectively and is granted the authority to exercise the responsibility. It is incumbent upon each member of the Bellevue Community College faculty, administration, and staff to make a good faith effort in the execution of this policy.

[Statutory Authority: RCW 28B.50.140. 88-23-051 (Order 97, Resolution No. 182), § 132H-148-110, filed 11/14/88.]

Chapter 132H-152 WAC

SPECIAL GRIEVANCE PROCEDURES FOR COMMUNITY COLLEGE DISTRICT VIII

WAC

- 132H-152-100 Special grievance procedures for Community College District VIII.
132H-152-110 Preamble.
132H-152-120 Grievance procedure.
132H-152-130 Appeals beyond institutional level.

WAC 132H-152-100 Special grievance procedures for Community College District VIII. Chapter 132H-152 WAC shall be known as special grievance procedures for Community College District VIII.

[Order 53, § 132H-152-100, filed 10/3/77.]

WAC 132H-152-110 Preamble. Community College District VIII is covered by Title IX prohibiting sex discrimination in education. It is the policy of Community College District VIII to insure equal opportunity without regard to sex in all areas of admission, education, application for employment and employment.

[Order 53, § 132H-152-110, filed 10/3/77.]

WAC 132H-152-120 Grievance procedure. Any applicant for admission, enrolled student, applicant for

[Title 132H WAC—p 41]

employment or employee of Community College District VIII who believes he/she has been discriminated against on the basis of sex may lodge a formal institutional grievance by:

(1) Step 1: Informal meeting. Requesting an informal meeting with the individual believed to have committed the alleged discriminatory act and attempt to informally resolve the concern.

(2) Step 2: Title IX official hearing. If not satisfied by the results of the informal meeting, the complainant may request in writing, stipulating the specific grievance(s), a meeting with the college Title IX officer. Within 30 days of receiving the written request, the Title IX officer will have arranged a meeting and reported the findings, in writing, to both the complainant and the person to whom the complaint is directed. It shall be at the discretion of the complainant to determine whether the Title IX officer will meet with each party separately or in a single meeting.

If the complainant requests a single meeting, that meeting shall be attended by the complainant, the person to whom the complaint is directed and the Title IX officer who will chair the meeting.

(3) Step 3: Presidential appeal. If the complaint is not resolved as a result of the hearing conducted by the Title IX officer, either the complainant or the person to whom the complaint is directed may request an appeal to the college president in writing within 10 days after receiving the written results of Title IX official hearing. Within 15 days after receiving the written request, the college president or the president's designee will conduct the presidential appeal hearing and report the findings in writing to both the complainant and the person to whom the complaint is directed.

(a) The college president or designee, the Title IX officer, the complainant and the person to whom the complaint is directed shall attend the presidential appeal hearing. The college president or presidential designee shall preside.

(b) Either the complainant or person to whom the complaint is directed may have witnesses present at the discretion of the person presiding.

(c) The written findings of the presidential appeal will generally be considered final with the following provisions:

(i) The president will communicate his/her written findings to the board of trustees, Community College District VIII.

(ii) The board of trustees shall accept the written findings as presented or at their discretion offer the complainant a board appeal.

(4) Step 4: Board appeal. The board of trustees shall invite within 30 days of their decision to conduct a board appeal, the college president or his designee, the Title IX officer, the complainant and the person to whom the complaint is directed, to a meeting to be presided over by the chairperson of the board of trustees or his/her designee.

(a) Either the complainant or person to whom the complaint is directed may have witnesses present at the discretion of the board chairperson.

(b) The written findings of the board appeal will be communicated to the complainant in writing within 30 days after the board hearing.

[Order 53, § 132H-152-120, filed 10/3/77.]

WAC 132H-152-130 Appeals beyond institutional level. If desired, inquiries or appeals beyond the institutional level may be directed to:

(1) Regional Director – Office of Civil Rights, HEW – 1321 Second Avenue – Seattle WA 98101.

(2) The Equal Opportunity Commission – 705 Second Avenue – Seattle WA 98101.

(3) Human Rights Commission – 402 Evergreen Plaza Building – 7th and Capitol Way – Olympia WA 98504.

[Order 53, § 132H-152-130, filed 10/3/77.]

Chapter 132H-160 WAC

ADMISSIONS, RESIDENCY CLASSIFICATION AND REGISTRATION REGULATIONS—SCHEDULE OF FEES AND FINANCIAL AID FOR COMMUNITY COLLEGE DISTRICT VIII

WAC

- 132H-160-010 Title.
- 132H-160-040 Quarterly registration fees—Resident students.
- 132H-160-050 Quarterly registration fees—Nonresident students.
- 132H-160-053 Procedure for implementing tuition and fee waivers authorized pursuant to RCW 28B.15.530.
- 132H-160-056 Procedure for determining limitation of the amount of tuition and fee waivers.
- 132H-160-059 Combination of tuition and fee waivers with other forms of student financial aid.
- 132H-160-060 Laboratory fees.
- 132H-160-070 Noncredit.
- 132H-160-080 Continuing education.
- 132H-160-090 Community service.
- 132H-160-093 Tuition and fee waivers for full-time Bellevue Community College classified and administrative employees.
- 132H-160-094 Tuition and fee waivers for Bellevue Community College annually-contracted faculty.
- 132H-160-095 Tuition and fee waivers for Bellevue Community College senior citizens.
- 132H-160-120 Credit examination.
- 132H-160-140 General education development test.
- 132H-160-150 Parking permit.
- 132H-160-170 Insurance.
- 132H-160-180 Refund policy.
- 132H-160-190 Financial obligation.
- 132H-160-200 Title.
- 132H-160-210 Statement of purpose.
- 132H-160-220 Admissions categories.
- 132H-160-230 Admission policy—College credit.
- 132H-160-240 Student classification—College credit.
- 132H-160-250 Application procedure—College credit.
- 132H-160-260 Admission of foreign students.
- 132H-160-270 Admission to specific degree programs.
- 132H-160-280 Request for reconsideration of admission decision.
- 132H-160-290 Admission of former students.
- 132H-160-300 Admission policy nonmatriculated status—College credit.
- 132H-160-310 Definition of nonmatriculated student.
- 132H-160-320 Continuing education policy.
- 132H-160-330 Definition of continuing education.
- 132H-160-340 Residency classification procedures—Statement of purpose.
- 132H-160-350 Definition of resident student.
- 132H-160-360 Residency application form.

- 132H-160-370 Nonresidents entitled to pay resident tuition and fees.
- 132H-160-380 Verification classification.
- 132H-160-390 Southeast Asian veterans.
- 132H-160-400 Appeal of determination of residency decision.
- 132H-160-410 Registration procedures--Statement of purpose.
- 132H-160-420 Definition of student status.
- 132H-160-430 Advanced registration fee requirement for fall, winter and spring quarters.
- 132H-160-440 Refund of advanced registration fee.
- 132H-160-450 Registration periods.
- 132H-160-460 Late registration.
- 132H-160-470 Change of student registration schedule.
- 132H-160-490 Withdrawal from the college.
- 132H-160-492 Withdrawal from a course (policy and procedures).
- 132H-160-500 Military withdrawal.
- 132H-160-510 Change of program major.
- 132H-160-520 Auditing a course.
- 132H-160-530 Special instructional programs.
- 132H-160-550 Comprehensive fee.
- 132H-160-600 Request for financial aid information.
- 132H-160-610 Priority for financial aid.
- 132H-160-620 Credit requirement for financial aid recipient.
- 132H-160-630 Adjustment of aid package.
- 132H-160-640 Limitation on hours employed.
- 132H-160-650 Cancellation of grant aid.
- 132H-160-660 Work-study job termination.
- 132H-160-670 Limited aid funds--Priorities.
- 132H-160-680 Academic status of financial aid recipients.
- 132H-160-690 Student emergency loan requirements.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 132H-160-020 Application records fee. [Order 49, § 132H-160-020, filed 4/8/77; Order 14, § 132H-160-020, filed 4/18/73.] Repealed by 81-11-013 (Order 73, Resolution No. 136), filed 5/13/81. Statutory Authority: RCW 28B.50.140.
- 132H-160-030 Registration fee. [Order 49, § 132H-160-030, filed 4/8/77; Order 14, § 132H-160-030, filed 4/18/73.] Repealed by 81-11-013 (Order 73, Resolution No. 136), filed 5/13/81. Statutory Authority: RCW 28B.50.140.
- 132H-160-100 Change of schedule. [Order 14, § 132H-160-100, filed 4/18/73.] Repealed by 78-07-026 (Order 58, Resolution No. 112), filed 6/15/78. Statutory Authority: RCW 28B.50.140.
- 132H-160-110 Removal of incomplete grade. [Order 14, § 132H-160-110, filed 4/18/73.] Repealed by 81-11-013 (Order 73, Resolution No. 136), filed 5/13/81. Statutory Authority: RCW 28B.50.140.
- 132H-160-130 Transcript. [Order 14, § 132H-160-130, filed 4/18/73.] Repealed by 81-11-013 (Order 73, Resolution No. 136), filed 5/13/81. Statutory Authority: RCW 28B.50.140.
- 132H-160-160 Graduation fee. [Order 14, § 132H-160-160, filed 4/18/73.] Repealed by 81-11-013 (Order 73, Resolution No. 136), filed 5/13/81. Statutory Authority: RCW 28B.50.140.
- 132H-160-480 Change of registration schedule service fee. [Order 15, § 132H-160-480, filed 4/18/73.] Repealed by Order 49, filed 4/8/77 and 81-11-013 (Order 73, Resolution No. 136), filed 5/13/81. Statutory Authority: RCW 28B.50.140.
- 132H-160-700 Denial of aid--Federal laws. [Order 18, § 132H-160-700, filed 9/11/73; Order 18, § 132H-160-700, filed 5/23/73.] Repealed by Order 33, filed 8/7/75.
- 132H-160-710 Denial of aid--Washington state law. [Order 18, § 132H-160-710, filed 9/11/73; Order 18, § 132H-160-710, filed 5/23/73.] Repealed by Order 33, filed 8/7/75.

WAC 132H-160-010 Title. WAC 132H-160-010 through 132H-160-710 will be known as the admissions, residency classification and registration regulations - schedule of fees and financial aid for Community

College District VIII as established by the board of trustees pursuant to the authority granted to them by RCW 28B.50.140 and chapter 28B.15 RCW.

[Statutory Authority: RCW 28B.50.140. 78-07-026 (Order 58, Resolution No. 112), § 132H-160-010, filed 6/15/78; Order 14, § 132H-160-010, filed 4/18/73.]

WAC 132H-160-040 Quarterly registration fees--Resident students. Full-time resident students of Community College District VIII will be charged \$154.00 for tuition and fees. Part-time resident students will be charged \$15.40 per credit hour.

[Statutory Authority: RCW 28B.50.140. 81-18-005 (Order 76, Resolution No. 139), § 132H-160-040, filed 8/20/81; 81-11-013 (Order 73, Resolution No. 136), § 132H-160-040, filed 5/13/81; 78-07-026 (Order 58, Resolution No. 112), § 132H-160-040, filed 6/15/78; Order 14, § 132H-160-040, filed 4/18/73.]

WAC 132H-160-050 Quarterly registration fees--Nonresident students. Full-time nonresident students of Community College District VIII will be charged \$607.00 for tuition and fees. Part-time nonresident students will be charged \$60.70 per credit hour.

[Statutory Authority: RCW 28B.50.140. 81-18-005 (Order 76, Resolution No. 139), § 132H-160-050, filed 8/20/81; 81-11-013 (Order 73, Resolution No. 136), § 132H-160-050, filed 5/13/81; 78-07-026 (Order 58, Resolution No. 112), § 132H-160-050, filed 6/15/78; Order 14, § 132H-160-050, filed 4/18/73.]

WAC 132H-160-053 Procedure for implementing tuition and fee waivers authorized pursuant to RCW 28B.15.530. (1) Tuition and fee waivers for needy or disadvantaged students in any fiscal year, excluding waivers granted for summer quarter enrollments, as authorized by RCW 28B.15.530 may not exceed three percent of any college district's estimated total collections of tuition, operating, and services and activities fees had no such waivers been made, after deducting the portion of that total amount which is attributable to the difference between resident and nonresident tuition and fees.

(2) The estimated total collection of tuition and fees shall be based on the budgeted, state supported, four-quarter annual average enrollment, minus the actual tuition and fees collected for the summer quarter of the year being estimated.

(3) Each district may waive an amount not to exceed three percent of the estimated collections in the event that actual enrollments or collections exceed estimated collections. Conversely, the three percent waiver capacity based upon estimated collections is allowable even though actual collections may not be as high as the estimate.

(4) Districts desiring to exceed their individual three percent waiver capacity may do so only upon written approval from the state director of community colleges or his designee. Additional waiver capacity can only be granted to a district after it has been determined that the total waiver capacity for the community college system is not being utilized as a result of other districts waiving at levels less than the three percent capacity.

(5) There is no percentage limitation on the amount of tuition and fee waivers granted for summer quarter enrollments provided that recipients of such waivers qualify as needy, resident students.

[Statutory Authority: RCW 28B.50.140. 78-09-020 (Order 60, Resolution No. 115), § 132H-160-053, filed 8/10/78.]

WAC 132H-160-056 Procedure for determining limitation of the amount of tuition and fee waivers. For the purpose of determining the amount of any fee waiver established the various community colleges will limit any individual award to the difference between the cost of attending the community college, including the cost requirements of the student, his dependents, and/or his family, and the expected parental and/or independent student contribution toward such cost.

[Statutory Authority: RCW 28B.50.140. 78-09-020 (Order 60, Resolution No. 115), § 132H-160-056, filed 8/10/78.]

WAC 132H-160-059 Combination of tuition and fee waivers with other forms of student financial aid. Nothing is intended to prevent the award of tuition and fee waivers in conjunction with other forms of student financial aid as a package designed to meet the overall educational assistance needs of any student.

[Statutory Authority: RCW 28B.50.140. 78-09-020 (Order 60, Resolution No. 115), § 132H-160-059, filed 8/10/78.]

WAC 132H-160-060 Laboratory fees. Students of Community College District VIII will be charged laboratory fees for those courses requiring such fees. Laboratory fees are printed in the quarterly class schedule.

[Order 14, § 132H-160-060, filed 4/18/73.]

WAC 132H-160-070 Noncredit. Students enrolling in Community College District VIII for noncredit will be charged respectively at the same rate as that established for resident and nonresident students enrolling for credit.

[Order 14, § 132H-160-070, filed 4/18/73.]

WAC 132H-160-080 Continuing education. Students enrolling in Community College District VIII continuing education classes will be charged at the same rate as that established for resident and nonresident students enrolling in the college credit classes.

[Order 14, § 132H-160-080, filed 4/18/73.]

WAC 132H-160-090 Community service. Community College District VIII community service classes are self-supporting. Therefore, fees vary with each class offering and students will be charged accordingly.

[Order 14, § 132H-160-090, filed 4/18/73.]

WAC 132H-160-093 Tuition and fee waivers for full-time Bellevue Community College classified and administrative employees. Pursuant to the authority granted by chapter 82, Laws of 1979, Bellevue Community College is authorized to and may waive tuition,

operating and services and activities fees for full-time classified and administrative employees enrolled in courses at the college under the following conditions:

(1) Enrollment shall be on a space available basis after opportunity has been given for other students to register for courses offered by the college. Employee registration for classes shall follow the last regularly scheduled nonmatriculated student registration.

(2) No new or additional courses or course sections shall be created for the purpose of accommodating enrollments of students enrolled on the basis of waivers under this section.

(3) Enrollment information on employees enrolled on a space-available basis shall be maintained separately from other enrollment information and shall not be included in official enrollment reports, nor shall persons enrolled pursuant to the provisions of this section be considered in any enrollment statistics which would affect budgetary determinations.

(4) Computations of enrollment levels, student-faculty ratio, or other similar enrollment related statistics must exclude student credit hours generated by enrollments for which waivers have been granted under this section.

(5) Employees enrolling on a space available basis shall be charged a registration fee of five dollars per class plus any lab fees that may be associated with the class.

(6) The college may enroll full-time cooperative extension service and agricultural research employees of Washington State University if such employees are stationed off-campus and their work station is situated within College District VIII.

(7) Classified employees and administrators may take such courses with release time provided the course is approved in advance by the appropriate supervisor and the director of personnel.

(8) For the purpose of this rule, full-time classified and administrative employees shall be defined as:

- (a) Probationary and permanent classified employees.
- (b) Annually-contracted administrators.

(9) Community service courses and all noncredit workshops and seminars, because they are on a self-support basis, shall not be eligible for tuition waivers. An assessment of demand for and financial impact of tuition and fee waivers shall be made this year to determine the feasibility of implementation for those programs. Exceptions may then be possible for some workshops and those will be individually advertised to the college community.

[Statutory Authority: RCW 28B.50.140. 79-11-035 (Order 67, Resolution No. 124), § 132H-160-093, filed 10/12/79.]

WAC 132H-160-094 Tuition and fee waivers for Bellevue Community College annually-contracted faculty. Pursuant to the authority granted by chapter 82, Laws of 1979, Bellevue Community College is authorized to and may waive tuition, operating and services and activities fees for annually-contracted faculty enrolled in courses at the college under the following conditions:

(1) Enrollment shall be on a space-available basis after opportunity has been given for other students to register for courses offered by the college. Employee registration for classes shall follow the last regularly scheduled nonmatriculated student registration.

(2) No new or additional courses or course sections shall be created for the purpose of accommodating enrollments of students enrolled on the basis of waivers under this section.

(3) Enrollment information on employees enrolled on a space-available basis shall be maintained separately from other enrollment information and shall not be included in official enrollment reports, nor shall persons enrolled pursuant to the provisions of this section be considered in any enrollment statistics which would affect budgetary determinations.

(4) Computations of enrollment levels, student-faculty ratio, or other similar enrollment related statistics must exclude student credit hours generated by enrollments for which waivers have been granted under this section.

(5) Employees enrolling on a space-available basis shall be charged a registration fee of five dollars per class plus any lab fees that may be associated with the class.

(6) The college may enroll full-time cooperative extension service and agricultural research employees of Washington State University if such employees are stationed off campus and their work station is situated within College District VIII.

(7) For the purpose of this rule, annually-contracted faculty shall be defined as:

(a) Those annually-contracted faculty paid on the full-time faculty schedule.

(8) Community service courses and all noncredit workshops and seminars, because they are on a self-support basis, shall not be eligible for tuition waivers. An assessment of demand for and financial impact of tuition and fee waivers shall be made this year to determine the feasibility of implementation for those programs. Exceptions may then be possible for some workshops and those will be individually advertised to the college community.

[Statutory Authority: RCW 28B.50.140. 79-12-031 (Order 68, Resolution No. 125), § 132H-160-094, filed 11/19/79.]

WAC 132H-160-095 Tuition and fee waivers for Bellevue Community College senior citizens. Pursuant to the authority granted by chapter 157, Laws of 1975 (RCW 28B.15.540) Bellevue Community College is authorized to and may waive tuition, operating, and services and activities fees for senior citizens enrolled in courses at the college under the following conditions:

(1) Enrollment shall be on a space-available basis after opportunity has been given for other students to register for courses offered by the college.

(2) No new or additional courses or course sections shall be created for the purpose of accommodating enrollments of students enrolled on the basis of waivers under this section.

(3) Senior citizens enrolling on a space-available basis shall be charged a registration fee of \$2.50 per class plus

any lab fees that may be associated with the class and a maximum of two courses per quarter will be allowed.

(4) Enrollments under this provision will not be used for state reimbursement purposes.

[Statutory Authority: RCW 28B.50.140. 80-02-102 (Order 70, Resolution No. 127), § 132H-160-095, filed 1/24/80.]

WAC 132H-160-120 Credit examination. Community College District VIII students will be charged \$5.05 per credit hour for credit by examination.

[Statutory Authority: RCW 28B.50.140. 78-07-026 (Order 58, Resolution No. 112), § 132H-160-120, filed 6/15/78; Order 14, § 132H-160-120, filed 4/18/73.]

WAC 132H-160-140 General education development test. Students of Community College District VIII participating in the general education development test will be charged a fee of \$10.00 for administration of the test.

[Statutory Authority: RCW 28B.50.140. 78-07-026 (Order 58, Resolution No. 112), § 132H-160-140, filed 6/15/78; Order 14, § 132H-160-140, filed 4/18/73.]

WAC 132H-160-150 Parking permit. Students of Community College District VIII will pay the following fees for parking:

- (1) Full-time students - \$7.00 per quarter
- (2) Part-time students - \$4.00 per quarter
- (3) Second car - \$2.00 per quarter
- (4) Daily parking (without decal) - \$0.25.

[Order 14, § 132H-160-150, filed 4/18/73.]

WAC 132H-160-170 Insurance. Students of Community College District VIII participating in an accident and sickness insurance program as provided by a signed policy agreement between Community College District VIII and an insuring company shall pay fee charges as established by insuring company for requested coverage.

[Order 14, § 132H-160-170, filed 4/18/73.]

WAC 132H-160-180 Refund policy. Community College District VIII board of trustees has authorized the registrar to refund fees when a student withdraws from college or a course(s). A student who is requested to withdraw for disciplinary reasons will not be eligible for a refund.

(1) Tuition and related fees are refunded upon withdrawal from college or a course(s) as follows:

- (a) Prior to the first day of the quarter:
 - (i) Complete withdrawal from college - 100% refund
 - (ii) Withdrawal from a course(s) (reduction of class load below 10 credits) - 100% refund
- (b) Cancellation of a course - permission to transfer to another course or full refund upon request.
- (c) Through fourth week of the quarter:
 - (i) Complete withdrawal from college - 50% refund
 - (ii) Withdrawal from a course(s) (reduction of class load below 10 credits) - 50% refund
- (d) After fourth week of the quarter:
 - (i) Complete withdrawal from college - no refund

- (ii) Withdrawal from a course(s) (reduction of class load below 10 credits) – no refund
- (e) Lab fees (includes health service fee)
 - (i) Prior to first week of quarter – 100% refund
 - (ii) Through the fourth week of the quarter – 50% refund
 - (iii) After the fourth week of the quarter – no refund
- (f) Parking fees
 - (i) Prior to the first week of the quarter – 100% refund
 - (ii) Through the fourth week of the quarter – 50% refund
 - (iii) After the fourth week of the quarter – no refund
- (g) Insurance fees
 - (i) Through the first week of the quarter only – 100% refund
 - (ii) After the first week of the quarter – no refund
 - (iii) If insurance claim has been filed – no refund
- (h) Continuing education classes (state and student supported):
 - (i) Prior to the first class session – 100% refund (less a \$5.00 administration fee)
 - (ii) Prior to the second class session – 100% refund (less a \$15.00 administration fee)
 - (iii) After the second class session – no refund
- (i) Continuing education workshops (self-supported)
- (i) Cancellations received up through four working days prior to the first session – 100% refund (less a \$5.00 administration fee)
 - (ii) After fourth working day prior to the first session – no refund.

[Statutory Authority: RCW 28B.50.140, 84-15-033 (Order 88, Resolution No. 164), § 132H-160-180, filed 7/13/84; 78-04-026 (Order 56, Resolution No. 108), § 132H-160-180, filed 3/14/78; Order 49, § 132H-160-180, filed 4/8/77; Order 47, § 132H-160-180, filed 12/10/76; Order 45, § 132H-160-180, filed 8/11/76; Order 14, § 132H-160-180, filed 4/18/73.]

WAC 132H-160-190 Financial obligation. Community College District VIII board of trustees has authorized the registrar to place a hold on the records of any student who has a financial obligation due the college. Until this financial obligation is cleared, the college: 1) Will not release the student's record or any information based upon the record, or 2) will not prepare transcript(s), or 3) will deny registration for a subsequent quarter as well as graduation from the college.

[Order 14, § 132H-160-190, filed 4/18/73.]

WAC 132H-160-200 Title. WAC 132H-160-200 through 132H-160-530 shall be known as the admissions, residency classification and registration regulations for Community College District VIII as established by the board of trustees pursuant to the authority granted to them by RCW 28B.50.140 and chapter 28B-.15 RCW.

[Order 15, § 132H-160-200, filed 4/18/73.]

WAC 132H-160-210 Statement of purpose. The purpose of these regulations is to provide prospective

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Community College District VIII students with information on how to apply for admission.

[Order 15, § 132H-160-210, filed 4/18/73.]

WAC 132H-160-220 Admissions categories. Community College District VIII offers programs of study which lead to an associate of arts degree in transfer studies, occupational education, and/or certificates of achievement and high school diploma.

(1) The associate of arts college premajor degree provides preprofessional courses equivalent to the first two years of a senior university or college.

(2) The occupational degree program provides the individual with a general educational foundation and the development of required skills which leads to an associate of arts degree and/or a certificate of achievement within his program of study.

(3) The high school diploma program provides adults a course of study necessary to complete their high school education.

In addition, the college has a special admission category, nonmatriculated status, which is intended for students who have a limited educational objective which does not include an associate of arts degree, certificate of achievement or high school diploma.

[Order 15, § 132H-160-220, filed 4/18/73.]

WAC 132H-160-230 Admission policy—College credit. Community College District VIII office of admissions and the admissions committee are responsible for the interpretation and administration of the regulations governing the admission of students to the college credit programs. The office of admissions has been delegated the responsibility for processing applications for admission.

[Order 15, § 132H-160-230, filed 4/18/73.]

WAC 132H-160-240 Student classification—College credit. A person may apply for admission to Community College District VIII, 3000 – 145th Place S.E., Bellevue, Washington 98007, as a beginning freshman or as a transfer student depending on his academic background and current educational goal.

(1) Entering freshmen have completed their secondary education at an accredited high school or are at least 18 years of age and intend to enroll in a program of study leading to an associate of arts degree and/or a certificate of achievement.

(2) Transfer students have earned previous credit at another collegiate institution and intend to enroll in a program of study leading to an associate of arts degree and/or a certificate of achievement.

[Order 15, § 132H-160-240, filed 4/18/73.]

WAC 132H-160-250 Application procedure—College credit. To be considered for admission as a matriculated freshman or transfer student to Community College District VIII, a student must have on file in the college admissions office

(1) A completed "state of Washington uniform community college application form[.]"

(2) Transcripts of high school or other college work. An official eight-semester high school transcript is required of all matriculated students. Currently enrolled high school seniors may submit a copy of their Washington precollege test or seventh-semester transcript for admission purposes. Eighth-semester transcripts should be filed upon graduation from high school. It is the student's responsibility to request that a transcript(s) be forwarded to the college office of admissions.

Applications are accepted beginning December 1 for fall quarter, October 1 for winter quarter, January 2 for spring quarter and no application is required for summer quarter.

[Statutory Authority: RCW 28B.50.140. 81-11-013 (Order 73, Resolution No. 136), § 132H-160-250, filed 5/13/81; Order 49, § 132H-160-250, filed 4/8/77; Order 15, § 132H-160-250, filed 4/18/73.]

Reviser's note: RCW 34.05.077 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 132H-160-260 Admission of foreign students. Foreign students are admitted to Community College District VIII only under matriculated student status. In order to qualify for matriculated student status foreign students must adhere to the following conditions:

(1) Applicants must also have on file translated copies of all secondary school scholastic records.

(2) Community College District VIII is not prepared to teach English to non-English speaking students. Therefore, it is required that all foreign students take the TOEFL (test of English as a foreign language) examination and achieve the institutional acceptable score. More information about TOEFL may be obtained by corresponding with the Educational Testing Service, Princeton, New Jersey 08640. E.T.S. will forward the test results to the college.

(3) Foreign students must also provide the college with a declaration and certification of finances or a notarized affidavit of support. Estimated expenses for a school year at Community College District VIII are \$2,000. Students unable to provide proof of financial responsibility will not be accepted. The college currently does not have funds available to provide financial assistance to foreign students.

(4) Students are also required to provide the college with the name of a local United States citizen who is their sponsor while in the United States.

Presently, Community College District VIII is not able to admit all students applying for admission. It is suggested that fall quarter is the most opportune time for gaining acceptance, and students should therefore file an application accordingly. Fall quarter applications are accepted on December first of each calendar year.

[Statutory Authority: RCW 28B.50.140. 81-11-013 (Order 73, Resolution No. 136), § 132H-160-260, filed 5/13/81; Order 15, § 132H-160-260, filed 4/18/73.]

WAC 132H-160-270 Admission to specific degree programs. Applicants who are qualified for admission to Community College District VIII are required to enroll in one of the college's educational major programs. Upon receipt of a student's application to attend the college, the admissions office requests that the applicant file a data information request form stating his or her program major. However, all applicants who are qualified for admission to the college cannot always be accommodated in the educational program of their choice because of space limitations or because some prerequisites for program acceptance have not been fulfilled. In such cases, applicants are offered admission to the college as a preprogram major. In order to be considered for admission in the educational major program of their choice, at a later date, such students will be required to submit a supplemental application and present additional information to the admission office. Examples of information which might be considered may include but are not necessarily limited to the following:

(1) Grade point average.

(2) Successful completion of high school courses or elementary courses in the field.

(3) Recommendation and test scores.

Although criteria for program acceptance may vary from program to program, they are binding if all of the following conditions have been met:

(1) They have been accepted by the office of admission and the instructional program chairmen.

(2) The criteria applies to all students seeking admission to the educational program major.

(3) The criteria has been made available through printed statements in the office of admissions and in the advising offices of the educational programs prior to the first day of the preceding quarter.

[Order 15, § 132H-160-270, filed 4/18/73.]

WAC 132H-160-280 Request for reconsideration of admission decision. Applicants who have been denied educational program admission may contact the admissions office for additional information relative to their program denial.

[Order 15, § 132H-160-280, filed 4/18/73.]

WAC 132H-160-290 Admission of former students. Students who formerly attended Community College District VIII and wish to resume study in their educational program are required to submit an "application for readmission" to the admissions office. Applications can be obtained by contacting the admissions office. Upon receipt of their reapplication, the admissions office will forward a "student data information sheet" requesting the student to identify his educational program objective. The admissions office will then submit his application for program consideration.

[Order 15, § 132H-160-290, filed 4/18/73.]

WAC 132H-160-300 Admission policy nonmatriculated status—College credit. Community College District

VIII office of admissions is responsible for the interpretation and administration of the regulations governing the admission of students who enroll in college credit classes as nonmatriculated students.

[Order 15, § 132H-160-300, filed 4/18/73.]

WAC 132H-160-310 Definition of nonmatriculated student. Community College District VIII nonmatriculated students are allowed to enroll in classes for credit on a "space available" basis and are not committed to an educational objective leading to an associate of arts degree or certificate of achievement. Nonmatriculated students are accepted for enrollment fall, winter and spring quarters after the completion of matriculated admissions. During summer quarter all students are classified as nonmatriculated and are admitted on a "first come, first served" basis.

[Statutory Authority: RCW 28B.50.140, 81-11-013 (Order 73, Resolution No. 136), § 132H-160-310, filed 5/13/81; Order 15, § 132H-160-310, filed 4/18/73.]

WAC 132H-160-320 Continuing education policy. Community College District VIII provides continuing education which includes adult education, high school completion and community service and is provided primarily for adults who wish to continue their education.

[Order 15, § 132H-160-320, filed 4/18/73.]

WAC 132H-160-330 Definition of continuing education. Community College District VIII offers a wide variety of continuing education classes in order to meet the changing needs of the college clientele. These include high school completion courses, specialized employment skill classes and courses fulfilling a student's desire to broaden his cultural and social interests. Continuing education courses are scheduled in several locations within the college district in order to provide educational opportunities convenient for the adults of the community. Continuing education credit does not apply toward an associate of arts degree or certificate of achievement. Certain identified courses do satisfy high school credit requirements. Information concerning continuing education courses and registration instructions may be obtained by writing the Office of Admissions, 3000 - 145th Place S.E., Bellevue, Washington 98007 or by calling 641-2216.

[Order 15, § 132H-160-330, filed 4/18/73.]

WAC 132H-160-340 Residency classification procedures—Statement of purpose. The purpose of these regulations are:

- (1) To provide student applicants with that information which will assist them in determining their residency status,
- (2) To assist nonresident student applicants who may qualify for residency tuition and fees regardless of age or domicile,
- (3) To provide student applicants information as it applies to veterans of Southeast Asia.

[Order 15, § 132H-160-340, filed 4/18/73.]

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WAC 132H-160-350 Definition of resident student. As defined in RCW 28B.15.012 as amended by section 1, chapter 149, Laws of 1972 1st ex. sess. [RCW 28B.15.012], the term "resident student" shall mean a student who has had a domicile in the state of Washington for the period of one year immediately prior to the time of commencement of the first day of the quarter for which he has registered at any institution and has in fact established a bona fide domicile in this state for other than educational purposes: *Provided*, That a nonresident student enrolled for more than six hours per semester or quarter shall be considered as attending for educational purposes only and, for tuition and fee-paying purposes only, such period of enrollment shall not be counted toward the establishment of a bona fide domicile of one year in this state unless such student proves that he has in fact established a bona fide domicile in this state for other than educational purposes.

[Order 15, § 132H-160-350, filed 4/18/73.]

WAC 132H-160-360 Residency application form. Nonresident students who desire to apply for change of residency status must complete and submit an "application for change in residency status" to the Residency Assistant, Registration Center A111, 3000 - 145th Place S.E., Bellevue, Washington 98007. Application and instructions are available at the above stated registration center.

[Order 15, § 132H-160-360, filed 4/18/73.]

WAC 132H-160-370 Nonresidents entitled to pay resident tuition and fees. As found in RCW 28B.15.014 as last amended by section 4, chapter 273, Laws of 1971 1st ex. sess. [RCW 28B.15.014], the following are entitled to classification as resident students regardless of age or domicile:

(1) Any person who is employed not less than twenty hours per week at an institution, and the children and spouses of such person.

(2) Military personnel and federal employees residing or stationed in the state of Washington, and the children and spouses of such military personnel and federal employees.

(3) All veterans, as defined in RCW 41.04.005, whose final permanent duty station was in the state of Washington so long as such veteran is receiving federal vocational or educational benefits conferred by virtue of his military service.

[Order 15, § 132H-160-370, filed 4/18/73.]

WAC 132H-160-380 Verification classification. Employees of Washington institutions of higher education, military personnel, federal employees and veterans receiving educational benefits whose last permanent duty station was in the state must verify their enrollment status quarterly. Appropriate forms are available at the registration center.

[Order 15, § 132H-160-380, filed 4/18/73.]

WAC 132H-160-390 Southeast Asian veterans. Veterans of the Vietnam conflict who have served in Southeast Asia and who are claiming exemption pursuant to RCW 28B.15.620 from tuition and fee increase must submit an "application for change of residency status" and furnish proof (DD214) of their military service to the Residency Assistant, Registration Center A111, 3000 - 145th Place S.E., Bellevue, Washington 98007.

[Order 15, § 132H-160-390, filed 4/18/73.]

WAC 132H-160-400 Appeal of determination of residency decision. Any student wishing to appeal a determination of resident classification may appeal by completing and submitting an "appeal of decision for residency classification" to the Office of Admissions, Community College District VIII, 3000 - 145th Place S.E., Bellevue, Washington 98007 provided such appeals are made within thirty days from the date that the original determination was rendered.

[Order 15, § 132H-160-400, filed 4/18/73.]

WAC 132H-160-410 Registration procedures--Statement of purpose. The purpose of these regulations is to provide new, returning, former, and presently continuing students with information regarding registration procedures for Community College District VIII.

[Order 15, § 132H-160-410, filed 4/18/73.]

WAC 132H-160-420 Definition of student status. For the purpose of these regulations the following definitions shall apply:

(1) An admissible person is one who has applied for and been offered an opportunity to enroll in educational programs for a given quarter in Community College District VIII.

(2) A registered student is one who has enrolled in a program and has been assigned by the college registrar to one or more courses in a given quarter.

(3) A new student is one who has been enrolled in the college for the first time.

(4) A returning former student is one who has attended the college but was not enrolled the previous quarter.

(5) A continuing presently enrolled student is one who was enrolled in the college the previous quarter.

(6) A matriculated student is one who is enrolled in a program of study which normally leads to an associate of arts degree or certificate of achievement.

(7) A nonmatriculated student is one who is enrolled and whose educational objective does not include a college associate of arts degree or certificate of achievement.

[Order 15, § 132H-160-420, filed 4/18/73.]

WAC 132H-160-430 Advanced registration fee requirement for fall, winter and spring quarters. Matriculated students are required to make a \$20.00 advanced registration fee payment fall quarter.

(1989 Ed.)

[Students completing registration will have the \$20.00 advanced registration fee applied toward their tuition. Students not completing registration will forfeit the advanced \$20.00 registration fee. Further information regarding the advanced registration fee payment may be obtained from the registrar.]

[Statutory Authority: RCW 28B.50.140, 81-11-013 (Order 73, Resolution No. 136), § 132H-160-430, filed 5/13/81; Order 15, § 132H-160-430, filed 4/18/73.]

Reviser's note: RCW 34.05.077 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 132H-160-440 Refund of advanced registration fee. The advanced registration fee payment generally is not refundable and not transferable to another person or quarter. Refunds will be granted when:

(1) A student submits proof of acceptance or enrollment at a four-year college or university,

(2) The student's failure to attend the college was the result of some unusual hardship in which the student was not able to control or to anticipate.

Petitions for refund of this payment should be addressed to the Registrar, Community College District VIII, 3000 - 145th Place S.E., Bellevue, Washington 98007.

[Order 15, § 132H-160-440, filed 4/18/73.]

WAC 132H-160-450 Registration periods. There is one official registration period for each quarter of fall, winter, spring and summer quarters. Specific dates, criteria for eligibility and procedural steps for each registration period are published in the quarterly class schedule, the college *Catalog* and are posted about the campus by the college registrar thirty days prior to the registration period of any given quarter.

[Order 15, § 132H-160-450, filed 4/18/73.]

WAC 132H-160-460 Late registration. Students may not register before their assigned appointments. Students unable to keep their appointments may register later the same day during the a.m. or p.m. of their assigned appointment or on a "first come, first served" basis without a late registration fee on any scheduled registration day thereafter (during scheduled registration hours) at the special late-appointment window. No student shall be permitted to register after the first ten calendar days of fall, winter or spring quarter or after the first six calendar days of summer quarter except with the written consent of the dean of instruction, program or division chairman and the approval of the instructor of the class for which the student wishes to enroll.

[Statutory Authority: RCW 28B.50.140, 78-07-026 (Order 58, Resolution No. 112), § 132H-160-460, filed 6/15/78; Order 15, § 132H-160-460, filed 4/18/73.]

WAC 132H-160-470 Change of student registration schedule. There are two official change of student registration schedule periods. Specific dates for change of schedule are published in the college catalog and the

quarterly class schedule and are posted about the campus by the college registrar thirty days prior to the beginning of each registration period. A student who has registered for a course(s) may withdraw from his/her schedule through the tenth week of instruction for fall, winter or spring quarter and through the sixth week of summer quarter. No grade will be entered on a student's permanent transcript record for course(s) dropped during the first ten calendar days of fall, winter or spring quarter or during the first six calendar days of summer quarter. No student shall be permitted to register after the first ten calendar days of fall, winter or spring quarter or after the first six calendar days of summer quarter except with the written consent of the dean of instruction, program or division chairman and the approval of the instructor of the class [for] [of] which the student wishes to enroll.

[Statutory Authority: RCW 28B.50.140. 78-07-026 (Order 58, Resolution No. 112), § 132H-160-470, filed 6/15/78; Order 15, § 132H-160-470, filed 4/18/73.]

Reviser's note: RCW 34.05.077 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 132H-160-490 Withdrawal from the college.

A student who finds it necessary to withdraw completely from the college due to illness or other bona fide reasons must complete and submit a withdrawal form to the registrar's office. Failure to do so will constitute an unofficial withdrawal and forfeiture of any refund and will be indicated on the student's permanent record as "no credit" for each course for which the student is enrolled. The criteria used for determining grading and recording procedures for official withdrawal are as follows:

(1) Through the tenth calendar day of fall, winter or spring quarter and the fifth calendar day of summer quarter, students should obtain a withdrawal petition form from the registrar's office. No grade will be entered on the student's permanent transcript record for course(s) dropped during the first ten calendar days of fall, winter or spring quarter or the first [six] calendar days of summer quarter.

(2) After the tenth calendar day and prior to the eleventh week of fall, winter or spring quarter and after the sixth calendar day and prior to the seventh week of summer quarter, students wishing to withdraw must complete and submit a withdrawal form to the registrar's office. The withdrawal grade of "W" will become a part of the student's permanent transcript record regardless of his grade status at this time.

(3) No official withdrawal will be permitted after the tenth calendar week of fall, winter or spring quarter or after the sixth calendar week of summer quarter.

(4) Students who have completely withdrawn from school may not reenroll or register for the same quarter without the approval of the registrar.

[Statutory Authority: RCW 28B.50.140. 78-07-026 (Order 58, Resolution No. 112), § 132H-160-490, filed 6/15/78; Order 15, § 132H-160-490, filed 4/18/73.]

Reviser's note: RCW 34.05.077 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 132H-160-492 Withdrawal from a course (policy and procedures). Withdrawal from a course is the termination of the student's registration in that course. Withdrawals are classified as official only when the student returns a completed add/drop form, available at the registration center, to the registration center or to their designee. The criteria used for determining grading and recording procedures for official withdrawals are as follows:

(1) Through the tenth day of the quarter the dropped course does not become a part of the transcript record. Instructor's signature is not required.

(2) After the tenth school day of the quarter and through the end of the sixth week of the quarter, the previously described procedures will be followed. The grade of "W" will become a part of the student's transcript record regardless of grade status at this time. Instructor's signature is not required.

(3) From the beginning of the seventh week of the quarter through the end of the tenth week, students must return a completed add/drop form signed by the instructor to the registration center. The instructor must sign the withdrawal form. Upon signing the withdrawal form the instructor will assign to the add/drop form one of the following grades: Students withdrawing with a passing grade will be graded "W" (withdrawal); those not passing at the point of withdrawal will be graded "K" (failing). For those students who are failing after the sixth week who have had extensive illness or other bona fide reasons, may be assigned, at the instructor's discretion, a "W" (withdrawal).

(4) No official withdrawal will be permitted after the tenth calendar week of the quarter.

(5) A student who finds it necessary to withdraw completely from the college due to illness or other bona fide reasons, must comply with the procedures listed above except that under unusual circumstances, the student's program adviser, counselor, or the administrator responsible for registration may give permission and the student would receive a "W." Failure to do this will not constitute an official withdrawal and will cause forfeiture of any refund.

[Statutory Authority: RCW 28B.50.140. 82-19-069 (Order 82, Resolution No. 151), § 132H-160-492, filed 9/20/82.]

WAC 132H-160-500 Military withdrawal. Students submitting proof of being drafted or voluntary enlistment in the armed forces may receive credit and/or refund of fees as follows:

(1) During first one-third of course, full refund of fees and no credit.

(2) During second one-third of course, one-half credit, without letter grade and with courses unspecified. Unspecified credit may later be converted to specific credit and grade by examination. One-half of fees refunded.

(3) Withdrawal during last one-third of course, full credit, no letter grade may be earned by examination upon recommendation of the instructor. No money refunded.

(4) A student who is drafted in the last one-half of his final quarter and who would obviously have earned his degree if he had not been drafted, whose earned grade average is "C" or better, and who is recommended by his department chairman and the dean, may be granted a degree prior to his induction into the armed forces by action of the graduation committee.

[Order 15, § 132H-160-500, filed 4/18/73.]

WAC 132H-160-510 Change of program major. A matriculated student desiring to transfer from one program major to another must obtain approval from the program chairmen. Change of program major forms may be obtained from, and must be submitted to, the office of admissions.

[Order 15, § 132H-160-510, filed 4/18/73.]

WAC 132H-160-520 Auditing a course. A student may enroll in a course as an auditor, provided space is available, upon payment of the required enrollment fee. He is exempt from examinations and does not receive credit. An auditor's participation in class work shall be at the discretion of the instructor. Students are to declare their intent to audit at the time of registration or no later than the eighth day of the quarter. A student may not change from "credit" to "audit" or "audit" to "credit" after the eighth day of the quarter.

[Order 15, § 132H-160-520, filed 4/18/73.]

WAC 132H-160-530 Special instructional programs. Community College District VIII offers special classes which may not coincide with the normal quarter and because of the nature and content of these programs, special rules and regulations may be developed to implement them. These rules and regulations are made available to students at such time as the class is scheduled. Students interested in special class offerings should contact the registrar's office.

[Order 15, § 132H-160-530, filed 4/18/73.]

WAC 132H-160-550 Comprehensive fee. Students attending Bellevue Community College will be charged a fee based on a per credit hour (or the equivalent of a credit hour), in return for services including but not limited to, parking, transcripts, catalogs, graduation, and health services. The amount of the comprehensive fee shall be determined by the board of trustees.

[Statutory Authority: RCW 28B.50.140, 86-18-038 (Order 93, Resolution No. 172), § 132H-160-550, filed 8/28/86.]

WAC 132H-160-600 Request for financial aid information. Specific information about financial aid programs, eligibility, and applications is available to all interested students in the student information and financial services office.

[Order 18, § 132H-160-600, filed 9/11/73; Order 18, § 132H-160-600, filed 5/23/73.]

WAC 132H-160-610 Priority for financial aid. Priority for awarding of student financial aid will be on the

basis of the amount of financial need each student applicant has, as evidenced by a financial statement. Each student applying for financial aid will be required to complete a confidential financial statement.

[Order 18, § 132H-160-610, filed 9/11/73; Order 18, § 132H-160-610, filed 5/23/73.]

WAC 132H-160-620 Credit requirement for financial aid recipient. With the exception of the Washington state tuition waiver program, all other financial aid programs administered by Community College District VIII require that students be enrolled each quarter for a minimum of eight credits.

[Order 18, § 132H-160-620, filed 9/11/73; Order 18, § 132H-160-620, filed 5/23/73.]

WAC 132H-160-630 Adjustment of aid package. It is the responsibility of each student to notify the financial aid office of any change in financial status that has been evidenced in previous applications. In such cases the financial aid award may be increased or decreased.

[Order 18, § 132H-160-630, filed 9/11/73; Order 18, § 132H-160-630, filed 5/23/73.]

WAC 132H-160-640 Limitation on hours employed. Students enrolled and employed by Community College District VIII will be limited to a maximum of nineteen (19 1/2) hours of work per week during any one payroll period.

[Order 18, § 132H-160-640, filed 9/11/73; Order 18, § 132H-160-640, filed 5/23/73.]

WAC 132H-160-650 Cancellation of grant aid. The college may reduce or cancel a student's supplemental educational opportunity grant award if the student fails to fulfill their college work-study job obligation.

[Order 18, § 132H-160-650, filed 9/11/73; Order 18, § 132H-160-650, filed 5/23/73.]

WAC 132H-160-660 Work-study job termination. Work-study job termination can be cause for cancellation of the college's financial aid commitment for the balance of the award.

[Order 18, § 132H-160-660, filed 9/11/73; Order 18, § 132H-160-660, filed 5/23/73.]

WAC 132H-160-670 Limited aid funds—Priorities. When financial aid funds are limited, priority for aid will be as follows:

- (1) Returning students who were previous aid recipients and have made normal academic progress (36 or more credits toward an educational objective).
- (2) New students (first time in college).
- (3) Returning students who were not previous aid recipients.
- (4) Transfers who were previous aid recipients.
- (5) Community College District VIII students on academic probation.
- (6) Students readmitted after being dropped for academic reasons.

[Order 18, § 132H-160-670, filed 9/11/73; Order 18, § 132H-160-670, filed 5/23/73.]

WAC 132H-160-680 Academic status of financial aid recipients. Students receiving financial aid will be required to pass eight credits quarterly. Students not passing eight credits quarterly will be required to appear before a financial aid appeals committee which will recommend renewal or termination of aid.

[Order 18, § 132H-160-680, filed 9/11/73; Order 18, § 132H-160-680, filed 5/23/73.]

WAC 132H-160-690 Student emergency loan requirements. Students requesting emergency loans for tuition must have a grade point of 2.00 and accumulated 10 credits at Community College District VIII prior to the quarter for which they will borrow.

[Order 18, § 132H-160-690, filed 9/11/73; Order 18, § 132H-160-690, filed 5/23/73.]

Chapter 132H-168 WAC ACCESS TO PUBLIC RECORDS

WAC

- 132H-168-010 Access to public records.
- 132H-168-020 Purpose.
- 132H-168-030 Request for documents—Procedure.
- 132H-168-040 Appeal.
- 132H-168-050 Exemptions.
- 132H-168-060 Copying.
- 132H-168-070 Protest.
- 132H-168-080 Office hours.
- 132H-168-090 Sanctions.
- 132H-168-990 Form—Request for public records.
- 132H-168-9901 Form—Appeal to decision to review public records.
- 132H-168-9902 Form—Records office request for review of public records.
- 132H-168-9903 Form—Request for copy of public record.

WAC 132H-168-010 Access to public records. This chapter shall be known as Community College District VIII rules on public records.

[Order 11, § 132H-168-010, filed 3/12/73.]

WAC 132H-168-020 Purpose. The purpose of this chapter shall be to ensure compliance by Community College District VIII with the provision of Initiative 276, Disclosure—Campaign finances—Lobbying—Records, while at the same time preserving the orderly operation of the community college district and the privacy of the students and employees of the school.

[Order 11, § 132H-168-020, filed 3/12/73.]

WAC 132H-168-030 Request for documents—Procedure. (1) All documents which are public records as defined in 2(24) of Initiative 276 are presumptively available for public access, except as restricted by WAC 132H-168-050. Any person wishing to inspect a public record shall submit Form BCC 010-072. Each request must be presented to the secretary to the president or to the secretary to the records officer during regular office hours of the school, as defined in WAC 132H-168-080.

[Title 132H WAC—p 52]

(2) The officer to whom the request is presented shall, by the close of that business day, if the request is presented before noon, or noon the following business day if the request is presented in the afternoon, 1) make the requested document available, or 2) state that such a document does not exist, or 3) ask for clarification of the document requested, or 4) deny access because the document is exempt from public inspection under WAC 132H-168-050. The action taken shall be marked on Form BCC 010-072 and returned to the person submitting the form.

[Order 23, § 132H-168-030, filed 9/9/74; Order 11, § 132H-168-030, filed 3/12/73.]

WAC 132H-168-040 Appeal. (1) If access to the record is denied by the officer pursuant to WAC 132H-168-030, the person requesting the document may appeal to the campus president or to the college records officer who serves as secretary to the administrative committee. The appellant shall file Form BCC 010-073 together with Form BCC 010-072 as returned, with the secretary to the campus president or secretary to the college records officer, during the day the appeal is returned if returned prior to 3:00 p.m., or by 11:00 a.m. the following business day if returned after 3:00 p.m. The campus president or the college records officer shall answer the appeal by returning Form BCC 010-073 to the person requesting the record before the end of the second business day following the original denial of inspection on Form BCC 010-072, unless a later time is indicated in the form. If no disposition is made by the end of the second business day following the denial on Form BCC 010-072, the appeal shall be considered denied.

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

(3) The filing of a request and the return of Form BCC 010-072 and Form BCC 010-073 indicating the disposition, is made by leaving the form with the secretary of the records officer. The secretary of the officer shall mark the time and date of 1) the receipt of the form, 2) the return of the form with disposition, and 3) the demand made for return by the person submitting the form. A request shall be deemed denied or an appeal denied only after the person filing the form has made a demand for the return of Form BCC 010-072 or Form BCC 010-073 at the appropriate time from the secretary to the president or secretary to the records officer.

(4) Administrative remedies shall not be considered exhausted until the president or the records officer has returned the appeal form, or until the close of the second business day following denial of inspection if the appeal form has been properly filed but not returned.

[Order 23, § 132H-168-040, filed 9/9/74; Order 11, § 132H-168-040, filed 3/12/73.]

WAC 132H-168-050 Exemptions. (1) Public access to documents exempt under Section 31(1) of Initiative 276 shall not be granted, unless the officer determines

that disclosure would not affect any vital governmental interest. If the interest can be protected by deletion of personal references, access shall be granted following deletion of such material, and a reasonable time shall be allowed for deleting the material.

(2) Community College District VIII individual student files shall be available for inspection in accordance with Public Law 93-380 as defined in WAC 132H-120-077 release of personally-identifiable records.

(3) Individual files of applicants, employees, and officers of Community College District VIII are available only to members of the faculty and the staff of Community College District VIII who are entrusted with the care and custody of the files, to supervisory personnel, and to the business staff for purposes necessary to carrying out their functions. The only information contained in the individual file of an employee which shall be available for public inspection shall be the name, status, salary and teaching duties of the employee. The employee, however, shall have full access to his personnel file as agreed upon in the employee-organization contract.

[Order 34, § 132H-168-050, filed 8/7/75; Order 11, § 132H-168-050, filed 3/12/73.]

WAC 132H-168-060 Copying. Persons granted access to public records pursuant to Form BCC 010-072 may request a copy of such documents as they desire by completing Form BCC 010-075 "request for copy of public records" and paying a reasonable amount to reimburse Community College District VIII for its actual cost incident to such copy.

[Order 27, § 132H-168-060, filed 3/7/75; Order 23, § 132H-168-060, filed 9/9/74; Order 11, § 132H-168-060, filed 3/12/73.]

WAC 132H-168-070 Protest. Any student, employee or applicant who believes a document has been or is about to be released and who believes his or her right to privacy will be infringed by public inspection of the document may file a protest with the president of the campus or the college records officer. If after consideration of the request for inspection and the protest, the president or records officer believes inspection should be denied, he or she should take appropriate action, including, if appropriate, the filing of a Section 33, request for an injunction.

[Order 11, § 132H-168-070, filed 3/12/73.]

WAC 132H-168-080 Office hours. For purposes of this chapter, the regular office hours of Community College District VIII shall be considered 9:00 a.m. through 4:00 p.m. Monday through Friday; except for legal holidays for state employees.

[Order 11, § 132H-168-080, filed 3/12/73.]

WAC 132H-168-090 Sanctions. If a person granted access to public records pursuant to this chapter destroys, mutilates or fails to return such documents, or

who returns the documents in an unreasonably disorganized fashion, or uses copies of public records to compile a mailing list for commercial purposes, a campus president may order that that person be denied further access to documents of the community college district. Any person wishing to contest such an order may request a hearing before the president or his designee concerning the charges, and such a hearing shall be considered a contested case for purposes of chapter 28B.19 RCW.

If a student or employee of the district willfully destroys or mutilates records of the district he will be subject to disciplinary proceedings pursuant to the student code of rights and responsibilities, or the relevant rules and regulations of the district pertaining to faculty and classified staff.

[Order 11, § 132H-168-090, filed 3/12/73.]

WAC 132H-168-990 Form--Request for public records.

BELLEVUE COMMUNITY COLLEGE
Community College District No. 8
Bellevue, Washington 98007

REQUEST FOR PUBLIC RECORDS

Please complete the information requested and file with the secretary to the campus president, Room A201 or the secretary to the college records officer, Room A103.

NAME OF REQUESTER:

Last First M.I. Date of Request

Street & Number City State Zip Telephone No.

Representing self, company, organization, etc.

Specific title of record(s) requested: -----

If title(s) not known, be as specific as possible in defining the record(s) you wish to review -----

I certify that the information obtained through this request for public records will not be used to compile a mailing list for commercial purposes. I also agree to return the document(s) unharmed and in an orderly fashion.

Requester's Signature

_____ For Office Use Only _____

DISPOSITION

The requested document is available for inspection.

The school is not in possession of such a document.

Please clarify precisely what documents are being requested as it cannot be determined from your application what documents are desired.

(see reverse side)

FORM Adm50-5001 (2-73)
Chapter 132H-168 WAC

The request is denied because the document is:

- (a) Personal information in a file maintained for a student of this institution.
- (b) Personal information in a file maintained for an employee of the District disclosure of which would violate the employee's right to privacy.
- (c) A preliminary draft, note, recommendation or intra-agency memorandum in which opinions are expressed or policies formulated or recommended, which document has not been publicly cited by this agency in connection with an agency action.
- (d) A record which is relevant to a controversy to which this agency is a party which record would not be available to another party under the rules of pretrial discovery.
- (e) The document contains personal information which, when deleted, can be released, and such deletions will be completed by _____
- (f) Other _____

Signed _____

Title _____

A refusal to make a record available for inspection may be appealed to a campus president or the records office. If the request is denied prior to 3:00 p.m. the appeal should be filed by the close of the business day. If the request is denied after 3:00 p.m. the appeal should be filed by 11:00 a.m. of the next business day.

Received: Date _____ Time _____
Returned: Date _____ Time _____
Demanded: Date _____ Time _____

[Order 11, Form ADM50-5001 (codified as WAC 132H-168-990), filed 3/12/73.]

WAC 132H-168-9901 Form--Appeal to decision to review public records.

FORM Adm50-5002 (2-73)
Chapter 132H-168 WAC
BELLEVUE COMMUNITY COLLEGE
COMMUNITY COLLEGE DISTRICT NO. 8
BELLEVUE, WASHINGTON 98007

APPEAL TO DECISION TO REVIEW PUBLIC RECORDS

Please complete the information requested and file this form with the secretary to the president or with the secretary to the college records officer.

APPELLANT'S NAME:

Last First M.I. Date of Appeal

Filed with the office of: -----

The appellant has been denied inspection of a document which is possessed by Community College District VIII. The denial was made following submission of Form I attached hereto.

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

Appellant's Signature

The appellant understands that the President is not available until _____ (Day) _____ (Date) _____ (Time) and agrees to an extension of the return time as stated above.

Appellant's Signature

_____ For Office Use Only _____

DISPOSITION

Inspection of the document(s) is granted

Inspection will be granted following deletion of personal material in the requested document(s).

Inspection of the document(s) is denied because.

Signed: _____

Title: _____

Received: Date _____ Time _____
Returned: Date _____ Time _____
Demanded: Date _____ Time _____

[Order 11, Form ADM50-5002 (codified as WAC 132H-168-9901), filed 3/12/73.]

WAC 132H-168-9902 Form--Records office request for review of public records.

BELLEVUE COMMUNITY COLLEGE
COMMUNITY COLLEGE DISTRICT NO. 8
BELLEVUE, WASHINGTON 98007

RECORDS OFFICE REQUEST FOR REVIEW OF PUBLIC RECORDS

NAME OF REQUESTER:

Last First M.I. Date

Representing self, company, organization, etc.

Record requested:

If you desire to express an opinion relative to the release of this record please state below:

Record(s) scheduled for review: Day Date Time

Please call 641-2205, college records officer when the record is available for pickup.

College Records Officer

FORM Adm50-5003 (2-73) Chapter 132H-168 WAC

[Order 11, Form ADM50-5003 (codified as WAC 132H-168-9902), filed 3/12/73.]

WAC 132H-168-9903 Form--Request for copy of public record.

BELLEVUE COMMUNITY COLLEGE
COMMUNITY COLLEGE DISTRICT NO. 8
BELLEVUE, WASHINGTON 98007

REQUEST FOR COPY OF PUBLIC RECORD

NAME OF REQUESTER:

Last First M.I. Date of Request

Upon approval of Form I "request of public records," copies of approved records may be made. Please identify the record(s) you wish copied and present this form to

the secretary to the Records Officer. You will be required to pay for all copies requested at the rate of \$0.05 per page before receiving them.

Specific title of record(s) requested:

If title(s) are not known, be as specific as possible in defining the record(s) you wish copied:

Requester's Signature

Copy Authorized by:

Signature

For Office Use Only

Document: Document:

Page numbers copied Page numbers copied

Copies per page Copies per page

Document: Document:

Page numbers copied Page numbers copied

Copies per page Copies per page

Total number of copies Amount of fee to be collected: \$

Copied by: Date:

Signature

FORM Adm50-5004 (2-73) Chapter 132H-168 WAC

[Order 11, Form ADM50-5004 (codified as WAC 132H-168-9903), filed 3/12/73.]

Chapter 132H-200 WAC

GENERAL OPERATING POLICIES OF COMMUNITY COLLEGE DISTRICT VIII

WAC

- 132H-200-010 Title.
132H-200-020 Purpose.
132H-200-100 Policy on the illness of alcoholism and other chemical dependency.
132H-200-110 General policy on sexual harassment.
132H-200-200 Commercial activity policy.
132H-200-250 Policy on life threatening, chronic or debilitating illness.

WAC 132H-200-010 Title. WAC 132H-200-010 through 132H-200-150 shall be known as the general operating policies of Community College District VIII.

[Statutory Authority: RCW 28B.50.140. 83-18-001 (Order 85, Resolution No. 158), § 132H-200-010, filed 8/25/83.]

WAC 132H-200-020 Purpose. To incorporate those policies that pertain to the campus-wide community and not otherwise incorporated in the Washington Administrative Code of Community College District VIII.

[Statutory Authority: RCW 28B.50.140. 83-18-001 (Order 85, Resolution No. 158), § 132H-200-020, filed 8/25/83.]

WAC 132H-200-100 Policy on the illness of alcoholism and other chemical dependency. The board of trustees of Community College District VIII recognizes alcoholism, alcohol abuse, chemical dependency and other health and related behavioral problems as treatable conditions which repeatedly and continually interfere with an employee's ability to perform his/her job.

A college employee having these conditions will be given the same consideration and offer of assistance presently extended to employees having other illnesses.

[Statutory Authority: RCW 28B.50.140. 83-18-001 (Order 85, Resolution No. 158), § 132H-200-100, filed 8/25/83.]

WAC 132H-200-110 General policy on sexual harassment. It shall be the policy of Bellevue Community College, consistent with effort to respect the dignity and integrity of both employees and students, to provide an environment free of sexual harassment.

Sexual harassment is a form of sex discrimination. It occurs in a variety of situations which share a common element: The inappropriate introduction of sexual activities or comments into the work or learning situation. Often, sexual harassment involves relationships of unequal power, and contains elements of coercion — as when compliance with requests for sexual favors becomes a criterion for granting work, study, or grading benefits. However, sexual harassment may also involve relationships among equals, as when repeated sexual advances or demeaning verbal behavior have a harmful effect on a person's ability to study or work in the academic setting.

For general policy purposes, the term sexual harassment may include, without limitation, such behavior as unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct and expressive behavior of a sexual nature where:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education.

(2) Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual.

(3) Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile or demeaning employment or educational environment.

The college recognizes its moral, ethical, and legal responsibilities regarding sexual harassment and will take appropriate action to rid the institution of such conduct.

[Title 132H WAC—p 56]

[Statutory Authority: RCW 28B.50.140. 84-07-039 (Order 86, Resolution No. 162), § 132H-200-110, filed 3/20/84.]

WAC 132H-200-200 Commercial activity policy. The mission of Community College District VIII, Bellevue Community College, is to provide comprehensive educational programs of the highest quality as provided for in the Community College Act of 1967. These programs will be responsive to the changing needs of the communities and the students served by our district and will be accessible to all those seeking to continue their education.

To promote the mission of Bellevue Community College it is often necessary to engage in commercial activities that provide goods and services that meet special needs of students, faculty, staff and members of the public participating in college activities and events.

Chapter 97 of the Washington Laws of 1987 establishes standards for institutions of higher education to follow in conducting commercial activities. The purpose of these laws is to require institutions of higher education to define the legitimate purposes under which commercial activities may be approved by a college or university and to establish mechanisms for review of such activities. The purposes of the policy statement and standards that follow are to assure that Bellevue Community College pursues commercial activities in compliance with chapter 97, Laws of 1987 and that all commercial activities of the college serve the mission of the college.

(1) **POLICY STATEMENT.** Bellevue Community College may engage in the providing of goods, services, or facilities for a fee only when such are directly and substantially related to the educational mission of the college. Fees charged for goods, services and facilities shall reflect their full direct and indirect costs, including overhead. They shall also take into account the price of such items in the private marketplace.

(2) **APPROVAL AND REVIEW OF COMMERCIAL ACTIVITIES.** The dean of administrative services shall be responsible for the approval of new commercial activities and the periodic review of existing ones. It shall be the responsibility of this officer to assure that each commercial activity meets the criteria established for commercial activities of the college. Proposals for new or altered services shall be approved by the dean of administrative services prior to implementation.

(3) **CRITERIA FOR COMMERCIAL ACTIVITIES SERVING MEMBERS OF THE CAMPUS COMMUNITY.** Each of the following criteria shall be used in assessing the validity of providing goods or services to members of the campus community:

(a) The goods or services are substantially and directly related to the mission of the college.

(b) Provision of the goods, services or facilities on campus represents a special convenience to the campus community or facilitates extracurricular activities.

(c) Fees charged for the goods, services, or facilities shall take into account the full direct and indirect costs, including overhead. They shall also reflect the costs of such items in the private marketplace.

(1989 Ed.)

(d) Procedures adequate to the circumstances shall be observed to ensure that the goods and services are provided only to persons who are students, faculty, staff, or invited guests.

(4) CRITERIA FOR PROVIDING COMMERCIAL ACTIVITIES TO THE EXTERNAL COMMUNITY.

(a) The goods or services provided relate substantially to the mission of the college and are not commonly available or otherwise easily accessible in the private marketplace and for which there is a demand from external community.

(b) Fees charged for the goods, services, or facilities shall take into account the full direct and indirect costs, including overhead. They shall also reflect the price of such items in the private marketplace.

(5) DEFINITIONS AND LIMITATIONS. "Commercial activity" means an activity which provides a product or service for a fee which could be obtained from a commercial source.

This definition shall be used to determine which activities shall be governed by this policy *except* as follows:

(a) This policy shall not apply to the initiation of or changes in academic or vocational programs of instruction in the college's regular, extension, evening, or continuing education programs;

(b) Or the fees therefor;

(c) Fees for services provided in the practicum aspects of instruction;

(d) Or in extracurricular programs, including food services, athletic and recreational programs, and performing arts programs.

[Statutory Authority: RCW 28B.50.140. 88-07-036 (Order 95, Resolution No. 177), § 132H-200-200, filed 3/11/88.]

WAC 132H-200-250 Policy on life threatening, chronic or debilitating illness. Bellevue Community College recognizes that students, staff, faculty, administrators and their dependents with life-threatening, chronic, or debilitating illnesses, including, but not limited to cancer, heart disease and acquired immune deficiency syndrome (AIDS), may wish to continue to engage in as many of their activities as their condition allows, including work and academic pursuits without being discriminated against.

As long as these students and employees are able to meet acceptable performance standards, and medical evidence indicates that attendance at Bellevue Community College is not a threat to themselves or others, the college will treat them the same as any other students and employees.

At the same time, Bellevue Community College seeks to provide a safe environment for students and employees. Therefore, precautions will be taken, as needed, to ensure that a student's or employee's condition does not present a health and/or safety threat to any other individuals on the campus.

To date, medical research indicates that students or employees with AIDS, aids related complex (ARC), or a

positive human immunodeficiency virus (otherwise known as HIV, the virus that causes AIDS) antibody test *do not* pose a health risk to other students or employees in an academic setting. The HIV infection is thought to be transmitted by intimate sexual contact, intravenous drug activity or blood transfusions. There has been *no* confirmed case of transmission of the HIV infection by any casual, ordinary household, office, or school contact. The United States Public Health Service states that, among other things, there is no risk created by living in the same house as an infected person, eating food handled by an infected person, being coughed or sneezed upon by an infected person, casual kissing, swimming in a pool with an infected person or, with proper precautions, caring for an AIDS patient.

(1) **Guidelines.** Bellevue Community College subscribes to the following guidelines provided from the American Health Association's "General Statement on Institutional Response to AIDS":

(a) The general rule is that legal and ethical considerations militate against the adoption of any policies or courses of action which would deny ordinary privileges and rights, including that of privacy, to members of the college community who are known or suspected to have AIDS, ARC, or a positive HIV antibody test or any other chronic or debilitating illness.

(b) College students who have AIDS, ARC, or a positive HIV antibody test, whether they are symptomatic or not, should be allowed regular classroom attendance in an unrestricted manner as long as they are physically able to attend classes.

(c) There is no medical justification for restricting the access of students with AIDS, ARC, or a positive HIV antibody test to student unions, theaters, restaurants, cafeterias, snack bars, gymnasiums, swimming pools, recreational facilities, or other common areas.

(d) Consideration of the existence of AIDS, ARC, or a positive HIV antibody test will not be a part of the admission decision for those applying to attend the college.

(e) The rights, privileges, and confidentiality of individuals with confirmed exposure to the AIDS virus shall be based on applicable state and federal regulations and laws and college policy which guarantees freedom from discrimination and harassment.

(2) **Resources.** Consistent with our concern for students and employees with life-threatening, chronic, or debilitating illnesses, Bellevue Community College will provide the following resources to students and staff:

(a) Education and information on terminal illness and specific life-threatening illnesses. The health services department shall provide education and information on terminal and/or life-threatening illnesses through lectures, workshops and brochures.

(b) Referral to agencies and organizations which offer supportive services for life-threatening illness.

[Statutory Authority: RCW 28B.50.140. 88-13-048 (Order 96, Resolution No. 180), § 132H-200-250, filed 6/10/88.]

**Chapter 132H-204 WAC
VEHICLE USE POLICY**

WAC

- 132H-204-010 Title.
 132H-204-020 Objective.
 132H-204-030 Policy of use.
 132H-204-040 Use of motor pool vehicles.
 132H-204-050 Use of motor pool vehicles—Permission required.
 132H-204-060 Use of motor pool vehicles—Time limitation.
 132H-204-070 Use of motor pool vehicles—Notification of state patrol—When needed.
 132H-204-080 Use of motor pool vehicles—Accidents—Notification.
 132H-204-090 Use of motor pool vehicles—Returning vehicle—Requirements.
 132H-204-100 Use of motor pool vehicles—Use priority.
 132H-204-110 Use of motor pool vehicles—Valid Washington state driver's license required.
 132H-204-120 Use of motor pool vehicles—Current vehicle permit required.
 132H-204-130 Use of motor pool vehicles—Must obey all laws.
 132H-204-140 Use of motor pool vehicles—Citations responsibility of operator.
 132H-204-150 Use of motor pool vehicles—Use of vehicle limited to specified time.
 132H-204-160 Use of motor pool vehicles—Trip ticket—Completion and return.
 132H-204-170 Enforcement of policy.

WAC 132H-204-010 Title. WAC 132H-204-010 through 132H-204-170 will be known as the vehicle use policy of Community College District VIII.

[Order 22, § 132H-204-010, filed 7/5/74.]

WAC 132H-204-020 Objective. To promote the most efficient and safe utilization of all state-owned vehicles.

[Order 22, § 132H-204-020, filed 7/5/74.]

WAC 132H-204-030 Policy of use. State vehicles shall be used for official state business only.

[Order 22, § 132H-204-030, filed 7/5/74.]

WAC 132H-204-040 Use of motor pool vehicles. All users of motor pool vehicles shall be in the employment of the college or a student of the college.

[Order 22, § 132H-204-040, filed 7/5/74.]

WAC 132H-204-050 Use of motor pool vehicles—Permission required. Written permission of organizational head shall precede the use of any vehicle.

[Order 22, § 132H-204-050, filed 7/5/74.]

WAC 132H-204-060 Use of motor pool vehicles—Time limitation. The user shall not be allowed to keep the vehicle overnight at his/her residence.

[Order 22, § 132H-204-060, filed 7/5/74.]

WAC 132H-204-070 Use of motor pool vehicles—Notification of state patrol—When needed. While on a trip and when vehicle is left in a public place for extended (over 24 hours) periods of time, the Washington state patrol shall be notified of placement, by the operator.

[Title 132H WAC—p 58]

[Order 22, § 132H-204-070, filed 7/5/74.]

WAC 132H-204-080 Use of motor pool vehicles—Accidents—Notification. If involved in any accident, the operator shall notify the authority of jurisdiction immediately and file an accident report with the college motor pool office on return to the campus. In case of serious injury or accident, call motor pool office.

[Order 22, § 132H-204-080, filed 7/5/74.]

WAC 132H-204-090 Use of motor pool vehicles—Returning vehicle—Requirements. Whenever possible, the vehicle shall be returned in good condition, full of gas and with interior clean.

[Order 22, § 132H-204-090, filed 7/5/74.]

WAC 132H-204-100 Use of motor pool vehicles—Use priority. Vehicles shall be issued on a first come – first serve basis.

[Order 22, § 132H-204-100, filed 7/5/74.]

WAC 132H-204-110 Use of motor pool vehicles—Valid Washington state driver's license required. All operators shall have a valid Washington state driver's license.

[Order 22, § 132H-204-110, filed 7/5/74.]

WAC 132H-204-120 Use of motor pool vehicles—Current vehicle permit required. All operators shall have a current state vehicle permit, which is issued at the motor pool office, in addition to the state license.

[Order 22, § 132H-204-120, filed 7/5/74.]

WAC 132H-204-130 Use of motor pool vehicles—Must obey all laws. All rules and regulations of the state of Washington shall be obeyed while operating the vehicle.

[Order 22, § 132H-204-130, filed 7/5/74.]

WAC 132H-204-140 Use of motor pool vehicles—Citations responsibility of operator. Any citation for violation of said rules and regulations shall be the sole responsibility of the operator.

[Order 22, § 132H-204-140, filed 7/5/74.]

WAC 132H-204-150 Use of motor pool vehicles—Use of vehicle limited to specified time. Vehicles shall be used within the time arranged for at time of checkout.

[Order 22, § 132H-204-150, filed 7/5/74.]

WAC 132H-204-160 Use of motor pool vehicles—Trip ticket—Completion and return. Trip ticket shall be completed with all information asked and left with the motor pool office on return to the campus (or security).

[Order 22, § 132H-204-160, filed 7/5/74.]

WAC 132H-204-170 Enforcement of policy. This policy shall be enforced by existing student, faculty and staff codes and regulations as defined within handbooks.

[Order 22, § 132H-204-170, filed 7/5/74.]