

# Title 132N WAC

## COMMUNITY COLLEGES--CLARK COLLEGE

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### Chapter 132N-10 WAC STATE ENVIRONMENTAL POLICY ACT GUIDELINES

#### WAC

132N-10-010 Environmental protection policy.

**WAC 132N-10-010 Environmental protection policy.** (1) It shall be the policy of Clark Community College District No. 14 that capital projects proposed and developed by the district shall comply with the provisions of chapter 43.21C RCW, the State Environmental Policy Act (SEPA); chapter 197-10 WAC, guidelines for SEPA implementation; and WAC 131-24-030, SEPA implementation rules of the state board for community college education.

(2) In compliance with WAC 197-10-820, the district president, or an administrative officer designated by the district president, shall be the "responsible official" for carrying out this policy.

[Order 76-2, § 132N-10-010, filed 1/26/77.]

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

#### WAC

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

(1989 Ed.)

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

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

Only where the institution's interests as an academic community are distinctly and clearly involved shall the special authority of the institution be asserted. Institutional action shall be based on the facts and circumstances of each case, and shall be independent of community pressure.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(15) Disobedience of the notice against trespass.

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

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

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

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

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

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

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

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

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

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

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

(c) The classroom instructor may, for serious violation of classroom decorum or order, refer such violation to the chair of the division involved and such chair, through the dean of faculty, may request the dean of students or

designee to initiate disciplinary action. (See WAC 132N-20-090 for procedure.)

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

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

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

(c) Impose minor sanctions (reprimand) directly;

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

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

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

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

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

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

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

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

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

(1989 Ed.)

(3) The committee shall include:

(a) Two students nominated by the ASCC;

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

(c) One administrator appointed by the president.

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

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

(5) All committee members shall have voting rights.

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

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

#### WAC 132N-20-080 Forms of disciplinary action.

The following are types of disciplinary action which may be taken pursuant to this chapter.

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

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

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

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

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

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

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

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

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

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

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

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

### Chapter 132N-128 WAC FACULTY TENURE

#### WAC

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- 132N-128-020 Definitions.
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- 132N-128-070 Dismissal for sufficient cause.
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- 132N-128-085 Reduction in force units.
- 132N-128-090 The need for reduction in force.
- 132N-128-100 Specific implementation.
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- 132N-128-112 Hearing officer—Appointment.
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- 132N-128-116 Responsibilities of review committee.
- 132N-128-118 Final decision by the board of trustees.
- 132N-128-120 Reemployment and other considerations.

**WAC 132N-128-010 Purpose.** The board of trustees of Clark Community College District No. 14 hereby establish the following rules on faculty tenure, the purpose of which is twofold:

(1) To protect faculty employment rights and faculty involvement in the protection of those rights at Clark College and subsequent community colleges hereafter established within Clark Community College District No. 14.

(2) To assure that tenure is granted to faculty members of such character and scholarly ability that the district, so far as its resources permit, can justifiably undertake to employ them for the rest of their academic careers.

[Order 74-6, § 132N-128-010, filed 5/23/74.]

**WAC 132N-128-020 Definitions.** As used in chapter 132N-128 WAC, the following terms and definitions shall mean:

(1) "Appointing authority" shall mean the board of trustees of Clark Community College District No. 14.

(2) "Regular college year" shall mean any three college quarters of the college year.

(3) "President" shall mean the president of Clark College, or in such president's absence, the acting president.

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

(5) "College" shall mean Clark College and any subsequent community college hereafter established within Clark Community College District No. 14.

(6) "Full-time" shall mean an appointment which requires the appointee's presence at the college for a professional day during the regular college year, as designated in the appointee's employment contract.

(7) "Tenure" shall mean a faculty appointment for an indefinite period of time which may be revoked only for adequate cause and by due process.

(8) "Faculty appointment" shall mean full-time employment as a teacher, counselor, librarian or other position for which the training, experience, and responsibilities are comparable as determined by the appointing authority, except administrative appointments.

(9) "Probationary faculty appointment" shall mean a faculty appointment to a tenurable position for a designated period of time which may be terminated without cause but with due process upon expiration of the probationer's term of employment.

(10) "Temporary faculty appointment" shall mean an appointment to the faculty in a position which is non-tenurable either because it is for less than a full regular year or because the position is not a permanent one or because the position is funded through federal moneys or special funds as provided in RCW 28B.50.851 (2)(b).

(11) "Probationer" shall mean any individual holding a probationary faculty appointment.

(12) "Administrative appointment" shall mean employment in a specific administrative position as determined by the appointing authority. The following positions are deemed by the appointing authority to constitute administrative appointments, which positions are deemed nontenurable. Individuals previously granted tenure at the college retain tenure as faculty members while serving appointments to the following positions:

- (i) President
- (ii) Vice president
- (iii) Executive dean
- (iv) Dean of faculty
- (v) Dean of instruction
- (vi) Dean of students
- (vii) Dean of administrative services
- (viii) Campus administrative assistant
- (ix) All positions titled associate dean, assistant dean, director, coordinator, chairperson, or confidential secretary.

[Order 76-3, § 132N-128-020, filed 2/18/77; Order 74-6, § 132N-128-020, filed 5/23/74.]

**WAC 132N-128-030 Selection of the tenure review committee.** (1) A tenure review committee shall be established for each probationer. The committee shall be responsible for the probationer until he is either granted tenure or is no longer employed at Clark College.

(2) The president of the college shall appoint an administrator to assume the ongoing overall responsibility for coordinating the activities of the tenure review process and assuring that tenure review committees are formed and that they fulfill their duties. Each tenure review committee shall have its first organizational meeting no later than six weeks after the day that the probationer has begun his/her faculty duties, providing, however, that if he/she begins his/her duties in the summer quarter, this process is to begin no later than six weeks after the beginning of the fall quarter.

(3) Each tenure review committee shall be composed of five members. There shall be automatic appointment by the college president of the probationer's division chairperson or, in the absence of a division, of the department chairperson. In cases where there is an official program director, the program director will replace the division chairperson. This position will be designated Position #1, and will constitute the administrative staff's representation on the committee. Positions #2, #3, and #4 shall consist of tenured faculty members. The faculty members selected for Positions #2 and #3 shall be the same for all tenure review committees initiated that year to a limit of three committees, and they will serve on those committees for the full period necessary for each committee to discharge its duties. One shall be an "academic" instructor; the other shall be from the vocational area. Each year the president of the faculty negotiating body shall nominate a candidate for each position, then call an all-faculty meeting at which additional candidates may be nominated. A vote shall be taken at that meeting and the nominee receiving a majority vote for

each position shall be elected. If no candidate for a particular position receives a majority vote, a run-off election shall be held within ten calendar days between the two candidates receiving the largest number of votes. Position #4 shall be filled with a tenured faculty member elected by the faculty acting in a body after the association has solicited and considered the probationer's counsel relative to the candidate or candidates for that position. Position #5 shall be filled by a full-time student selected by the council of representatives of the associated students of Clark College. Each review committee shall choose its own chairperson, adopt bylaws for its operation, and shall meet at least once each quarter at the call of the chairperson.

(4) If a vacancy exists upon the review committee, as determined by the committee's bylaws, prior to the expiration of any such appointment, an administrative member, a faculty member, or student member, as appropriate, will be chosen pursuant to subsection (3) above to fill the unexpired term of the absent member of such review committee.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 78-10-068 (Order 78-01, Resolution No. 78-01), § 132N-128-030, filed 9/27/78; Order 76-3, § 132N-128-030, filed 2/18/77; Order 74-6, § 132N-128-030, filed 5/23/74.]

**WAC 132N-128-040 Duties of tenure review committee.** (1) This review committee shall establish its method of evaluating the performance of each probationer. The evaluation shall be directed toward improving the quality of the respective professional program. Therefore, the total evaluation shall emphasize procedures which shall help the probationer improve the instructional program.

(2) The committee's recommendation to award or not to award tenure shall be based solely on the following criteria:

- (a) Self-evaluation by the probationer;
- (b) Evaluation based on observations of the probationer carrying out his/her duties;
- (c) Evaluations by the probationer's students in the case of instructors;
- (d) Opinions from members of the probationer's division or administrative unit, including his/her dean, regarding the probationer's effectiveness in his/her appointment.

(3) The tenure review committee for the probationer shall begin its review process no later than six weeks after the beginning of the probationer's contracted faculty duties, exclusive of summer quarter, and shall reach agreement regarding the criteria and procedures to be used in the evaluation to enable them to notify the probationer in writing and discuss their proposed criteria and procedures with him/her by the end of the eighth week of the quarter. The probationer shall acknowledge in writing to the committee chairperson, within a week of its receipt, his/her understanding of these criteria and procedures.

(4) The committee shall meet at least once each quarter with the probationer starting with the second quarter of the evaluation process and continuing until

the committee is discharged. This meeting shall be for the purpose of evaluating the probationer's progress and performance, and shall be held no later than the seventh week of the quarter. The committee shall provide a written summary of this evaluation, noting the probationer's strengths and weaknesses, plus written recommendations as to suggested procedures to be used by the probationer to correct such weaknesses. A copy of each summary shall be provided to the probationer, to his/her committee, and to the appropriate dean.

(5) At least once each year the tenure review committee has the responsibility of making a written recommendation to the appointing authority, through the college president, regarding the employability of the probationer for the following year.

(a) Prior to March 1 of the probationer's first and second years of tenure review, the committee has the responsibility of providing a written recommendation concerning the employment or nonemployment of their probationer for the ensuing college year. Copies of the recommendation will be sent to the probationer.

(b) No later than the probationer's third year of tenure review, the tenure review committee must make a written recommendation for the granting or denying of tenure. This recommendation must be made prior to February 15 and shall be directed to the appointing authority, through the college president, with a copy to the probationer.

(c) The probationer may resign at any time. The evaluation procedure will terminate upon receipt of the probationer's written resignation.

(6) The appointing authority shall give reasonable consideration to the tenure recommendation of the review committee, and the appointing authority will prepare and present justification to the committee for not accepting its recommendation.

(7) The foregoing procedure will not apply in cases involving reduction in force procedures or dismissal-for-cause procedures.

[Order 76-3, § 132N-128-040, filed 2/18/77; Order 74-6, § 132N-128-040, filed 5/23/74.]

**WAC 132N-128-050 Dismissal for cause.** Dismissal for sufficient cause during the regular college year shall, in addition to the enumerated grounds contained in section 40, chapter 283, Laws of 1969, extraordinary session, include but not be limited to:

- (1) Any unlawful act of violence;
- (2) Any unlawful act resulting in destruction of community college property;
- (3) Interruption of the orderly conduct of the educational process;
- (4) Incompetency;
- (5) Significant failure to perform a professional assignment;
- (6) Any other act specified by the dean and/or the president which the review committee determines constitutes unprofessional conduct of a faculty member.

[Order 74-6, § 132N-128-050, filed 5/23/74.]

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**WAC 132N-128-060 Selection of review committee--Dismissal for sufficient cause.** (1) When the college seeks to dismiss for sufficient cause a tenured faculty member or members, a separate review committee for each faculty member shall be established, which committee shall adopt a set of bylaws for its internal operations. Any such bylaws shall meet with the expressed approval of the hearing officer. Each committee shall serve until such time as final determination is made regarding the matter.

(2) Each review committee shall be composed of five members. The president shall appoint an administrator to position #1. The council of representatives of the associated students shall select a student for Position #2. Position #3 shall be filled with a tenured faculty member elected by the faculty acting in a body after the association has solicited and considered the counsel of the faculty member being reviewed, relative to the candidate or candidates for that position; Positions #4 and #5 shall be tenured faculty members chosen by the faculty acting in a body.

(3) If a vacancy exists upon the review committee, as determined by the committee's adopted bylaws, prior to the expiration of any such appointment, an administrative member, a faculty member, or student member, as appropriate, shall be chosen pursuant to subsection (2) above to fill the unexpired term of the absent member of such review committee.

[Order 76-3, § 132N-128-060, filed 2/10/77; Order 74-6, § 132N-128-060, filed 5/23/74.]

**WAC 132N-128-070 Dismissal for sufficient cause.** In all instances which involve dismissal for sufficient cause, i.e., by reason of personal shortcomings of an individual, such a insubordination or incompetency (as distinguished from nonrenewal for sufficient cause as specified in WAC 132N-128-080):

(1) The dean of faculty or the dean of students, as appropriate, shall investigate all matters regarding dismissal for cause. If the dean of faculty or the dean of students has cause to believe that a faculty member should be dismissed for cause, the dean shall so advise the president; and, if the president deems a sufficient cause exists, within ten working days from receiving notification from the dean, the president shall begin dismissal proceedings. The president and the dean shall discuss the matter with the faculty member no later than the beginning of the dismissal proceeding.

(2) The president begins the dismissal proceedings by presenting to the faculty member written charges of the specific conduct or conditions which is alleged to constitute sufficient cause for dismissal. Following presentation of written charges to the faculty member, the president shall initiate the process for the selection of a review committee (see section (2) above) and then transmit copies of the written charges to the committee members.

(3) Upon initiation of the dismissal proceedings, the president shall appoint an independent hearing examiner, not connected with the college, who shall be responsible for facilitating and coordinating the activities of the dismissal review committee.

(4) The hearing examiner shall establish a date for the hearing, giving the faculty member, the president, and the dismissal review committee no less than ten days' written notice of the hearing, including the time, the date, and the place of hearing. It shall also be the responsibility of the hearing examiner to:

(a) Preside over the hearing.

(b) Conduct the hearing with all due speed until the hearing is terminated.

(c) Appoint a reporter who shall function at the direction of the hearing examiner and shall record all testimony, receive all documents and other evidence introduced during the course of the hearing, and record any other matters related to the hearing as directed by the hearing examiner.

(d) Hear testimony from all individuals called by the president or his/her representative, the faculty member charged or his/her representative, the dismissal review committee, or the hearing examiner, and receive any evidence offered by same.

(e) Afford the faculty member charged the right of cross-examination, the opportunity to defend himself/herself, and the right to be represented by legal counsel and/or the faculty association.

(f) Allow the college administration to be represented by legal counsel.

(g) Make all rulings regarding the evidentiary and procedural issues presented during the course of the dismissal review committee hearings.

(h) Meet and confer with the members of the dismissal review committee and advise them in regard to procedural and evidentiary issues considered during the course of the committee's deliberations.

(i) Prepare a record which shall include:

(i) All pleadings, motions and rulings;

(ii) All evidence received or considered;

(iii) A statement of any matters officially noticed;

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

(v) Recommended findings and exceptions;

(vi) A copy of the recommendations of the dismissal review committee.

(j) Prepare a separate recommended findings of fact and disposition for review by the appointing authority, if appropriate.

(5) A copy of the reports described in (4)(i)(j) above shall be transcribed and furnished upon request to the faculty member whose case is being reviewed.

(6) The hearing shall be closed. However, interested parties, including but not limited to college faculty, staff, and students, will be given an opportunity to present evidence.

(7) Within ten college calendar days of the conclusion of the hearing, the dismissal review committee shall arrive at its recommendations in conference on the basis of the hearing. It should give the counsel of either party

(employee or employer) the opportunity to argue orally before it. If written briefs would be helpful, the dismissal review committee may request them. If the dismissal review committee determines that the availability of the transcript would aid in the making of a fair recommendation, the ten college calendar day limitation will begin with the receipt of the transcript. Within five college calendar days of the committee's developing its recommendation, the president of the college, the faculty member, and the board of trustees shall be presented with copies of the following:

(a) The recommendation of the dismissal review committee;

(b) The recommendation of the hearing examiner (in the event the examiner elects to file an independent statement);

(c) A record of the hearing.

(8) The board of trustees shall meet within a reasonable time, subsequent to its receipt of the dismissal review committee recommendations, to consider those recommendations. The board of trustees shall afford the parties the right to present oral and written argument with respect to whether the faculty member involved should be dismissed. The board of trustees may hold such other proceedings as they deem advisable before reaching their decision. A record of the proceedings at the board level shall be made and the final decision shall be based only upon the record made before the board and the dismissal review committee, including the briefs and oral arguments. The decision to dismiss or not to dismiss shall rest, with respect to both the facts and the decision, with the board of trustees after giving reasonable consideration to the recommendations of the dismissal review committee. The dismissal review committee's recommendations shall be advisory only and in no respect binding in fact or law upon the decision maker—the board of trustees. The board of trustees shall, within the fifteen days following the conclusion of its review, notify the charged faculty member in writing of its final decision.

(9) Suspension of the faculty member by the president during the administrative proceedings involving the faculty member (prior to the final decision of the board of trustees) is justified if immediate harm to the faculty, others or college property or programs is threatened by the faculty member continuing his/her employment. The decision to suspend is at the discretion of the president; any such suspension shall be with pay.

(10) Except for such simple announcements as may be required covering the time of the hearing and similar matters, no public statements about the case shall be made by the faculty member involved, the dismissal review committee, the administrative officers, or the board of trustees until all administrative proceedings and appeals have been completed.

(11) Any dismissed faculty member shall have the right to appeal the final decision of the board of trustees to the superior court within thirty days of the receipt of the notice of dismissal. The filing of an appeal shall not stay enforcement of the decision of the board of trustees.

[Order 76-3, § 132N-128-070, filed 2/18/77; Order 74-6, § 132N-128-070, filed 5/23/74.]

**WAC 132N-128-080 Procedures.** Reduction in force means layoff or placement on leave without pay of any persons holding tenured or probationary faculty appointments by reason of sufficient cause for the reduction of one or more faculty positions and is to be distinguished from nonrenewal of probationary faculty and dismissal for cause. For purposes of reduction in force, sufficient cause shall include a lack of sufficient funding and/or lack of sufficient enrollment and/or elimination, reduction, or modification of programs. The following procedures apply to all cases of reduction in force, provided that in the case of a reduction in force initiated pursuant to a declaration of financial emergency by the state board for community college education pursuant to RCW 28B.50.873, such reduction in force shall be accomplished in accordance with the procedures set forth in RCW 28B.50.873 in which case (1) the college shall be treated as one reduction in force unit notwithstanding WAC 132N-128-085; and (2) the provisions of this reduction in force policy shall not apply except for the following provisions: WAC 132N-28-100 (1) and (2) and 132N-128-120.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) First date of application for employment.

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

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

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 87-16-036 (Order 87-01, Resolution No. 87-01), § 132N-128-100, filed



7/27/87; Order 77-2, § 132N-128-100, filed 5/5/77; Order 74-6, § 132N-128-100, filed 5/23/74.]

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

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

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

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

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

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

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

(3) Issuing subpoenas.

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

(5) Regulating the course of the hearing;

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

(7) Disposing of procedural requests or similar matters;

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

(9) Appointing a court reporter, who shall operate at the direction of the hearing officer and shall record all testimony, receive all documents and other evidence introduced during the course of the hearing, and shall

record any other matters related to the hearing as directed by the hearing officer.

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

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

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

(a) All pleadings, motions and rulings;

(b) All evidence received or considered;

(c) A statement of any matters officially noted;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(d) Once an individual on layoff or leave without pay status declines an offer to fill a full-time position for which he/she is qualified, he/she will be removed from

layoff and/or leave without pay status and will no longer have any rights to recall.

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

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

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

## Chapter 132N-144 WAC RENTAL REGULATIONS

### WAC

132N-144-010 Board policy statement—Rental regulations (campus facilities).

132N-144-020 Administrative procedures—Rental regulations (campus facilities).

**WAC 132N-144-010 Board policy statement—Rental regulations (campus facilities).** Clark College is committed to providing quality educational and cultural services to the people of its district. On this basis, campus facilities are made available for use by organizations conducting educational, cultural, civic or community activities. College related activities of public educational, cultural or community service nature shall be given first priority consideration for the use of college facilities. Exemptions to the rental fee must be authorized by the president, or designee, if deemed to be in the best interests of Clark College, its faculty, staff or students.

College facilities may not be used for religious worship, exercise, or instruction (Washington state Constitution, Article 1, section 2). College facilities may not be used in ways which interfere with the college's teaching, research, public service or support programs or interfere with the flow of pedestrian or vehicular traffic.

The college reserves the right to deny any application or to revoke any permit at any time if actions resulting from such application or permission constitute unlawful activity or, if in the judgment of the administration, present imminent danger of unlawful activity or, if a prospective user has previously violated the provisions of the Clark College User's Handbook, other written rules or regulations of Clark College, or if activities which, in the judgment of the president or designee conflict with, directly compete with, or are incompatible with the programs or mission of the college.

[Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-044 (Order 79-03, Resolution No. 79-03), § 132N-144-010, filed 10/15/79; Order 77-3-b, § 132N-144-010, filed 8/29/77.]

**WAC 132N-144-020 Administrative procedures—Rental regulations (campus facilities).** (1) Arrangements and conditions. Outside groups making arrangements to reserve facilities are to make them with the Student

Programs Office, Gaiser Hall. Outside groups using campus facilities on weekends and school holidays must pay custodial services and appropriate rental charges for a minimum of four hours. The only exception will be when a faculty member or administrator is designated as the person responsible for damage or theft of equipment and/or facilities and no special clean-up or set-up services are required.

If special clean-up and/or set-up services are required, the outside group will be billed for extra custodial services.

The contractee shall accept full responsibility for liability claims of personal injury or personal theft, and shall be responsible to the college for any destruction, mutilation, theft or damage to college property. Every contract for the use of campus facilities shall contain a provision recognizing acceptance of responsibility.

The outside groups must name one person to be responsible for any theft or damage to equipment and/or facilities.

All reservation commitments will not be final until approved by the director of financial aid/student programs or designee.

Financial negotiations with regard to custodial expense and rental expense are the responsibility of the director of financial aid/student programs or designee.

Under normal circumstances, the college is obliged to charge a basic rental fee plus any "out-of-pocket" costs. However, related college groups may be allowed the use of facilities without charge at the discretion of college officials, provided the college is not liable for, or incurs any additional expense or liability by reason of said use. Under most circumstances any group, including college related groups (except student clubs or organizations) using facilities for fund raising activities will be required to pay the minimum rental fee.

(2) Food service. All food service shall be arranged with the foods program coordinator. In providing food service for any outside organization, the college will not compete with regular commercial enterprises able to provide such services.

(3) Supervision. A custodian or other authorized representative of the college must be on duty when facilities are being used by any organization. The student programs office is responsible for supervising all school events; club advisors are responsible for supervising club events; and a faculty or staff member is responsible for supervising or providing acceptable supervision of meetings or events which he or she has scheduled. Ordinarily, faculty or staff members are responsible for the supervision of meetings or events sponsored by groups or organizations of which they are members and/or active supporters.

The college may hire one of its faculty or staff members to supervise a meeting or event not otherwise described in this subsection. The charge for such services will be added to the facilities use contract, along with the basic rental fee and "out-of-pocket" costs.

(4) Rental fee schedule. The fee schedule for rental of available college space shall be available in the student center office.

Rental rates for college organizations may differ from those charged for noncollege organizations and for usage which involves fund raising either through solicitation of donations or by admissions charge. The fee schedule shall be established by the board of trustees. The college reserves the right to change the rates without notice, provided that such changes shall also be available in the student center office.

These basic rental rates shall cover utilities except for off-period heating costs.

The director of financial aid/student programs or designee will normally require a signed contractual agreement.

Exceptions to the procedures in this section may be made by the president or designee.

[Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-044 (Order 79-03, Resolution No. 79-03), § 132N-144-020, filed 10/15/79; Order 77-3-b, § 132N-144-020, filed 8/29/77.]

Chapter 132N-156 WAC

PARKING AND TRAFFIC RULES AND REGULATIONS

WAC

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## DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 132N-156-010 Board policy statement—Parking and traffic regulations. [Order 77-3c, § 132N-156-010, filed 8/29/77.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-015 Preamble. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-015, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-020 Administrative procedures—Parking and traffic regulations. [Order 77-3c, § 132N-156-020, filed 8/29/77.] Repealed by 79-11-042 (Order 79-01, Resolution No. 79-01), filed 10/15/79. Statutory Authority: Chapters 28B.10 and 28B.50 RCW.
- 132N-156-025 Board policy statement—Parking and traffic regulations. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-025, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-030 Purpose. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-030, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-035 Purpose. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-035, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-040 Authority. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-040, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-045 Regulatory signs and directions. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-045, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-050 Liability of Clark College. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-050, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-055 Pedestrian right of way. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-055, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-060 Regulatory signs and directions. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-060, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-065 Speed limitations. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-065, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-070 Pedestrian right of way. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-070, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-075 Permit parking on campus. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-075, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-080 Speed limitations. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-080, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-085 Fees for permits. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-085, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-090 Allocation of parking spaces. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-090, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-095 Designated and assigned parking. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-095, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-100 Permit parking on campus. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-100, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-105 Allocation of parking spaces. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-105, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-110 Designated and assigned parking. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-110, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-115 Motorcycle and scooter parking. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-115, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-120 Parking within designated areas. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-120, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-125 Visitor and guest parking. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-125, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-130 Special circumstances. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-130, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.

- 132N-156-135 Prohibitions. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-135, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-140 Exemptions from permit requirements. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-140, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-145 Impounding of disabled/inoperative vehicles. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-145, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-150 Motorcycle and scooter parking. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-150, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-155 Enforcement. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-155, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-160 Prohibitions. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-160, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-165 Violations of the following traffic and parking rules will be cited. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-165, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-170 Impounding of disabled/abandoned vehicles. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-170, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-175 Payment of fines. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-175, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-180 Enforcement. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-180, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-185 Appeals. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-185, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-190 Appeals. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-190, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-195 Unpaid fines. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-195, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-200 Unpaid fines. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-200, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-205 Revocations. [Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 82-07-031 (Order 82-01, Resolution No. 82-01), § 132N-156-205, filed 3/12/82.] Repealed by 87-19-103 (Order 87-02, Resolution No. 87-02), filed 9/18/87. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.
- 132N-156-210 Revocations. [Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 79-11-042 (Order 79-01, Resolution No. 79-01), § 132N-156-210, filed 10/15/79.] Repealed by 82-07-031 (Order 82-01, Resolution No. 82-01), filed 3/12/82. Statutory Authority: Chapters 28B.50 and 28B.10 RCW.

INTRODUCTION

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

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

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

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

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

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

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

Any person interfering with a college security officer in the discharge of the provisions of these parking and traffic rules and regulations shall be in violation of

chapter 9A.76 RCW, Obstructing governmental operation, and may be subject to arrest by a peace officer under RCW 9A.76.020.

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

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

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

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

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

Student - Individual currently registered for classes at the college.

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

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

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

**WAC 132N-156-330 Liability of Clark College.**

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

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

## TRAFFIC REGULATIONS

**WAC 132N-156-400 Authorized use of campus avenues and parking facilities.** Only those vehicles as defined and regulated in chapter 46.04 RCW and as defined herein, may be operated in parking lots or in traffic areas by licensed drivers as defined in chapter 46.20 RCW. No vehicle, with the exception of nonmotorized bicycles, handicapped transportation devices, and certain maintenance vehicles, may be operated on intracampus property, pathways, or sidewalks without permission of the college security department.

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

**WAC 132N-156-410 Vehicle speed limitations.** No vehicle shall be operated on the campus in excess of ten

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miles per hour. When safety circumstances dictate, a speed less than ten miles per hour should be maintained.

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

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

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

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

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

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

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

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

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

- Failure to yield right of way (posted)
  - Failure to yield right of way to pedestrian
  - Failure to yield right of way to vehicle
  - Failure to yield right of way to emergency vehicle
  - Driving with excessive speed
  - Failure to stop at traffic signal/sign
  - Failure to use due care and caution
  - Driving without lights after dark
  - Having a passenger or animal outside of vehicle while in motion
  - Driving with an obstructed view
  - Driving on shoulder, or sidewalk or intracampus sidewalk or lane without authorization
  - Disobeying flagman, peace officer, college security officer, or firefighter.
- All traffic citations carry a twenty-dollar fine.

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

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

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

**PARKING FACILITY USAGE**

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

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

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

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

**Handicapped parking –** Handicapped parking zones may only be occupied by vehicles displaying a valid handicap parking permit issued by the college or issued in compliance with RCW 46.16.381 and 46.16.390. Handicap parking permits are available in the college's wellness resource center.

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

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

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

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

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

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

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

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

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

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

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

**WAC 132N-156-550 Illegal parking.** No person shall stop, stand, or park a vehicle at any place where official signs, curb, or pavement markings prohibit parking, nor within fifteen feet of a fire hydrant or ten feet of any building, nor at any place for which the vehicle

does not have a valid parking permit. Any vehicle not parked in a marked parking stall shall be considered illegally parked.

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

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

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

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

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

- Occupying more than one space.

- Parking in a space not designated for parking.

- Parking in an area not authorized.

- Blocking traffic.

- Parking within fifteen feet of a fire hydrant.

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

- Parking in a "No Parking" zone.

- Parking on the grass.

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

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

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

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

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

**WAC 132N-156-570 Bicycle parking.** Bicycles shall be parked in bicycle racks or other facilities provided for the purpose. Where such facilities are provided, at no time shall a bicycle be parked in a building, against a building, near a building exit, on a path or sidewalk, nor chained or otherwise secured to trees, lamp standards, or sign posts. Any bicycle found in violation of this section

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may be cited for illegal parking and impounded by the college security department without warning.

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

## PARKING PERMIT REQUIREMENTS

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

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

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

- A current vehicle permit properly displayed in accordance with permit instructions.

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

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

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

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

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

Current faculty/staff parking permit fees are five dollars per quarter for one vehicle and six dollars per quarter for two or more vehicles. Permits may be purchased on either an annual or quarterly basis. Permits are required for fall, winter, and spring quarters only and will not be required summer quarter.

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

**WAC 132N-156-630 Parking fee payment.** Faculty and staff can purchase annual permits by cash or check



directly to the college or by payroll deduction. Annual contracted faculty and staff members may select the payroll deduction plan for payment of the annual permit only. Those selecting this payment plan must complete a payroll deduction authorization form before issuance of a permit.

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

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

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

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

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

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

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

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

**PARKING AND TRAFFIC RULES AND REGULATIONS ENFORCEMENT**

**WAC 132N-156-700 Policy enforcement.** The board of trustees of the college, or designee, shall set and approve fair and uniform fines for violations of these rules and shall provide adequate means for the enforcement and/or collection of such a fine policy. If a violation of the parking and traffic rules and regulations is committed, the college security department is authorized to issue a citation, either warning or monetary, as prescribed by WAC 132N-156-450, 132N-156-550, and 132N-156-560. Any second violation of any parking and traffic rules and regulations will result in a citation.

Any violation occurring after the second citation may result in the violator's vehicle being impounded or immobilized and held until all outstanding citations have

been paid and/or the loss of parking privileges on college property.

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

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

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

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

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

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

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

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

**WAC 132N-156-740 Security/parking advisory committee.** The security/parking advisory committee is responsible for advising the college security department on security and parking operations. Examples of committee activity include:

- Reviewing parking regulations and fees and recommending their adoption.
- Considering appeals of citations for violations of these parking and traffic rules and regulations, and making written notification of each decision of the committee to the appellant and the security department.

- Reviewing and recommending suggested changes to parking lot configuration and use to improve quality and quantity of parking on campus.

- Reviewing provisions for security on campus and recommending practices and procedures for the enhancement of security.

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

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

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

- A hold may be placed on transcripts.
- A delay of registration for the following quarter.
- Revocation of parking privileges.
- Fines due and payable will be withheld from paychecks of all college employees including faculty, staff, and students.

- All fines outstanding may be turned over to a collection agency.

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

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

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

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

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

### Chapter 132N-168 WAC SUSPENDED OPERATIONS

#### WAC

- 132N-168-010 Board policy statement—Suspended operations—Civil service employees.  
132N-168-020 Administrative procedures—Suspended operations—Civil service employees.

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**WAC 132N-168-010 Board policy statement—Suspended operations—Civil service employees.** Suspended operation of all or any portion of the institution is defined as emergency conditions beyond control of management, such as, but not limited to, riot, civil disturbance, mechanical failure, severe weather conditions, strike or work stoppage. When the president determines that such conditions exist, the following administrative procedures will be implemented.

[Order 77-3-a, § 132N-168-010, filed 8/29/77.]

**WAC 132N-168-020 Administrative procedures—Suspended operations—Civil service employees.** (1) Management shall have the option to staff the institution or portion thereof, as they wish during the first working day of the period of suspended operations.

(2) When the period of suspended operation is anticipated to exceed one working day, but is anticipated to be less than twenty-one calendar days, employees best qualified to perform the tasks at hand, with the most layoff seniority shall be given the first option to work in the event that there are enough volunteers to meet the institution's work requirements. In the event there are too few volunteers, the employer may require employees to work in the reverse seniority.

(3) If the period of suspended operation exceeds twenty-one calendar days, the full layoff provisions of the rules shall apply. Notification of options and/or layoff may not be given until the condition of suspended operations has been in existence for twenty-one calendar days.

[Order 77-3-a, § 132N-168-020, filed 8/29/77.]

### Chapter 132N-276 WAC PUBLIC RECORDS

#### WAC

- 132N-276-005 Board policy statement—Public records.  
132N-276-010 Administrative procedures—Purpose.  
132N-276-020 Administrative procedures—Definitions.  
132N-276-030 Description of central and field organization of Community College District No. 14.  
132N-276-040 Operations and procedures.  
132N-276-050 Public records available.  
132N-276-060 Public records officer.  
132N-276-070 Office hours.  
132N-276-080 Requests for public records.  
132N-276-090 Copying.  
132N-276-100 Exemptions.  
132N-276-110 Review of denials of public records requests.  
132N-276-120 Protection of public records.  
132N-276-130 Records index.  
132N-276-140 Adoption of form.  
132N-276-150 Appendix A—Form—Request for public record.

**WAC 132N-276-005 Board policy statement—Public records.** Clark College shall be responsible for the efficient and proper disclosure of public records as required by the laws and regulations of the state of Washington. Public records information shall include fully detailed administrative procedures.

[Order 77-3 d, § 132N-276-005, filed 8/29/77.]

**WAC 132N-276-010 Administrative procedures—Purpose.** The purpose of this chapter shall be to ensure compliance by the Community College District No. 14 with the provisions of chapter 42.17 RCW as now existing or hereafter amended and in particular with RCW 42.17.250 through 42.17.340 dealing with public records.

[Order 77-3 d, § 132N-276-010, filed 8/29/77.]

**WAC 132N-276-020 Administrative procedures—Definitions.** (1) Public records. "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

(2) Writing. "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

(3) Community College District No. 14. The Community College District No. 14 is an agency organized by statute pursuant to chapter 28B.50 RCW. The community college district shall hereinafter be referred to as the "district." Where appropriate, the term board refers to the board of trustees of the district.

[Order 77-3 d, § 132N-276-020, filed 8/29/77.]

**WAC 132N-276-030 Description of central and field organization of Community College District No. 14.** District No. 14 is a community college district organized under RCW 28B.50.040. The administrative office of the district and its staff are located at Clark Community College, 1800 East McLoughlin Boulevard, Vancouver, WA 98663.

[Order 77-3 d, § 132N-276-030, filed 8/29/77.]

**WAC 132N-276-040 Operations and procedures.** The district is established under chapter 28B.50 RCW to implement the educational purposes established by chapter 28B.50 RCW. The district is operated under the supervision and control of a board of trustees. The board of trustees is made up of five members each appointed by the governor to a term of five years. The trustees usually meet once a month in regular session on a date and at a time and place specified by public notice and at such special meetings as are announced by public notice. On occasion, the trustees may not meet at all in a particular calendar month. At such time the trustees exercise the powers and duties granted them under law.

[Order 77-3 d, § 132N-276-040, filed 8/29/77.]

**WAC 132N-276-050 Public records available.** All public records of the district, as defined in WAC 132N-276-020 are deemed to be available for public inspection

and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310 and WAC 132N-276-100.

[Order 77-3 d, § 132N-276-050, filed 8/29/77.]

**WAC 132N-276-060 Public records officer.** The district's public records shall be in the charge of the public records officer designated by the college president. The person so designated shall be located in the administrative office of the district. The public records officer shall be responsible for the following: The implementation of the district's rules and regulations regarding release of public records, coordinating the staff of the district in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of RCW 42.17.250 through 42.17.340.

[Order 77-3 d, § 132N-276-060, filed 8/29/77.]

**WAC 132N-276-070 Office hours.** Public records shall be available for inspection and copying during the customary office hours of the district. For the purposes of this chapter, the customary office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays and published college holidays.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 89-12-024 (Order 89-01, Resolution No. 89-01), § 132N-276-070, filed 5/31/89; Order 77-3 d, § 132N-276-070, filed 8/29/77.]

**WAC 132N-276-080 Requests for public records.** In accordance with the requirements of RCW 42.17.250 through 42.17.340 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the district which shall be available at its administrative office. The form shall be presented to the public records officer; or to any member of the district's staff, if the public records officer is not available, at the administrative office of the district during customary office hours. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within a current index maintained by the college, a reference to the requested record as it is described in such current index;
- (e) If the requested matter is not identifiable by reference to a current index, an appropriate description of the record requested.

(2) The public records officer shall reply to written requests before the close of business on the day following the date of the request by providing copies of the requested records or by informing the requestee in writing of:

- (a) The availability of the requested record(s); and

(b) A definite time and place (within five business days) when such requested record(s) may be inspected or copies provided.

(3) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made to assist the member of the public in appropriately identifying the public record requested.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 89-12-024 (Order 89-01, Resolution No. 89-01), § 132N-276-080, filed 5/31/89; Order 77-3 d, § 132N-276-080, filed 8/29/77.]

**WAC 132N-276-090 Copying.** No fee shall be charged for the inspection of public records. The district shall charge a fee of ten cents per page of copy for providing copies of public records and for use of the district's copy equipment. This charge is the amount necessary to reimburse the district for its actual costs incident to such copying. If a particular request for copies requires an unusually large amount of time, or the use of any equipment not readily available, the district will provide copies at a rate sufficient to cover any additional cost. All fees must be paid by money order, cashier's check, or cash in advance.

[Order 77-3 d, § 132N-276-090, filed 8/29/77.]

**WAC 132N-276-100 Exemptions.** (1) The district reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132N-276-080 exempt under the provisions of RCW 42.17.310.

(2) In addition, pursuant to RCW 42.17.260, the district reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy.

The public records officer will fully justify such deletion in writing.

[Order 77-3 d, § 132N-276-100, filed 8/29/77.]

**WAC 132N-276-110 Review of denials of public records requests.** (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the president of the college. The president or his designee shall immediately consider the matter and either affirm or reverse such denial or consult with the attorney general to review the denial. In any case, the request shall be returned with a final decision within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the district has returned the petition with a decision, provided the requested records, or until

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the close of the second business day following the denial or inspection has been reached, whichever occurs first.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 89-12-024 (Order 89-01, Resolution No. 89-01), § 132N-276-110, filed 5/31/89; Order 77-3 d, § 132N-276-110, filed 8/29/77.]

**WAC 132N-276-120 Protection of public records.** Requests for public records shall be made in the administration building of Clark Community College. Public records and a facility for their inspection will be provided by the public records officer. Such records shall not be removed from the place designed for their inspection. Copies shall be made at Clark Community College. If copying facilities are not available at the college, the college will arrange to have copies made commercially according to the provision of WAC 132N-276-090.

[Order 77-3 d, § 132N-276-120, filed 8/29/77.]

**WAC 132N-276-130 Records index.** The college shall make available for public inspection and copying all indexes maintained for college use under the same rules and on the same conditions as are applied to public records.

The college board of trustees has adopted a formal order stating that providing a master index of all public records would be unduly burdensome and interfere with college operations.

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 89-12-024 (Order 89-01, Resolution No. 89-01), § 132N-276-130, filed 5/31/89; Order 77-3 d, § 132N-276-130, filed 8/29/77.]

**WAC 132N-276-140 Adoption of form.** The district hereby adopts for use by all persons requesting inspection and/or copying or copies of its records, the form attached hereto as Appendix A, entitled "Request for public record."

[Order 77-3 d, § 132N-276-140, filed 8/29/77.]

**WAC 132N-276-150 Appendix A--Form--Request for public record.**

Request for Public Record(s) Clark College Administrative Services

This form is to be used to initiate a request for copying or inspection of public records as prescribed in RCW 42.17.250 through 42.17.340. The form is to be completed and sent to the Clark College Administrative Services Department.

Name (Please Print) \_\_\_\_\_ Signature \_\_\_\_\_

Name of Organization (If Applicable) \_\_\_\_\_ Phone Number \_\_\_\_\_

Mailing Address \_\_\_\_\_

Date and Time Request Made \_\_\_\_\_

Record(s) Requested \_\_\_\_\_

Instructions for Receipt of Record(s) \_\_\_\_\_

Date and Time Request  
Received

Request: Approved \_\_\_\_\_ Denied \_\_\_\_\_  
Date Date

Reasons for Denial \_\_\_\_\_

Referred to: \_\_\_\_\_ Date: \_\_\_\_\_

By: \_\_\_\_\_, Public Records Officer

Date and Time Public  
Record(s) Provided

[Statutory Authority: Chapters 28B.50 and 28B.10 RCW. 89-12-024  
(Order 89-01, Resolution No. 89-01), § 132N-276-150, filed  
5/31/89; Order 77-3 d, § 132N-276-150, filed 8/29/77.]