

Title 172 WAC

EASTERN WASHINGTON UNIVERSITY

Chapters

- 172-09** Administration of duties and obligations required by Initiative 276—Academic transcripts of Eastern Washington State College students.
- 172-65** Use of alcoholic beverages by students twenty-one years and older in residence halls and resident apartments at Eastern Washington State College.
- 172-66** Application for a liquor license permitting beer to be sold for on-campus premises consumption.
- 172-116** Traffic and parking regulations.
- 172-118** Traffic and parking regulations for bicycles, motorcycles, and motorscooters.
- 172-120** Student conduct code.
- 172-124** Disposition of obligations owed to college by students.
- 172-136** College facilities.
- 172-144** Special charges—Financial responsibility.
- 172-149** Discrimination grievance procedure.
- 172-168** Library policies.
- 172-190** Implementation of the Family Educational Rights and Privacy Act of 1974.
- 172-325** Environmental policy.

- 5/22/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-52-040 Hearing procedures for editors. [Order 74-3, § 172-52-040, filed 1/24/74; Order 72-5, § 172-52-040, filed 5/22/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-52-050 Paid positions. [Order 74-3, § 172-52-050, filed 1/24/74; Order 72-5, § 172-52-050, filed 5/22/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-52-060 Actions of commission subject to review. [Order 74-3, § 172-52-060, filed 1/24/74; Order 72-5, § 172-52-060, filed 5/22/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-52-070 Meetings of the commission. [Order 74-3, § 172-52-070, filed 1/24/74; Order 72-5, § 172-52-070, filed 5/22/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-52-080 Membership of the commission. [Order 74-3, § 172-52-080, filed 1/24/74; Order 72-5, § 172-52-080, filed 5/22/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-52-090 Chairman. [Order 74-3, § 172-52-090, filed 1/24/74; Order 72-5, § 172-52-090, filed 5/22/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-52-100 Exclusion from membership. [Order 74-3, § 172-52-100, filed 1/24/74; Order 72-5, § 172-52-100, filed 5/22/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-52-110 Removal from membership. [Order 74-3, § 172-52-110, filed 1/24/74; Order 72-5, § 172-52-110, filed 5/22/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-52-120 Guidelines for student publications. [Order 74-3, § 172-52-120, filed 1/24/74; Order 72-5, § 172-52-120, filed 5/22/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-52-125 Summer publication of the Easterner. [Order 74-3, § 172-52-125, filed 1/24/74.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-52-130 Financing. [Order 74-3, § 172-52-130, filed 1/24/74; Order 72-5, § 172-52-130, filed 5/22/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 172-08

DELEGATION OF AUTHORITY

- 172-08-010 Notice of trespass. [Order NIA, § 172-08-010, filed 9/23/69.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-08-020 Restriction of access. [Order NIA, § 172-08-020, filed 9/23/69.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-08-030 Effective date. [Order NIA, § 172-08-030, filed 9/23/69.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

Chapter 172-52

STUDENT PUBLICATIONS COMMISSION

- 172-52-010 Responsibility of the commission. [Order 74-3, § 172-52-010, filed 1/24/74; Order 72-5, § 172-52-010, filed 5/22/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-52-020 Authority of the commission. [Order 74-3, § 172-52-020, filed 1/24/74; Order 72-5, § 172-52-020, filed 5/22/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-52-030 Editors of publications. [Order 74-3, § 172-52-030, filed 1/24/74; Order 72-5, § 172-52-030, filed

Chapter 172-56

ACCESS TO PUBLIC RECORDS AND DOCUMENTS

- 172-56-010 Introduction and purpose. [Order 72-6, § 172-56-010, filed 6/27/72.] Repealed by Order 73-1, filed 1/23/73.
- 172-56-020 Jurisdiction. [Order 72-6, § 172-56-020, filed 6/27/72.] Repealed by Order 73-1, filed 1/23/73.

- 172-56-030 Designation of custodians of records. [Order 72-6, § 172-56-030, filed 6/27/72.] Repealed by Order 73-1, filed 1/23/73.
- 172-56-040 Declaration of what constitutes public records. [Order 72-6, § 172-56-040, filed 6/27/72.] Repealed by Order 73-1, filed 1/23/73.
- 172-56-050 Nonpublic records. [Order 72-6, § 172-56-050, filed 6/27/72.] Repealed by Order 73-1, filed 1/23/73.
- 172-56-060 Regulations regarding access to public records. [Order 72-6, § 172-56-060, filed 6/27/72.] Repealed by Order 73-1, filed 1/23/73.
- 172-56-070 Violations of limitations upon access to public records. [Order 72-6, § 172-56-070, filed 6/27/72.] Repealed by Order 73-1, filed 1/23/73.

Chapter 172-113

LEGISLATIVE LIAISONS

- 172-113-010 Designation of legislative liaisons. [Order 73-2, § 172-113-010, filed 1/23/73.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-113-020 Responsibility. [Order 73-2, § 172-113-020, filed 1/23/73.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

Chapter 172-114

CONSTITUTION OF ASSOCIATED STUDENTS

- 172-114-010 Preamble. [Statutory Authority: RCW 28B.35.10 [28B.35.120]. 81-03-012 (Order 12-18-80), § 172-114-010, filed 1/9/81. Statutory Authority: RCW 28B.40.120(11). 78-09-029 (Resolution No. 78-03), § 172-114-010, filed 8/16/78; Order 72-9, § 172-114-010, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-114-020 Article I—Name, definitions, and membership. [Statutory Authority: RCW 28B.35.10 [28B.35.120]. 81-03-012 (Order 12-18-80), § 172-114-020, filed 1/9/81. Statutory Authority: RCW 28B.40.120(11). 78-09-029 (Resolution No. 78-03), § 172-114-020, filed 8/16/78; Order 74-8, § 172-114-020, filed 11/1/74; Order 74-4, § 172-114-020, filed 1/24/74; Order 72-9, § 172-114-020, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-114-030 Article II—Students' rights and responsibilities. [Statutory Authority: RCW 28B.35.10 [28B.35.120]. 81-03-012 (Order 12-18-80), § 172-114-030, filed 1/9/81. Statutory Authority: RCW 28B.40.120(11). 78-09-029 (Resolution No. 78-03), § 172-114-030, filed 8/16/78; Order 74-8, § 172-114-030, filed 11/1/74; Order 72-9, § 172-114-030, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-114-040 Article III—Council. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-21-022 (Order 84-03), § 172-114-040, filed 10/8/84. Statutory Authority: RCW 28B.35.120. 82-22-001 (Order 82-03), § 172-114-040, filed 10/21/82; 81-03-012 (Order 12-18-80), § 172-114-040, filed 1/9/81. Statutory Authority: RCW 28B.40.120(11). 78-09-029 (Resolution No. 78-03), § 172-114-040, filed 8/16/78; Order 75-8, § 172-114-040, filed 7/24/75; Order 75-5, § 172-114-040, filed 5/9/75; Order 74-8, § 172-114-040, filed 11/1/74; Order 74-5, § 172-114-040, filed 6/5/74; Order 72-9, § 172-114-040, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-114-050 Article IV—Elections. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-21-022 (Order 84-03), § 172-114-050, filed 10/8/84. Statutory

- Authority: RCW 28B.35.120. 81-03-012 (Order 12-18-80), § 172-114-050, filed 1/9/81. Statutory Authority: RCW 28B.40.120(11). 78-09-029 (Resolution No. 78-03), § 172-114-050, filed 8/16/78; Order 75-8, § 172-114-050, filed 7/24/75; Order 75-5, § 172-114-050, filed 5/9/75; Order 74-8, § 172-114-050, filed 11/1/74; Order 74-5, § 172-114-050, filed 6/5/74; Order 72-9, § 172-114-050, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-114-060 Article V—Judicial. [Statutory Authority: RCW 28B.35.10 [28B.35.120]. 81-03-012 (Order 12-18-80), § 172-114-060, filed 1/9/81. Statutory Authority: RCW 28B.40.120(11). 78-09-029 (Resolution No. 78-03), § 172-114-060, filed 8/16/78; Order 75-8, § 172-114-060, filed 7/24/75; Order 74-8, § 172-114-060, filed 11/1/74; Order 74-5, § 172-114-060, filed 6/5/74; Order 72-9, § 172-114-060, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-114-070 Article VI—Rescind, recall, initiative, referendum, and inspection of records. [Statutory Authority: RCW 28B.35.10 [28B.35.120]. 81-03-012 (Order 12-18-80), § 172-114-070, filed 1/9/81. Statutory Authority: RCW 28B.40.120(11). 78-09-029 (Resolution No. 78-03), § 172-114-070, filed 8/16/78; Order 72-9, § 172-114-070, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-114-080 Article VII—Parliamentary authority. [Statutory Authority: RCW 28B.35.10 [28B.35.120]. 81-03-012 (Order 12-18-80), § 172-114-080, filed 1/9/81; Order 74-8, § 172-114-080, filed 11/1/74; Order 72-9, § 172-114-080, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-114-090 Article VIII—Amendments. [Statutory Authority: RCW 28B.35.10 [28B.35.120]. 81-03-012 (Order 12-18-80), § 172-114-090, filed 1/9/81. Statutory Authority: RCW 28B.40.120(11). 78-09-029 (Resolution No. 78-03), § 172-114-090, filed 8/16/78; Order 74-8, § 172-114-090, filed 11/1/74; Order 74-5, § 172-114-090, filed 6/5/74; Order 72-9, § 172-114-090, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-114-100 Parliamentary authority. [Order 72-9, § 172-114-100, filed 9/20/72.] Repealed by 81-03-012 (Order 12-18-80), filed 1/9/81. Statutory Authority: RCW 28B.35.10 [28B.35.120].
- 172-114-110 Amendments. [Statutory Authority: RCW 28B.40.120(11). 78-09-029 (Resolution No. 78-03), § 172-114-110, filed 8/16/78; Order 74-5, § 172-114-110, filed 6/5/74; Order 72-9, § 172-114-110, filed 9/20/72.] Repealed by 81-03-012 (Order 12-18-80), filed 1/9/81. Statutory Authority: RCW 28B.35.10 [28B.35.120].

Chapter 172-129

FACULTY APPEALS AND GRIEVANCE PROCEDURE

- 172-129-010 Purpose. [Order 74-5, § 172-129-010, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-020 Jurisdiction. [Order 74-5, § 172-129-020, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-030 Definitions. [Order 74-5, § 172-129-030, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.

- 172-129-031 References to bylaws. [Order 74-5, § 172-129-031, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-035 Informal hearings. [Order 74-5, § 172-129-035, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-036 Formal hearings. [Order 74-5, § 172-129-036, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-037 Statements and testimony confidential. [Order 74-5, § 172-129-037, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-040 Divergent procedures established regarding grievances and appeals. [Order 74-5, § 172-129-040, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-050 Use of normal administrative processes encouraged. [Order 74-5, § 172-129-050, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-060 Faculty appeals committee—Purpose and composition. [Order 74-5, § 172-129-060, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-070 Functions of the faculty appeals committee. [Order 74-5, § 172-129-070, filed 3/7/74; Order 74-5, § 172-129-070, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-080 Conflict of interest. [Order 74-5, § 172-129-080, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-090 General procedures for appeals and grievances. [Order 74-5, § 172-129-090, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-100 Grievance procedures. [Order 74-5, § 172-129-100, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-110 Appeals—Division into categories. [Order 74-5, § 172-129-110, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-120 Burden of proof in appeals. [Order 74-5, § 172-129-120, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-130 Hearing procedure for appeals. [Order 74-5, § 172-129-130, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-140 Procedure for appointment of hearing examiner. [Order 74-5, § 172-129-140, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-145 Scope of authority conferred upon hearing examiner. [Order 74-5, § 172-129-145, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-150 Costs of appeals and grievances. [Order 74-5, § 172-129-150, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.
- 172-129-160 Content of grievance and appeal forms. [Order 74-5, § 172-129-160, filed 2/21/74.] Repealed by 83-24-041 (Resolution No. 83-01), filed 12/1/83. Statutory Authority: RCW 28B.35.120.

Chapter 172-138

EASTERN WASHINGTON STATE COLLEGE BOOKSTORE

- 172-138-010 Eastern Washington State College bookstore operating procedures. [Order 72-13, § 172-138-010, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-138-020 Return and refund policy. [Order 72-13, § 172-138-020, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-138-030 Personal credit. [Order 72-13, § 172-138-030, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-138-040 Eastern Washington State College bookstore pricing policies. [Order 72-13, § 172-138-040, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

Chapter 172-140

PLACEMENT SERVICE FACILITIES

- 172-140-010 Placement service facilities. [Order 72-14, § 172-140-010, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-140-015 Definitions. [Order 75-2, § 172-140-015, filed 3/3/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-140-020 Eligibility for placement services. [Order 72-14, § 172-140-020, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-140-030 Establishing a placement file. [Order 72-14, § 172-140-030, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-140-040 Use of placement files. [Order 75-2, § 172-140-040, filed 3/3/75; Order 72-14, § 172-140-040, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-140-050 Eligibility for recruitment at the placement office. [Order 72-14, § 172-140-050, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-140-060 Fees charged for use of placement office services. [Order 72-14, § 172-140-060, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

Chapter 172-148

EQUAL OPPORTUNITY POLICY AND AFFIRMATIVE ACTION PROGRAM

- 172-148-010 General policy. [Order 72-4, § 172-148-010, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120. Later promulgation, see chapter 172-150 WAC.
- 172-148-020 Legal bases. [Order 72-4, § 172-148-020, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-030 Affirmative action council. [Order 72-4, § 172-148-030, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-040 Written objectives of affirmative action plan. [Order 72-4, § 172-148-040, filed 5/22/72.] Repealed by

- 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-050 Establishment of minority hiring objectives. [Order 72-4, § 172-148-050, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-060 Targets for hiring of female employees. [Order 72-4, § 172-148-060, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-070 Promotional opportunities. [Order 72-4, § 172-148-070, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-080 Target for recruitment of students. [Order 72-4, § 172-148-080, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-090 Notice to higher education personnel board. [Order 72-4, § 172-148-090, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-100 Job structuring and classification plan—Classified employees. [Order 72-4, § 172-148-100, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-110 Job structuring and classification plan—Faculty and exempt personnel. [Order 72-4, § 172-148-110, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-120 Recruitment. [Order 72-4, § 172-148-120, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-130 Selection. [Order 72-4, § 172-148-130, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-140 Appointment, placement and indoctrination. [Order 72-4, § 172-148-140, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-150 Training and education—Minority employees. [Order 72-4, § 172-148-150, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-160 Grievance procedure. [Order 72-4, § 172-148-160, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-170 Referrals of complaints. [Order 72-4, § 172-148-170, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-180 Contract compliance review—Classified personnel staff. [Order 72-4, § 172-148-180, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-190 Records and reports. [Order 72-4, § 172-148-190, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-200 Affirmative action responsibilities—President of the college. [Order 72-4, § 172-148-200, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-210 Employing official responsibilities. [Order 72-4, § 172-148-210, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-220 Contract compliance review official. [Order 72-4, § 172-148-220, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-230 Equal employment opportunity administrators. [Order 72-4, § 172-148-230, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-240 Communication of policy. [Order 72-4, § 172-148-240, filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-148-990 Form—Equal employment opportunity report—Classified employees. [Order 72-4, Form—Attachment A (codified as WAC 172-148-990), filed 5/22/72.] Repealed by 84-13-053 (Order 84-01), filed 6/19/84. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

Chapter 172-150

EQUAL OPPORTUNITY POLICY AND AFFIRMATIVE ACTION PROGRAM

- 172-150-010 General policy. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-010, filed 6/19/84; Order 75-6, § 172-150-010, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-020 Legal bases. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-020, filed 6/19/84; Order 75-6, § 172-150-020, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-030 Definitions. [Order 75-6, § 172-150-030, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-035 Affirmative action for faculty—Objectives. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-035, filed 6/19/84; Order 75-6, § 172-150-035, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-040 Affirmative action for faculty—Course of action. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-040, filed 6/19/84; Order 75-6, § 172-150-040, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-050 Affirmative action for faculty—Implementing course of action. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-050, filed 6/19/84; Order 75-6, § 172-150-050, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-060 Affirmative action for nonacademic staff—Exempted administration—Classified staff—Objectives. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-060, filed 6/19/84; Order 75-6, § 172-150-060, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-070 Affirmative action for nonacademic staff—Exempted administration—Classified staff—Course of action. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-070, filed 6/19/84; Order 75-6, § 172-150-070, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-080 Affirmative action for nonacademic staff—Exempt administration—Classified personnel—Implementing course of action. [Statutory Authority: RCW

- 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-080, filed 6/19/84; Order 75-6, § 172-150-080, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-090 Affirmative action for educational opportunity—Purpose. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-090, filed 6/19/84; Order 75-6, § 172-150-090, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-100 Affirmative action for educational opportunity—Objectives. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-100, filed 6/19/84; Order 75-6, § 172-150-100, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-110 Affirmative action for educational opportunity—Course of action. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-110, filed 6/19/84; Order 75-6, § 172-150-110, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-120 Affirmative action for educational opportunity—Implementing course of action. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-120, filed 6/19/84; Order 75-6, § 172-150-120, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-130 Affirmative action in construction and procurement—Objectives and course of action. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-130, filed 6/19/84; Order 75-6, § 172-150-130, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-140 Affirmative action in construction and procurement—Implementing action. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-140, filed 6/19/84; Order 75-6, § 172-150-140, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-145 Reductions in force. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-145, filed 6/19/84; Order 75-6, § 172-150-145, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-150 Grievance procedure. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-150, filed 6/19/84; Order 75-6, § 172-150-150, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-160 Referrals of complaints. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-160, filed 6/19/84; Order 75-6, § 172-150-160, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-170 Maternity leave policy. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-170, filed 6/19/84; Order 75-6, § 172-150-170, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-180 Dissemination of policy. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-180, filed 6/19/84; Order 75-6, § 172-150-180, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-150-190 Corrective employment status. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 84-13-053 (Order 84-01), § 172-150-190, filed 6/19/84; Order 75-6, § 172-150-190, filed 6/16/75.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

Chapter 172-156

STATE COLLEGE RESIDENCE HOUSING

- 172-156-010 Introduction. [Order 72-16, § 172-156-010, filed 9/20/72.] Repealed by 83-23-100 (Order 83-02), filed 11/23/83. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-156-020 Applicability of housing rules and regulations. [Order 72-16, § 172-156-020, filed 9/20/72.] Repealed by 83-23-100 (Order 83-02), filed 11/23/83. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-156-030 Financial obligations of students residing in Eastern Washington State College residence halls. [Order 72-16, § 172-156-030, filed 9/20/72.] Repealed by 83-23-100 (Order 83-02), filed 11/23/83. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-156-040 Eligibility for Eastern Washington State College residence halls. [Order 75-10, § 172-156-040, filed 12/22/75; Order 72-16, § 172-156-040, filed 9/20/72.] Repealed by 83-23-100 (Order 83-02), filed 11/23/83. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-156-050 Applicable conduct rules and regulations of Eastern Washington State College residence halls. [Order 72-16, § 172-156-050, filed 9/20/72.] Repealed by 83-23-100 (Order 83-02), filed 11/23/83. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-156-060 Subleases or assignments forbidden. [Order 72-16, § 172-156-060, filed 9/20/72.] Repealed by 83-23-100 (Order 83-02), filed 11/23/83. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-156-070 Failure of student to comply with housing rules and regulations. [Order 72-16, § 172-156-070, filed 9/20/72.] Repealed by 83-23-100 (Order 83-02), filed 11/23/83. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-156-080 Waiver by Eastern Washington State College. [Order 72-16, § 172-156-080, filed 9/20/72.] Repealed by 83-23-100 (Order 83-02), filed 11/23/83. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

Chapter 172-158

OFF-CAMPUS LIVING

- 172-158-010 Eastern Washington State College freshmen qualified to live in off-campus housing. [Order 72-15, § 172-158-010, filed 9/20/72.] Repealed by Order 75-9, filed 12/22/75.
- 172-158-020 Off-campus housing listings. [Order 72-15, § 172-158-020, filed 9/20/72.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

Chapter 172-180

DELEGATED AUTHORIZATION TO HIRE, DISMISS AND DISCIPLINE CLASSIFIED PERSONNEL

- 172-180-010 Introduction and purpose. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 86-01-042 (Order 85-01), § 172-180-010, filed 12/13/85. Statutory Authority: RCW 28B.40.120(11), 78-06-006 (Resolution No. 78-2), § 172-180-010, filed 5/5/78; Order 73-7, § 172-180-010, filed 3/20/73.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.
- 172-180-020 Delegation of appointing authority power. [Statutory Authority: RCW 28B.35.120 and 43.21C.120. 86-01-

042 (Order 85-01), § 172-180-020, filed 12/13/85. Statutory Authority: RCW 28B.35.120, 82-22-078 (Order 82-04), § 172-180-020, filed 11/3/82. Statutory Authority: RCW 28B.40.120(11), 78-06-006 (Resolution No. 78-2), § 172-180-020, filed 5/5/78; Order 73-7, § 172-180-020, filed 3/20/73.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-180-030 Scope of powers delegated to appointing authorities. [Statutory Authority: RCW 28B.40.120(11), 78-06-006 (Resolution No. 78-2), § 172-180-030, filed 5/5/78; Order 73-7, § 172-180-030, filed 3/20/73.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

172-180-040 Effective date. [Statutory Authority: RCW 28B.35.120 and 43.21C.120, 86-01-042 (Order 85-01), § 172-180-040, filed 12/13/85. Statutory Authority: RCW 28B.40.120(11), 78-06-006 (Resolution No. 78-2), § 172-180-040, filed 5/5/78; Order 73-7, § 172-180-040, filed 3/20/73.] Repealed by 87-16-041 (Order 87-01), filed 7/29/87. Statutory Authority: RCW 28B.35.120 and 43.21C.120.

Chapter 172-09 WAC

ADMINISTRATION OF DUTIES AND OBLIGATIONS REQUIRED BY INITIATIVE 276-- ACADEMIC TRANSCRIPTS OF EASTERN WASHINGTON STATE COLLEGE STUDENTS

WAC

172-09-010	Purpose.
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WAC 172-09-010 Purpose. The purpose of this chapter is to comply with the requirements of Initiative 276, which is an initiative passed by the voters of the state of Washington on November 7, 1972, and which came into effect in the state of Washington on January 1, 1973. Accordingly, the following rules are hereby promulgated.

[Order 73-1, § 172-09-010, filed 1/23/73.]

WAC 172-09-020 Definition of public record. A public record includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by Eastern Washington State College, regardless of the physical form or characteristics.

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[Order 73-1, § 172-09-020, filed 1/23/73.]

WAC 172-09-025 Exempted records. In accordance with section 31 of Initiative 276, the following personal and other records are exempt from the definition of "public record" and will not be produced upon demand:

(1) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, welfare recipients, prisoners, probationers or parolees.

(2) Personal information in files maintained for employees, appointees or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

(3) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would violate the taxpayer's right to privacy or would result in unfair competitive disadvantage to such taxpayer.

(4) Specific intelligence information and specific investigative files compiled by investigative, law enforcement and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(5) Information revealing the identity of persons who file complaints with investigative, law enforcement or penology agencies, except as the complainant may authorize.

(6) Test questions, scoring keys, and other examination data used to administer a license, employment or academic examination.

(7) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition of property, until the project is abandoned or until such time as all of the property has been acquired, but in no event shall disclosure be denied for more than three years after the appraisal.

(8) Valuable formulae, designs, drawings and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.

(9) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(10) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interest, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

[Order 73-1, § 172-09-025, filed 1/23/73.]

WAC 172-09-030 Description of central and field organization at Eastern Washington State College. (1) Eastern Washington State College is located on a campus largely contained within the city of Cheney, Washington. This campus comprises the central headquarters for all operations of the college; any "field" activities of the college are directed and administered by personnel located on the campus at Cheney. The college is administered by a board of trustees appointed by the governor; such board normally meets at least once every calendar month.

(2) In accordance with the bylaws at Eastern Washington State College, which bylaws are obtainable at the office of the president, the college is organized into divisions administered by vice presidents. Specifically, academic matters are the concern of a vice president for academic affairs, business and physical planning functions and activities are the responsibility of the vice president for business and management, and student affairs are the responsibility of the vice president for student services. All vice presidents are directly responsible for the operations of all deans, department heads, faculty, and classified personnel operating within their divisions. The vice presidents directly report to the president of the college.

[Order 73-1, § 172-09-030, filed 1/23/73.]

WAC 172-09-040 General course and method of decision making. (1) The formal procedures for decision making at the college are determined by the bylaws of the board of trustees at Eastern Washington State College and rules promulgated in accordance with the requirements of chapter 28B.19 RCW, the Higher Education Administrative Procedure Act (HEAPA). Accordingly, all rules, orders, or directives, or regulations of the college which affect the relationship of the general public with the institution, or the relationship of particular segments of the college, such as students, faculty, or other employees, with the college or with each other,

(a) The violation of which subjects the person to a penalty of administrative sanction; or

(b) Which establishes, alters, or revokes any procedures, practice or requirement relating to institutional hearings; or

(c) Which establishes, alters, or revokes any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law;

are implemented only through the procedures of the HEAPA. In accordance with RCW 28B.19.020(2), the college reserves the right to promulgate as internal rules not created or implemented in accordance with the HEAPA, the following: Rules, regulations, orders, statements, or policies relating primarily to the following: Standards for admissions; academic advancement, academic credits, graduation, and the granting of degrees; tuition and fees, scholarships, financial aids, and similar academic matters; employment relationships; fiscal processes; or matters concerning only the internal management of an institution and not affecting private rights or procedures available to the general public; and such

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matters need not be established by rule adopted under this chapter unless otherwise required by law.

(2) Other formal procedures may appear within the bylaws of Eastern Washington State College and may relate to such things as matters that must be first considered by the faculty senate or subcommittees thereof or by the associated students at Eastern Washington State College or subcommittees thereof prior to their consideration by the board of trustees. Requirements regarding such prior considerations by any faculty or student or any other college group also appear in the bylaws of Eastern Washington State College.

[Order 73-1, § 172-09-040, filed 1/23/73.]

WAC 172-09-050 Informal procedures regarding the general course and methods of decision. Informal procedures regarding the methods and general course of operations at Eastern Washington State College are, for the purposes of these rules, either:

(1) Decisions made by persons authorized by board resolution the president, vice president or any designee to make a decision within the scope of responsibility assigned to such person; or

(2) Methods of human persuasion utilized by any member of the college's constituencies or of the public to attempt to influence one in power to make decisions within that person's scope of responsibility.

[Order 73-1, § 172-09-050, filed 1/23/73.]

WAC 172-09-060 Designation of public records officers. (1) In accordance with the requirements of Initiative 276, insofar as such initiative requires state agencies to adopt and enforce reasonable rules and regulations to provide full public access to official records while yet protecting the same from damage and to prevent excessive interference with essentials of the agency, all public records at the college shall be in the charge of persons holding positions as records officers.

(2) Overall responsibility for coordinating responses to requests for examination of public records shall be the responsibility of the person known as the "public records officer." The person holding such position will be headquartered in the administration building of the college; his exact location and name can be determined by inquiring at the office of the president of the college.

(3) Those persons reporting directly to the "public records officer" with other responsibilities relative to public records are:

(a) A "college records officer" who shall be responsible for compiling and maintaining the index required by Initiative 276;

(b) A "policy records officer" who shall be located in the office of the president of the college;

(c) A "civil service personnel records officer" who shall be the personnel director of the college;

(d) A "faculty personnel records officer" who shall be the vice president for academic affairs or his designee; and

(e) An "administrative personnel records officer" who shall be located within the office of the president and reporting directly to the president.

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(f) Any other position designated in writing by the president. Such designation shall be available at the office of the president.

(4) In any cases where a question arises as to whether a given public record is a responsibility of one records officer or the other, the determination of such ministerial responsibility shall be made by the public records officer, or the president of the college.

[Order 73-1, § 172-09-060, filed 1/23/73.]

WAC 172-09-070 Availability for public inspection and copying of public records. (1) Public records shall be available for inspection and copying during the customary office hours of the college. For the purposes of this chapter, the customary office hours shall be from 9 a.m. to noon and from 1 p.m. to 4 p.m., Monday through Friday, excluding legal holidays, unless the person making the request and the college or its representative agree on a different time.

[Order 73-1, § 172-09-070, filed 1/23/73.]

WAC 172-09-080 Requests for public records. In accordance with the Initiative 276 requirements 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 are only obtainable by members of the public when those members of the public comply with the following procedures:

(1) A request shall be made in writing upon a form which shall be available at the office of the public records officer and shall be presented to the public records officer or any other of the persons designated by this chapter as a custodian of certain college records, per WAC 172-09-060. Such request shall include the following:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made; and
- (c) If the matter requested is referenced within the current index maintained by the college records officer, a reference to the requested record as it is described in such current index;
- (d) If the requested matter is not identifiable by reference to the college records current index, a statement that succinctly describes the record requested;

(e) A verification that the records requested shall not be used to compile a commercial sales list.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the college person to whom the request is being made to assist the member of the public in succinctly identifying the public record requested.

[Order 73-1, § 172-09-080, filed 1/23/73.]

WAC 172-09-090 Charges for copying. (1) No fee shall be charged for inspection of public records. Eastern Washington State College may impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy public

records; such charges shall not exceed the amount necessary to reimburse the college for its actual costs incident to such copying.

(2) No person shall be released a record which has been copied by photostatic process until and unless the person requesting the copied public record has tendered payment for such copying to the records official from whom the public record was obtained, or to any person designated by such records official.

[Order 73-1, § 172-09-090, filed 1/23/73.]

WAC 172-09-100 Determination regarding exempt records. (1) The college reserves the right to determine that a public record requested in accordance with the procedures of this chapter is exempt under the provisions of section 31 of Initiative 276. Such determination may be made in consultation with any of the records officers of the college, the president or a vice president of the college, or an assistant attorney general assigned to the college.

(2) Responses to requests for records must be made promptly. For the purpose of these rules, a prompt response occurs if the person requesting the public record is notified within one business day as to whether his request for a public record will be honored.

(3) All denials of requests for public records must be accompanied by a written statement specifying the specific reasons therefor.

[Order 73-1, § 172-09-100, filed 1/23/73.]

WAC 172-09-110 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record shall petition for prompt review of such decision by tendering a written request for a review of such denial. Such written request by a person demanding prompt review shall specifically reference the written statement by the college denying that person's request for a public record.

(2) Within two business days after receiving the written request by a person petitioning for prompt review of a decision denying a public record, the president of the college or any of his designees, which for the purposes of this section may include any vice president of the college, shall consider such petition.

(3) During the course of the two business days in which the president or his designee reviews the decision of the public records officer denying the request for a public record, the president or his designee may conduct an informal hearing. During the course of such informal hearing, the president or his designee may require that the person requesting the public record appear in person at a reasonable time and place located on the campus and further explain and identify the exact nature of the public record he is seeking. Failure by the person requesting the review hearing to appear at such informal hearing shall be deemed a waiver of that person's right to insist upon completion of the review of his request within two business days. If the petitioner requesting review does appear at such informal hearing, then the period for review by the college shall be extended to a period not exceeding one business day after such person

requesting review has appeared before the president or his designee.

(4) During the course of the informal hearing conducted by the president or his designee under this section, he shall consider the obligations of the college fully to comply with the intent of Initiative 276 insofar as it requires providing full public access to official records, but shall also consider the exemptions provided in section 31 of Initiative 276 and the requirement of section 29 of that same initiative insofar as it requires the college to protect public records from damage or disorganization, prevent excessive interference with essential functions of the agency, and to prevent any unreasonable invasion of personal privacy by deleting identifying details.

[Order 73-1, § 172-09-110, filed 1/23/73.]

WAC 172-09-120 Repealer. Chapter 172-56 WAC, "Access to public records and documents at Eastern Washington State College," which was promulgated by the board of trustees on June 23, 1972, is hereby repealed.

[Order 73-1, § 172-09-120, filed 1/23/73.]

WAC 172-09-200 Academic transcripts of Eastern Washington State College students. (1) Objective information of a public nature will be provided without a signed release by the students. Public information shall include student name, address, telephone number, dates of attendance, current enrollment status, degree(s) received, and other schools attended.

(2) All other information contained in student records shall be deemed personal information concerning a student, per section 31 of Initiative 276, and will not be released without the written authorization of the student.

(3) Unless the student has instructed the registrar's office not to release copies of his or her transcript without his written authorization, academic information from the transcript will be released when it is clear the institution is being cited as an educational reference.

[Order 73-3, § 172-09-200, filed 2/20/73.]

Chapter 172-65 WAC

USE OF ALCOHOLIC BEVERAGES BY STUDENTS TWENTY-ONE YEARS AND OLDER IN RESIDENCE HALLS AND RESIDENT APARTMENTS AT EASTERN WASHINGTON STATE COLLEGE

WAC

172-65-010	Introduction and purpose.
172-65-020	Jurisdiction.
172-65-030	General prohibition against drinking in public places.
172-65-040	Limited rights to consume and possess alcoholic beverages accorded.
172-65-050	Sales of alcoholic beverages prohibited.
172-65-060	Roommate preference allowed.
172-65-070	Information relative to rules must be provided.
172-65-080	Reports of violations required.
172-65-090	Organizations responsible for conduct.

(1989 Ed.)

WAC 172-65-010 Introduction and purpose. In accordance with Washington state law that permits persons who are the age of twenty-one years and older to possess and consume alcoholic beverages as defined by Washington state law, the trustees at Eastern Washington State College hereby adopt the following regulations for the purpose of establishing rules governing the consumption and possession of alcoholic beverages by such persons within the privacy of Eastern Washington State College student residence halls and married student apartments. Such regulations are subject to all the limitations imposed by state law, and if any part of these regulations are declared inconsistent therewith by legislative amendment or a judgment by a court of competent jurisdiction, such regulations shall be deemed amended to the extent of such inconsistency, but the remainder of these regulations shall remain in full force and effect.

[Order 71-1, § 172-65-010, filed 11/26/71.]

WAC 172-65-020 Jurisdiction. The scope of these rules applies to the residence halls and married student apartments located upon and properties owned or controlled by Eastern Washington State College.

[Order 71-1, § 172-65-020, filed 11/26/71.]

WAC 172-65-030 General prohibition against drinking in public places. (1) Drinking of alcoholic beverages is prohibited in public places by Washington state law. This prohibition applies to any and all functions open to the public, such as entertainment, dances, and athletic events, and also applies to all entrances, hallways, corridors, lounges, and reception areas of the residence living units and to all academic buildings.

(2) The college shall not deem the general prohibition of this section applicable to the consumption of liquor upon public places designated in any special banquet permit issued to a banquet sponsor by the state liquor control board: *Provided, however,* That prior written approval of the banquet sponsor's application for such permit has been accorded by the college.

[Order 74-9, § 172-65-030, filed 11/25/74; Order 71-1, § 172-65-030, filed 11/26/71.]

WAC 172-65-040 Limited rights to consume and possess alcoholic beverages accorded. (1) For purposes of these regulations, the college recognizes that the students' individual residence hall rooms and married students' individual student apartments constitute private places to which the general public does not have an unrestricted right of access, and are therefore not public places within the meaning of RCW 66.44.010(24) [66.04.010(24)] (which law defines what is a public place insofar as the law prohibiting consumption of liquor in a public place is concerned), if such rooms are not actually utilized as public places.

(2) Students of the age of twenty-one years and older are permitted to possess and consume alcoholic beverages on an individual basis in the privacy of the residence hall rooms or married student apartments.

[Title 172 WAC—p 9]

(3) Due to the physical conditions in residence halls and married students' housing, the possession and consumption of alcohol in the privacy of the room and apartment shall not infringe upon the privacy and peace of other individuals. Any infringement upon such privacy and peace of an individual inhabitant of the residence hall or apartment shall, regardless of the age of the offending individual, be considered a violation of college regulations and therefore subject to disciplinary action under the Eastern Washington State College student conduct code. Disruptive and unruly behavior, whether it be associated with the use of alcoholic beverages or not, is a serious breach of expectations of the Eastern Washington State College community and will not be tolerated.

(4) The intent of this policy, as indicated in section 3, is not to provide opportunities for large gatherings involving the consumption of alcohol. Keggers, cocktail parties, or similar functions are not permitted and any student or students who host such a function will be subject to disciplinary action under the EWSC student conduct code. Any student who infringes upon the privacy and peace of other individuals while attending such a function will also be subject to disciplinary action.

[Order 71-1, § 172-65-040, filed 11/26/71.]

WAC 172-65-050 Sales of alcoholic beverages prohibited. Alcoholic beverages in any form may not be sold in college-owned housing nor may residence hall or housing funds be used for the purchase of any alcoholic beverages.

[Order 71-1, § 172-65-050, filed 11/26/71.]

WAC 172-65-060 Roommate preference allowed. A student planning to live in a residence hall will be allowed to state a preference for a roommate who does or does not drink alcohol. This request will be honored by housing officials making room assignments.

[Order 71-1, § 172-65-060, filed 11/26/71.]

WAC 172-65-070 Information relative to rules must be provided. (1) Each residence hall director will hold an orientation session for residents of the hall each quarter for the express purpose of discussing the policy and regulations regarding possession and consumption of alcohol.

(2) The college shall print, post and distribute the policy about alcohol, and the relevant portions of the laws of the state of Washington.

(3) The policy (with laws) will be posted in each unit of each hall-floor, corridor, etc.

[Order 71-1, § 172-65-070, filed 11/26/71.]

WAC 172-65-080 Reports of violations required.

(1) Behavioral problems resulting from drinking will be referred to the appropriate student court or to the college disciplinary officer.

(2) Unlawful drinking will be reported to the office of campus safety.

[Title 172 WAC—p 10]

(3) Washington state law provides severe penalties for the illegal possession and/or consumption of alcoholic beverages; i.e., by persons under the legal drinking age, for persons who furnish alcoholic beverages to persons under the legal drinking age, and for consumption in public areas.

[Order 71-1, § 172-65-080, filed 11/26/71.]

WAC 172-65-090 Organizations responsible for conduct. The college does not condone the consumption of alcoholic beverages at functions sponsored by Eastern Washington State College or by recognized organizations affiliated with Eastern Washington State College. Organizations are held responsible for the conduct of their members at functions sponsored by that organization and for their failure to comply with Washington state law.

[Order 71-1, § 172-65-090, filed 11/26/71.]

Chapter 172-66 WAC

APPLICATION FOR A LIQUOR LICENSE PERMITTING BEER TO BE SOLD FOR ON- CAMPUS PREMISES CONSUMPTION

WAC

172-66-010	Purpose.
172-66-020	Initial procedures.

WAC 172-66-010 Purpose. The board of trustees of Eastern Washington State College hereby declares that it does approve the sale of beer on the premises of Eastern Washington State College, and reserves the right to subsequently adopt rules and regulations governing the same. In order to implement the required legal procedures precedent to obtaining authorization to sell beer on campus, the following rules contained within this chapter are promulgated.

[Order 73-3, § 172-66-010, filed 1/30/73.]

WAC 172-66-020 Initial procedures. The board of trustees hereby delegates to the president of the college or his designee the responsibility for investigating and establishing a program to implement the board's policy of permitting beer to be sold on campus. Such program, which may be implemented only with board approval, shall include but not be limited to the following requisite procedures:

(1) A determination by the president as to whether beer to be sold on campus shall be accomplished through a private contractor, or through a division or agency of the college.

(2) If a private contractor is to be the operator of any concession on the campus that does sell beer in any manner permitted by the state liquor board, a determination as to what shall be the nature of such concessionaire-college agreement and the monetary arrangement between the college and the concessionaire.

(3) A determination as to whether a concessionaire or the college will be an applicant to the state liquor board

for a beer retailer's license, as permitted at chapter 66-.24 RCW.

(4) Designation of the type of liquor license to be requested by the concessionaire, if selected, or the college, since the type of license dictates whether beer may be sold in draft, bottle only, or whether unpasteurized beer may be sold on campus.

[Order 73-3, § 172-66-020, filed 1/30/73.]

Chapter 172-116 WAC TRAFFIC AND PARKING REGULATIONS

WAC

172-116-010	Introduction.
172-116-015	Definitions.
172-116-020	Purposes of regulations.
172-116-030	Applicable rules and regulations.
172-116-040	Authority of officers.
172-116-050	Permits required to park on university property.
172-116-060	Definition of valid parking permit.
172-116-080	Display of permits.
172-116-090	Responsibility of persons to whom permits are issued.
172-116-110	Student, faculty, and staff permits.
172-116-130	Handicapped parking.
172-116-140	Special permits.
172-116-150	Visitors' permits.
172-116-160	Car pool permits.
172-116-170	Permit revocations.
172-116-175	Hearing provided.
172-116-190	Parking areas on campus.
172-116-200	Prohibited areas.
172-116-210	Parking within designated spaces.
172-116-220	Abandoned, disabled, and inoperative vehicles.
172-116-230	Impounding or immobilizing illegally parked vehicles.
172-116-240	Liability of university.
172-116-250	Parking violations.
172-116-260	Regulatory signs.
172-116-270	Rules and regulations available.
172-116-280	Special traffic and parking regulations and restrictions authorized.
172-116-290	Effective hours of operation.
172-116-300	Fees.
172-116-310	Fines.
172-116-315	Citation appeal.
172-116-320	Nonpayment of fines.
172-116-330	Disposition of fees and fines.
172-116-340	Refunds.
172-116-345	Motorscooters—Bikes.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

172-116-070	Where to purchase permits. [Order 72-10, § 172-116-070, filed 9/20/72.] Repealed by Order 75-4, filed 4/10/75.
172-116-100	Allocation of parking space and priorities of applicants. [Order 75-4, § 172-116-100, filed 4/10/75; Order 72-10, § 172-116-100, filed 9/20/72.] Repealed by 82-07-038 (Resolution No. 82-01), filed 3/15/82. Statutory Authority: RCW 28B.35.120.
172-116-120	Student permits. [Order 72-10, § 172-116-120, filed 9/20/72.] Repealed by 82-07-038 (Resolution No. 82-01), filed 3/15/82. Statutory Authority: RCW 28B.35.120.
172-116-180	Athletic parking. [Order 72-10, § 172-116-180, filed 9/20/72.] Repealed by Order 75-4, filed 4/10/75.
172-116-185	Special events parking. [Order 75-4, § 172-116-185, filed 4/10/75.] Repealed by 82-07-038 (Resolution No. 82-01), filed 3/15/82. Statutory Authority: RCW 28B.35.120.

WAC 172-116-010 Introduction. The rules and regulations provided in this chapter have been established by the board of trustees of Eastern Washington University acting on behalf of Eastern Washington University to govern pedestrian traffic and vehicular traffic and parking upon all state lands devoted to the educational, recreational, research, and living activities of Eastern Washington University.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-010, filed 3/15/82; Order 72-10, § 172-116-010, filed 9/20/72.]

WAC 172-116-015 Definitions. (1) **Motor vehicle:** Every vehicle which is self-propelled.

(2) **Motorcycle:** A motor vehicle having a seat or saddle for use of the rider and designed to travel on not more than three wheels in contact with the ground.

(3) **Motor scooter:** A motor driven vehicle with two wheels less than 18 inches in diameter.

(4) **Decal:** Either a decal sticker or guest, service permit.

(5) **Parking services:** Office of parking services is same as office of campus safety.

(6) **Parking supervisor:** Parking supervisor is same as director of parking services.

(7) **Campus police:** Office of campus police is same as office of campus safety.

(8) **Chief of police:** Chief of campus police or chief of campus safety.

(9) **Citation:** May be a parking citation or a misdemeanor citation.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-015, filed 3/15/82.]

WAC 172-116-020 Purposes of regulations. The purposes of these regulations are:

(1) To control parking on university owned or university leased parking lots.

(2) To assure access at all times for emergency equipment.

(3) To expedite Eastern Washington University business, protect state property, and provide maximum safety and convenience.

(4) To provide funds to obtain and maintain suitable campus parking and traffic facilities.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-020, filed 3/15/82; Order 74-1, § 172-116-020, filed 1/24/74; Order 72-10, § 172-116-020, filed 9/20/72.]

WAC 172-116-030 Applicable rules and regulations. The traffic and parking regulations which are applicable upon state lands devoted to the educational, recreational, research, and housing activities of Eastern Washington University are as follows:

(1) The motor vehicle and other traffic laws of the state of Washington;

(2) Special regulations set forth in this chapter.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-030, filed 3/15/82; Order 72-10, § 172-116-030, filed 9/20/72.]

WAC 172-116-040 Authority of officers. The employees of the Eastern Washington University office of campus police when duly sworn shall be peace officers of the state of Washington and have such police powers as are vested in sheriffs and peace officers generally under the laws of the state of Washington pursuant to RCW 28B.10.550, 28B.10.555, and by board resolution through which the board of trustees of Eastern Washington University did commission campus safety officers as peace officers of the state of Washington. Noncommissioned personnel of Eastern Washington University parking services shall have authority to enforce traffic and parking regulations on state lands devoted to the educational, recreational, research, and housing activities of Eastern Washington University. All action and decisions of noncommissioned personnel in the enforcement of traffic and parking regulations are subject to administrative review and approval.

[Statutory Authority: RCW 28B.35.120, 82-07-038 (Resolution No. 82-01), § 172-116-040, filed 3/15/82; Order 75-4, § 172-116-040, filed 4/10/75; Order 74-1, § 172-116-040, filed 1/24/74; Order 72-10, § 172-116-040, filed 9/20/72.]

WAC 172-116-050 Permits required to park on university property. Except as provided in subsections (1), (2), and (4) of this section, no vehicle shall park upon the land of Eastern Washington University without a permit issued by the parking supervisor or his authorized designee pursuant to the authority granted by the board of trustees of Eastern Washington University.

(1) Visitors shall secure a guest parking permit from the office of parking services, or park in metered spaces. Visitor parking fees may be established by the university.

(2) No vehicle shall be parked on university land except in those areas set aside as parking places or areas.

(3) No vehicle longer than a 3/4-ton pickup truck, no camper, trailer, or bus, and no pickup equipped with a camper shall park on a university parking lot without the special permission of the parking supervisor.

(4) Any vehicle, parking in a university parking lot which requires cash payment to park or which has been set aside for free parking, is not required to display a university parking permit.

(5) No parking permit shall be issued to any person who owes fines or fees under these regulations.

[Statutory Authority: RCW 28B.35.120, 82-07-038 (Resolution No. 82-01), § 172-116-050, filed 3/15/82; Order 75-4, § 172-116-050, filed 4/10/75; Order 72-10, § 172-116-050, filed 9/20/72.]

WAC 172-116-060 Definition of valid parking permit. A parking permit is a certification of permission to park in designated lots on the Eastern Washington University campus.

(1) The parking permit shall consist of a decal denoting the assigned parking lot and the academic quarter for which the vehicle is registered to park.

(2) A guest permit shall consist of a card issued by the office of parking services.

[Statutory Authority: RCW 28B.35.120, 82-07-038 (Resolution No. 82-01), § 172-116-060, filed 3/15/82; Order 72-10, § 172-116-060, filed 9/20/72.]

WAC 172-116-080 Display of permits. The parking permit will be placed as per instructions on the decal. Guest permits shall be displayed as per instructions.

(1) Permits not displayed as per instructions shall not be valid.

(2) Vehicles using straight-in or diagonal parking spaces shall park with the front of the vehicle headed into said spaces or toward the curb.

[Statutory Authority: RCW 28B.35.120, 82-07-038 (Resolution No. 82-01), § 172-116-080, filed 3/15/82; Order 75-4, § 172-116-080, filed 4/10/75; Order 72-10, § 172-116-080, filed 9/20/72.]

WAC 172-116-090 Responsibility of persons to whom permits are issued. The person to whom a permit is issued pursuant to these regulations shall be responsible for all violations of these regulations involving the vehicle for which the permit was issued and to which it was affixed.

[Statutory Authority: RCW 28B.35.120, 82-07-038 (Resolution No. 82-01), § 172-116-090, filed 3/15/82; Order 72-10, § 172-116-090, filed 9/20/72.]

WAC 172-116-110 Student, faculty, and staff permits. (1) Annual reserved parking stalls or parking spaces will be provided for those students, faculty and staff members requesting the same. Upon payment of the fee for such reserved parking, a sign shall be erected reserving the space by the number of the vehicle or vehicles which shall be allowed to park in that space. Quarterly reserved parking spaces are not available.

(2) Students, faculty, and staff shall be assigned to lots, and are restricted to parking in the assigned lot unless issued a special permit authorizing parking in other lots as provided in WAC 172-116-140.

(3) Students, faculty, and staff may purchase duplicate decals for additional vehicles, but only one decal vehicle may park in the parking lot for which the decal was purchased. Such additional permits shall be issued for a handling fee. Violators of this section will be subject to a fine. All vehicles involved are subject to a fine.

[Statutory Authority: RCW 28B.35.120, 82-07-038 (Resolution No. 82-01), § 172-116-110, filed 3/15/82; Order 75-4, § 172-116-110, filed 4/10/75; Order 74-1, § 172-116-110, filed 1/24/74; Order 72-10, § 172-116-110, filed 9/20/72.]

WAC 172-116-130 Handicapped parking. Spaces or stalls shall be set aside in certain parking lots adjacent to campus buildings for the exclusive use of handicapped whose physical condition makes it difficult to go to and from classes and buildings.

(1) Persons wishing to utilize handicapped parking spaces must register as a handicapped person at the time that the parking permit is issued. The applicant may be required to secure a written statement from a qualified physician outlining the nature of the handicap and recommended preferred parking.

(2) The parking supervisor or his designee will authorize all handicapped permits.

[Statutory Authority: RCW 28B.35.120, 82-07-038 (Resolution No. 82-01), § 172-116-130, filed 3/15/82; Order 72-10, § 172-116-130, filed 9/20/72.]

WAC 172-116-140 Special permits. Students, faculty, and staff may be issued special permits authorizing parking in any campus lot. Special permits shall be on a "space available" basis only, and do not authorize parking in a reserved or handicapped space or stall. Applications for special permits shall be approved by the director of planning and budgeting services or his designee.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-140, filed 3/15/82; Order 75-4, § 172-116-140, filed 4/10/75; Order 74-1, § 172-116-140, filed 1/24/74; Order 72-10, § 172-116-140, filed 9/20/72.]

WAC 172-116-150 Visitors' permits. Guests, visitors, salesmen, servicemen, vendor representatives, and others doing business with the institution may be issued visitors' permits allowing them to park in designated lots on campus. A fee may be charged.

(1) Parking on the campus will not be provided to persons intending to make personal solicitations from or personal sales to university employees or students.

(2) Visitors' permits shall not allow the user to park in reserved, handicapped spaces or stalls.

(3) Visitors' permits shall be in the form provided in WAC 172-116-060(2).

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-150, filed 3/15/82; Order 75-4, § 172-116-150, filed 4/10/75; Order 72-10, § 172-116-150, filed 9/20/72.]

WAC 172-116-160 Car pool permits. Duplicate parking permits shall be issued to each car but shall not exceed five in number for each pool. A fee is assessed for each duplicate issued. At no time shall more than one vehicle bearing the decal number be parked in the lot for which the decal was purchased. Duplicate permits shall be purchased and signed for by the purchaser of the original decal. Violation of this section will be subject to a fine. All vehicles involved are subject to a fine.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-160, filed 3/15/82; Order 75-4, § 172-116-160, filed 4/10/75; Order 72-10, § 172-116-160, filed 9/20/72.]

WAC 172-116-170 Permit revocations. Parking permits are the property of the university and may be recalled, revoked, or suspended for violation(s) of any provision of the following. Citations may be issued for violations.

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

(2) When a permit is used on an unregistered vehicle or by an unauthorized individual. The vehicle and/or permit holder shall be subject to citation.

(3) Falsification on a parking permit application shall be grounds for permit revocation.

(4) Continued violations of parking regulations may be grounds for permit revocation.

(5) Counterfeiting or altering of parking permits shall be grounds for permit revocation and subjects the offender to a citation.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-170, filed 3/15/82; Order 72-10, § 172-116-170, filed 9/20/72.]

WAC 172-116-175 Hearing provided. Cancellation or revocation of any parking permit because of any of the causes stated in WAC 172-116-170 (2) through (5) may be appealed to the parking supervisor.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-175, filed 3/15/82; Order 72-10, § 172-116-175, filed 9/20/72.]

WAC 172-116-190 Parking areas on campus. Each authorized parking lot on the Eastern Washington University campus shall be designated as such by a sign proclaiming that it is a parking lot and that only registered vehicles shall be allowed to park therein, excepting those lots requiring cash payments or special events parking. Each lot will be given a separate and distinguishing number or letter, and only vehicles assigned to that lot shall be allowed to park therein, except as provided in WAC 172-116-050(4) and 172-116-140.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-190, filed 3/15/82; Order 72-10, § 172-116-190, filed 9/20/72.]

WAC 172-116-200 Prohibited areas. No vehicle shall be parked in any driveway, emergency access, sidewalk, lawn, or any other area not designated as a parking lot. Unless otherwise provided for, no vehicle shall be parked within sixteen feet of any building or structure on the Eastern Washington University campus or in any area where a "No parking service drive" sign is posted. Loading and unloading permits are available at the office of campus safety. Violation of the above may result in vehicle being removed at owner's expense.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-200, filed 3/15/82; Order 72-10, § 172-116-200, filed 9/20/72.]

WAC 172-116-210 Parking within designated spaces. (1) No vehicle shall be parked so as to occupy any portion of more than one parking space or stall as designated within the parking area. The fact that other vehicles may have been so parked as to require the vehicle parked to occupy a portion of more than once space or stall shall not constitute an excuse for a violation of this section.

(2) Certain areas may be set aside for the parking of compact vehicles and shall be so designated. Any other vehicle using such a space shall be subject to citation(s), impound, or both.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-210, filed 3/15/82; Order 72-10, § 172-116-210, filed 9/20/72.]

WAC 172-116-220 Abandoned, disabled, and inoperative vehicles. No disabled or inoperative vehicle shall be parked on the campus (without a decal) for a period in excess of twenty-four hours. Vehicles which have been parked for periods in excess of twenty-four hours and which appear to be disabled or inoperative may be impounded and stored at the expense of either or both the owner and operator thereof. Neither the university nor its employees shall be liable for loss or damage of any kind resulting from such impounding and storage.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-220, filed 3/15/82; Order 72-10, § 172-116-220, filed 9/20/72.]

WAC 172-116-230 Impounding or immobilizing illegally parked vehicles. The parking supervisor or his authorized designee may order the impound and storage of, or immobilization of any vehicle parked in areas where parking is not allowed, or parked in a space reserved for another vehicle, or illegally parked in a handicapped space, or having unpaid citations against said vehicle. The impounding and storage shall be at the expense of either or both the owner and operator of the impounded vehicle. The owner or operator of the impounded vehicles shall not recover his vehicle until he has made arrangements with the parking supervisor. Neither the university nor its employees or representatives shall be liable for loss or damage of any kind resulting from such impounding, storage, or immobilization.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-230, filed 3/15/82; Order 75-4, § 172-116-230, filed 4/10/75; Order 74-1, § 172-116-230, filed 1/24/74; Order 72-10, § 172-116-230, filed 9/20/72.]

WAC 172-116-240 Liability of university. The university assumes no liability for vehicles parked on university properties. The university rents space to individuals desiring to park on the campus and who purchase a parking permit. However, no bailment is created by the purchase of a permit.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-240, filed 3/15/82; Order 72-10, § 172-116-240, filed 9/20/72.]

WAC 172-116-250 Parking violations. The following designated acts or practices will be deemed parking violations for which a violation citation may issue, impound occur, or both, in regard to:

(1) Parking a vehicle in a campus lot in which permits or payments are required, or when such vehicle is not registered or does not display a valid permit.

(2) Parking a vehicle in a space or stall reserved, unless the parked vehicle is registered for that space or stall.

(3) Parking a vehicle in a space or stall reserved for handicapped and not displaying a handicapped parking permit.

(4) Parking a vehicle in such a manner as to occupy more than one space or stall.

(5) Parking a vehicle in an area not specifically posted for parking, such as service areas, driveways, loading zones, or areas with yellow curb.

(6) Parking vehicles registered for student, faculty, or staff in a space or stall reserved for metered parking without paying meter fee.

Vehicles in violation of one or more of these rules and regulations shall be subject to citation on one or more of the violations and may be given more than one citation. The fact that that particular violation does not appear in this section, shall not be construed to mean that a violation of any of the remainder of the rules contained in

this chapter does not exist, and shall not invalidate the citation lawfully issued under these rules, or be a defense for the appeal of the citation or limit the culpability of the person to whom the citation is issued.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-250, filed 3/15/82; Order 74-1, § 172-116-250, filed 1/24/74; Order 72-10, § 172-116-250, filed 9/20/72.]

WAC 172-116-260 Regulatory signs. Drivers of vehicles shall obey regulatory signs and signs related to the collection of parking fees posted by the university. Drivers of vehicles shall also comply with directions given them by the parking services officers or other representatives of the office of campus police in the control and regulations of traffic and parking.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-260, filed 3/15/82; Order 72-10, § 172-116-260, filed 9/20/72.]

WAC 172-116-270 Rules and regulations available. These rules and regulations shall be made available at the university information center and other appropriate locations on campus and shall be available in abbreviated form to all persons securing a parking permit at Eastern Washington University. Not being familiar with, or ignorance of one or more of these rules and regulations shall not constitute a defense for violation of a rule or regulation and shall not limit the culpability of a person to whom the violation citation is issued.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-270, filed 3/15/82; Order 75-4, § 172-116-270, filed 4/10/75; Order 72-10, § 172-116-270, filed 9/20/72.]

WAC 172-116-280 Special traffic and parking regulations and restrictions authorized. During emergencies, special events or extenuating circumstances the parking supervisor or chief of campus police or their designee are authorized to impose additional traffic and parking regulations or modify the existing rules and regulations. Emergencies, special events, and extenuating circumstances will be determined by the parking supervisor or chief of campus police.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-280, filed 3/15/82; Order 75-4, § 172-116-280, filed 4/10/75; Order 72-10, § 172-116-280, filed 9/20/72.]

WAC 172-116-290 Effective hours of operation. The traffic and parking regulations shall be effective at all times.

[Order 72-10, § 172-116-290, filed 9/20/72.]

WAC 172-116-300 Fees. All faculty, staff, and student vehicles shall be issued parking permits upon payment of fees as approved by the board of trustees.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-300, filed 3/15/82; Order 75-4, § 172-116-300, filed 4/10/75; Order 72-10, § 172-116-300, filed 9/20/72.]

WAC 172-116-310 Fines. All fines will be paid at the office of campus safety, between the hours of 8:00 a.m. - 5:00 p.m., Monday through Friday. Fines shall be applied as approved by the board of trustees.

(1) Class A citations shall include: Parking in safety zones, handicapped spaces, reserved zones, service drives, bus zones, within fifteen feet of a fire hydrant, or altering or misuse of parking permit.

(2) Class B citations shall include: No parking permit, no valid permit, parked in no parking area, at expired meter, at/or over yellow curb/line, in wrong lot, in driveway, in loading zone, in visitor zone, on lawn or sidewalk, motorcycle off pavement, motorcycle in car space, vehicle immobilized, vehicle impounded, other violations as indicated.

(3) Fines for parking citations referred to EWU appeals board shall be at the rate determined by the members of said board and payable to campus safety.

(4) Fines levied on persons by the EWU appeals board upon appeal by the person to whom the citation was issued shall not exceed such fines as determined by the board of trustees. Said fines are payable at the office of campus safety.

(5) The parking supervisor or his designee is permitted to reduce or dismiss fines where mitigating circumstances are evident.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-310, filed 3/15/82; Order 75-4, § 172-116-310, filed 4/10/75; Order 74-1, § 172-116-310, filed 1/24/74; Order 72-10, § 172-116-310, filed 9/20/72.]

WAC 172-116-315 Citation appeal. Persons may appeal citations to the Eastern Washington University appeals board within seven calendar days of issuance of citations. The purpose of the board is to hear all appeals from all sectors of the campus community on an equal basis, to act on all appeals in an equitable fashion. The appeals board shall consist of voting members from the following groups: Associated students, classified staff, faculty, administrative exempt. The parking supervisor will act as a parking consultant to the board and vote only to break a tie. The board will meet one day a week, with additional hearings as are necessary. All results of the appeal board hearings will be posted on campus.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-315, filed 3/15/82; Order 75-4, § 172-116-315, filed 4/10/75.]

WAC 172-116-320 Nonpayment of fines. Nonpayment of fines is subject to collection methods used by parking services and the university.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-320, filed 3/15/82; Order 75-4, § 172-116-320, filed 4/10/75; Order 72-10, § 172-116-320, filed 9/20/72.]

WAC 172-116-330 Disposition of fees and fines. The director of planning and budgeting services shall deposit all proceeds from fees and fines collected pursuant to these regulations in the parking fund of the university. All costs of operating, maintaining, and patrolling the campus parking lots and all direct costs of administering these regulations shall be charged against this fund. The director of planning and budgeting services shall make an annual report of the surplus of revenue over expenses to the president.

(1989 Ed.)

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-330, filed 3/15/82; Order 72-10, § 172-116-330, filed 9/20/72.]

WAC 172-116-340 Refunds. Refunds or fees shall be made in accordance with the schedules as approved from time to time, by the board of trustees.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-340, filed 3/15/82; Order 75-4, § 172-116-340, filed 4/10/75; Order 72-10, § 172-116-340, filed 9/20/72.]

WAC 172-116-345 Motorscooters--Bikes. Shall park in their designated areas as posted.

[Statutory Authority: RCW 28B.35.120. 82-07-038 (Resolution No. 82-01), § 172-116-345, filed 3/15/82.]

Chapter 172-118 WAC TRAFFIC AND PARKING REGULATIONS FOR BICYCLES, MOTORCYCLES, AND MOTORSCOOTERS

WAC

172-118-010	Purpose.
172-118-020	Bicycles, motorcycles, and motorscooters defined.
172-118-030	Applicable rules and regulations.
172-118-040	Operation of bicycles, motorcycles, and motorscooters.
172-118-050	Parking regulations.
172-118-060	Unauthorized use.
172-118-070	Equipment.
172-118-080	Registration of bicycles.

WAC 172-118-010 Purpose. The primary objective of the rules and regulations set forth in this chapter is to provide safety, traffic, and parking controls for the use of bicycles, motorcycles, and motorscooters upon all state lands devoted to the educational, recreational, research, and living activities of Eastern Washington State College.

[Order 72-12, § 172-118-010, filed 9/20/72.]

WAC 172-118-020 Bicycles, motorcycles, and motorscooters defined. A bicycle shall be, for the purposes of this section, any vehicle with three or less wheels and containing a saddle seat, and which is not motor driven. Any vehicle with three or less wheels and containing a saddle seat, and which is motor driven is considered a motorcycle or motorscooter for the purposes of this section.

[Order 72-12, § 172-118-020, filed 9/20/72.]

WAC 172-118-030 Applicable rules and regulations. The safety, traffic, and parking regulations for bicycles, motorcycles, and motorscooters which are applicable upon the campus of Eastern Washington State College are as follows:

- (1) The motor vehicle and other traffic laws of the state of Washington;
- (2) The traffic code of the city of Cheney, Washington; and
- (3) Special regulations set forth in this chapter.

[Order 72-12, § 172-118-030, filed 9/20/72.]

WAC 172-118-040 Operation of bicycles, motorcycles, and motorscooters. (1) No bicycle, motorcycle, or motorscooter may be operated on sidewalks, walkways, lawns, or other property not set aside for such purposes on the Eastern Washington State College campus; except that all bicycles, motorcycles, and motorscooters owned and operated by the college shall be exempt from this provision.

(2) Bicycles, motorcycles, and motorscooters may be operated any place where automobiles or other motor vehicles are permitted.

(3) Bicycles, may be operated on college walkways in the mall area and the area surrounding Showalter Hall and between the Hall of Sciences and the Memorial Field House: *Provided*, That the bicycle is operated in a safe manner and in compliance with these regulations.

(4) Bicycle locks may be broken to facilitate impounding of said bicycle without liability to Eastern State College or its authorized personnel. A two dollar impound fee must be paid before said bicycle is released to the owner.

[Order 74-2, § 172-118-040, filed 1/24/74; Order 72-12, § 172-118-040, filed 9/20/72.]

WAC 172-118-050 Parking regulations. Bicycles, motorcycles, and motorscooters may be parked, without permit, in any parking lot on the campus of the college, providing that said parking does not interfere with the parking of motor vehicles.

(1) Bicycles must be parked in bicycle racks. At times, rack space may not be available and parking on the grass off the pavement will be permitted if all racks in the vicinity are full.

(2) Bicycles, motorcycles, and motorscooters may be parked in triangular spaces caused by angular parking in a lot.

(3) Bicycles, motorcycles, and motorscooters may not be parked on any lawn, sidewalk, walkway, driveway, service area, against any building, building entrances or exits, nor in a building on the college campus, except as provided in WAC 172-118-050(1).

(4) Bicycles, motorcycles, and motorscooters not conforming to these regulations are subject to citation as are all other vehicles, and may be impounded as provided in WAC 172-116-230.

(5) Bicycle, motorcycle, and motorscooter regulations will be in effect at all times.

[Order 72-12, § 172-118-050, filed 9/20/72.]

WAC 172-118-060 Unauthorized use. The use of a bicycle, motorcycle, or motorscooter without the owner's permission, or moving a bicycle, motorcycle, or motorscooter to any unauthorized area is prohibited.

[Order 72-12, § 172-118-060, filed 9/20/72.]

WAC 172-118-070 Equipment. All bicycles, motorcycles, or motorscooters must have a headlamp that can be seen from a distance of not less than five hundred feet, if the vehicle is driven at night. All bicycles, motorcycles, or motorscooters must have a red tail light or red tail reflector that can be seen from a distance of not

less than five hundred feet, if the vehicle is driven at night. Night, for the purposes of this section, is one-half hour before sunset to one-half hour after sunrise, or any time when visibility is reduced to two hundred feet or less. All bicycle, motorcycle, or motorscooter equipment must meet all standards as set forth by the state of Washington regulations and policies.

[Order 72-12, § 172-118-070, filed 9/20/72.]

WAC 172-118-080 Registration of bicycles. All bicycles operated or parked upon the campus of Eastern Washington State College must be registered with the city of Cheney pursuant to its laws governing such registration.

[Order 72-12, § 172-118-080, filed 9/20/72.]

Chapter 172-120 WAC STUDENT CONDUCT CODE

WAC

172-120-010	Introduction.
172-120-020	Interest of the university relevant to a student code.
172-120-030	The problems of dual membership.
172-120-040	Conduct code.
172-120-050	Sanctions.
172-120-060	Discipline functionaries.
172-120-070	Initiation of disciplinary procedures.
172-120-080	Authority of university disciplinary officer.
172-120-090	Consolidation of cases permissible.
172-120-100	Hearings procedure.
172-120-110	Disciplinary committee—Deliberations and sanctions.
172-120-120	Appeals.
172-120-130	Interim suspension permitted.
172-120-140	Judicial proceedings—Procedural rights of students.
172-120-150	Academic misconduct.

WAC 172-120-010 Introduction. The board of trustees of Eastern Washington University has the authority and obligation to adopt regulations for the governance of the university for the purpose of providing educational opportunities to its students, transmitting and advancing knowledge and of providing a wide range of services to both students and the general public. To carry out these responsibilities, the university requires a community free from violence, threats, and intimidation; protective of free inquiry, respectful of the rights of others; open to change; supportive of democratic and lawful procedures; and dedicated to the rational and orderly approach to the resolution of human problems. To safeguard the rights, opportunities, and welfare of students, faculty, staff and guests of the university community, and to assure protection of the interests of the university as it seeks to carry out its mission on behalf of the citizens of the state of Washington, certain minimum standards of conduct become necessary.

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 87-20-056 (Order 87-01), § 172-120-010, filed 10/2/87. Statutory Authority: RCW 28B.35.120. 81-06-023 (Order 1-22-81), § 172-120-010, filed 2/25/81; Order 72-2, § 172-120-010, filed 5/12/72.]

WAC 172-120-020 Interest of the university relevant to a student code. The university is a special, as opposed to general purpose community, and as such must

devise procedures and regulations to control disruptive elements which would deter the university from furthering its mission—providing learning experiences for its students, transmitting and advancing knowledge and providing services to the greater community. Special university interests provide a foundation for building a code of conduct.

(1) The university has a primary concern with matters which impinge upon academic achievement and integrity.

(2) The university has a concern with conduct which breaches the peace, causes disorder, and substantially interferes with the rights of others.

(3) The university has an interest in behavior which threatens or actions which imperil the physical and mental health and safety of members of the university community.

(4) The university has an obligation to protect its property and the property of members of its community from theft, damage, destruction, or misuse.

(5) The university has a commitment to meet its contractual agreements.

(6) The university has an obligation to support and be guided by laws of the land.

[Statutory Authority: RCW 28B.35.10 [28B.35.120]. 81-06-023 (Order 1-22-81), § 172-120-020, filed 2/25/81; Order 72-2, § 172-120-020, filed 5/12/72.]

WAC 172-120-030 The problems of dual membership. Activities of students may upon occasion result in violation of law. Students who violate the law may incur penalties prescribed by civil authorities, but institutional authority should never be used merely to duplicate the function of general laws. Only where the institution's interests as an academic community are distinct and clearly involved should the special authority of the institution be asserted. Students who incidentally violate institutional regulations in the course of their off-campus activity, such as those relating to class attendance, should be subject to no greater penalty than would normally be imposed. Institutional action should be independent of community pressure.

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 87-20-056 (Order 87-01), § 172-120-030, filed 10/2/87; Order 72-2, § 172-120-030, filed 5/12/72.]

WAC 172-120-040 Conduct code. The following are defined as offenses which are subject to disciplinary action by the university. The university has the authority to promulgate additional or more specific rules supplementary to the offenses listed in this section provided they are consistent with the student bill of rights in effect at the time and public notification has been given.

(1) All forms of dishonesty including but not limited to cheating, plagiarism, knowingly furnishing false information to the university, forgery, alteration or misuse of university documents or instruments of identification with intent to defraud.

(2) Conduct which intentionally disrupts or obstructs teaching, research, administration, disciplinary proceedings, freedom of movement or other lawful activities on the university campus.

(3) Detention or physical abuse of any person or conduct which is intended to threaten imminent bodily harm or endanger the health or safety of any person on any property owned or controlled by the university, or at any university-sponsored or supervised functions.

(4) Theft from, or malicious damage to, or malicious misuse of university property or the property of any person, when such property is located on the university campus.

(5) Failure to comply with reasonable directions of university officials or law enforcement officers acting in performance of their duties on campus or affecting conduct on campus.

(6) Being an accessory to any person on the university campus who is or who is not a member of the associated students of Eastern Washington University who violates this code.

(7) (a) Use, possession, distribution, or sale of alcoholic beverages except as permitted by university policy and state law.

(b) Use, possession, distribution, or sale of any controlled substance or illegal drug on university premises or in university controlled facilities.

(8) No individual shall have on his/her person, in his/her vehicle, or otherwise in his/her possession any gun, pistol, or firearm or explosives, dangerous chemicals or other dangerous weapons or instruments on the university campus or other university property except as follows:

(a) Authorized law enforcement officers shall be permitted to carry arms while on duty and engaged in their regular duties.

(b) Activities requiring use of the prohibited items may be conducted upon approval of the activity by the Board of Trustees.

(c) Persons shall be permitted to have firearms in their possession directly enroute to or from campus firearm storage facilities where such possession is incidental to approved on or off campus possession or use of such firearms.

(9) Violation of a local, county, state, or federal law, whether it be on or off campus, only when a definite university interest is involved and where the student misconduct distinctly and adversely affects the university's pursuit of its educational mission.

(10) Intentionally inciting others to engage in any of the conduct prohibited in this code, which incitement leads directly to such conduct.

(11) The unauthorized entry into or onto, or the unauthorized remaining in, or upon, any public or university facilities.

(12) All attempts to perform acts of misconduct prohibited by this section shall also be subject to disciplinary action.

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 87-20-056 (Order 87-01), § 172-120-040, filed 10/2/87. Statutory Authority:

RCW 28B.35.120. 81-06-023 (Order 1-22-81), § 172-120-040, filed 2/25/81; Order 72-2, § 172-120-040, filed 5/12/72.]

WAC 172-120-050 Sanctions. If any person is found guilty, one or more of the sanctions available shall be:

(1) Minor disciplinary sanction:

(a) Admonition: An oral statement to a student that he/she is violating or has violated institution rules.

(b) Warning: Notice, orally or in writing, that continuation or repetition of conduct found wrongful, within a period of time stated in the warning, may cause far more severe disciplinary action.

(c) Censure: A written reprimand for violation of specified regulations, including notice of the possibility of more severe disciplinary sanctions in the event of the finding of a violation of any regulation within a stated period of time.

(d) Disciplinary probation: Formal action placing condition upon the student's continued attendance for violation of specified regulations. The disciplinary probation shall specify, in writing, the period of probation and the conditions, such as limiting the student's participation in university related privileged or extra-curricular activities. Disciplinary probation further shall give the student notice that any further misconduct will automatically raise the question of suspension from the university. Disciplinary probation shall be for a specified period of time.

(e) Restitution: Reimbursement for damage or destruction to the property of the university or others. This may take the form of appropriate service or other compensation. Failure to make arrangements to pay will result in cancellation of the student's registration and will prevent the student from reregistration.

(f) Fines: The disciplinary officer and the university disciplinary committee may assess monetary fines up to a maximum of two hundred dollars against individual students for violation of university rules or regulations or for failure to meet the university's standards of conduct. Failure to pay such fines promptly will prevent the student from reregistration.

(2) Major disciplinary sanction:

(a) Suspension: Exclusion from classes and other privileges or activities as set forth in a written notice for a specified period of time. Conditions of readmission shall be stated in the order of suspension.

(b) Dismissal: Permanent separation of the student from the university with no promise (implied or otherwise) that the student may return at any future time. The student will also be barred from university premises.

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 87-20-056 (Order 87-01), § 172-120-050, filed 10/2/87. Statutory Authority: RCW 28B.35.120. 81-06-023 (Order 1-22-81), § 172-120-050, filed 2/25/81; Order 72-2, § 172-120-050, filed 5/12/72.]

WAC 172-120-060 Discipline functionaries. (1) University disciplinary officer:

The university president shall designate a person to be the university disciplinary officer who shall review and decide questions of university interest. The university

disciplinary officer may investigate and make decisions in some instances of code violation.

(2) University disciplinary committee:

A university disciplinary committee composed equally of student and faculty representatives will provide a hearing and will make decisions on all disciplinary cases referred or appealed to it. The members of the committee and their terms of office shall be:

(a) Five members of the faculty and/or administration appointed by the president of the university for three year terms.

(b) Five students who shall be appointed by the president of the associated students of Eastern Washington University, with the advice and consent of the associated students legislature, as provided for in the constitution of the associated students of Eastern Washington University. No student shall be eligible for appointment who holds any position with any of the associated student courts, serves as an attorney general or assistant attorney general in any of the student courts, or is in any way affiliated with any judicial, quasi-judicial, or advocacy position with the courts of the associated students of Eastern Washington University.

(c) A nonvoting chair shall be elected for a one year term by the committee from outside the committee. Re-election of the chair is permissible.

(d) Six voting members constitute a quorum.

(e) In the event the chair is not in attendance, the quorum shall select a voting member to preside at the hearing.

(f) Members of the disciplinary committee shall not participate in any case in which they are a defendant, complainant, or witness, in which they have a direct or personal interest or bias, or in which they have acted previously in an advisory or adjudicatory capacity. A committee member's eligibility to participate in a case may be challenged by parties to the case or by other committee members, but decisions in this regard shall be made by the committee as a whole.

(g) In the event members of the disciplinary committee are disqualified or disqualify themselves from hearing a case, a temporary (for that case only) replacement shall be appointed. If the member is a student, the temporary appointment will be made by the associated students of Eastern Washington University president. If the member is a faculty member or administrator, the temporary appointment will be made by the university president.

(3) Student courts:

Student courts, the associated students superior court and those established by the associated students legislature as lesser courts to the associated students superior court, may act on such internal disciplinary problems as they feel competent to deal with effectively. If the student court is inoperative, or if it decides to do so, the student court may refer cases involving alleged violations of rules upon which that court may extend jurisdiction to the university disciplinary officer or the university disciplinary committee.

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 87-20-056 (Order 87-01), § 172-120-060, filed 10/2/87. Statutory Authority:

RCW 28B.35.120. 81-06-023 (Order 1-22-81), § 172-120-060, filed 2/25/81; Order 72-2, § 172-120-060, filed 5/12/72.]

WAC 172-120-070 Initiation of disciplinary procedures. The object of this code is to provide fair and reasonable procedures with which to deal with problems of student conduct. The student charged with misconduct shall be entitled to due process as defined in Article II, section 10, of the associated students of Eastern Washington University constitution and WAC 172-120-140.

A person wishing to charge a student with a violation of the conduct code may:

(a) Make the charge in a student court if that system has jurisdiction; or

(b) Prefer charges with the university disciplinary officer. Nothing in this code shall prohibit or limit the right of persons to go directly to the civil authorities and prefer charges in instances of alleged violations of local, county, state, or federal law.

The university disciplinary committee shall have appellate jurisdiction in those situations where the student has appealed from the imposition of a disciplinary action by the university disciplinary officer or by a student court.

[Statutory Authority: RCW 28B.35.10 [28B.35.120]. 81-06-023 (Order 1-22-81), § 172-120-070, filed 2/25/81; Order 76-9-1, § 172-120-070, filed 9/23/76; Order 72-2, § 172-120-070, filed 5/12/72.]

WAC 172-120-080 Authority of university disciplinary officer. When the university disciplinary officer receives a complaint against a student for a violation of the code, the disciplinary officer will explain to the complainant his/her rights under the student conduct code and possible avenues of action which the complainant has against the student, including reference to remedies under civil law as well as possible remedies under the student code. If the university disciplinary officer decides to initiate a disciplinary proceeding against the student the disciplinary officer will then call the student charged for an initial conference. At this time, the university disciplinary officer will provide the accused student with a written list of the charges, and will explain the student's rights under the student code and what possible ramifications may occur under civil law, if any. The disciplinary officer will further explain the disciplinary procedures and possible penalties under the student code and advise the student that he/she must, within twenty-four hours after receipt of this explanation, decide whether he/she wishes to have his/her case heard by the university disciplinary officer, or by the university disciplinary committee, and sign a statement declaring the same. The committee must receive at least seventy-two hours notice as to the time and place of the hearing. After considering the evidence against a student so charged, the university disciplinary officer may take any of the following actions:

(1) Terminate the complaint, exonerating the student.

(2) Dismiss the charge after whatever counseling and advice is deemed appropriate.

(3) Refer the student to the mental health review board when it is reasonably determined from the available evidence that such referral is appropriate.

(4) Impose any number of sanctions from WAC 172-120-050(1) (minor disciplinary sanction).

(5) Refer the case to the university disciplinary committee in the event the university disciplinary officer deems major disciplinary sanction may be warranted or if the student requests that his/her case be heard by the committee. If the student requests that the case be heard by the university disciplinary committee rather than the university disciplinary officer, the committee may take any of the sanctions listed in subsections (1), (2), (3), and (4) of this section, except that the committee may impose a major disciplinary sanction as defined in WAC 172-120-050(2).

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 87-20-056 (Order 87-01), § 172-120-080, filed 10/2/87. Statutory Authority: RCW 28B.35.120. 81-06-023 (Order 1-22-81), § 172-120-080, filed 2/25/81; Order 72-2, § 172-120-080, filed 5/12/72.]

WAC 172-120-090 Consolidation of cases permissible. In the event that one or more students are charged with the same misconduct arising from the same occurrence, the disciplinary committee or university disciplinary officer shall be authorized to consolidate the hearings as practical; however, consolidation does not prejudice the rights of any students.

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 87-20-056 (Order 87-01), § 172-120-090, filed 10/2/87. Statutory Authority: RCW 28B.35.120. 81-06-023 (Order 1-22-81), § 172-120-090, filed 2/25/81; Order 72-2, § 172-120-090, filed 5/12/72.]

WAC 172-120-100 Hearings procedure. (1) Hearings before the university disciplinary committee will generally be open hearings, but upon request by either the complaining witness or the student charged, the hearing shall be closed.

(a) In all cases in which an open hearing occurs, the chair of the committee shall have the discretion to reasonably limit the amount of attendees at such hearing. If at any time during the conduct of a hearing, invited guests or attendees are disruptive of the proceedings, the chair of the committee may exclude such persons from the hearing room. In those cases in which the chair decides that because of disruption the hearing cannot be conducted fairly in an open session, the chair may direct that the hearing be recessed and that the remainder be conducted in closed session.

(b) Any students attending a disciplinary committee hearing as an invited guest or as attendee who continues to disrupt the proceedings after the chair of the committee has asked them to cease and desist thereof, shall be subject to disciplinary action.

(2) A written record or a tape recording of the testimony before the university disciplinary committee shall be kept. It may be reviewed by the student at any time prior to the final disposition of the case. A record of all proceedings will be kept and filed with the university disciplinary officer.

(3) Students may have an adviser of his/her choice to present or assist in the presentation of his/her case, subject to the limitations of (b) of this subsection. Students must render three days' notice prior to the hearing of the prospective representation if he/she intends to be represented by a duly licensed attorney. In the event the student chooses a duly licensed attorney to represent him/her in proceedings before the disciplinary committee, an assistant attorney general for the state of Washington shall represent the university therein.

(a) In those instances in which both sides are represented by a duly licensed attorney, the assistant attorney general of the state of Washington representing the university shall present the case against the student to the disciplinary committee or the university disciplinary officer for appropriate findings and action.

(b) In the instance where duly licensed attorneys are not representing either the university or the accused student, the university shall be represented by the university disciplinary officer, or his/her designee; however, the representative of the university shall be acceptable to the complaining witness or witnesses; however, no one may represent the university or the student charged unless he/she is a member of the student body, faculty, classified staff, or administrative staff of Eastern Washington University.

(4) Only those matters presented at the hearing in the presence of the accused student, except where the student fails to attend after receipt of proper notice that a hearing regarding the university's allegation that he/she violated the student code is being held at a certain time and place, will be considered in determining whether the university disciplinary committee has sufficient cause to believe that the accused student is guilty of violating any of the written list of charges presented him/her pursuant to WAC 172-120-080.

(a) In determining whether sufficient cause, as stated in the foregoing paragraph, does exist, the university disciplinary officer or in the instance of a hearing, the university disciplinary committee, shall decide whether a preponderance of the evidence indicates that the student charged did violate the student code by engaging in the conduct for which he/she was charged pursuant to WAC 172-120-080.

(b) For the purposes of this code, the phrase, "preponderance of the evidence," shall mean that it is more likely that the student charged did violate the student code by engaging in the conduct for which he/she is charged than that he/she did not.

(c) The chair of the university disciplinary committee shall, in the course of presiding at the disciplinary hearing, give effect to the rules of privilege recognized by law and may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence.

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 87-20-056 (Order 87-01), § 172-120-100, filed 10/2/87. Statutory Authority: RCW 28B.35.120. 81-06-023 (Order 1-22-81), § 172-120-100, filed 2/25/81; Order 72-2, § 172-120-100, filed 5/12/72.]

WAC 172-120-110 Disciplinary committee—Deliberations and sanctions. (1) The university disciplinary

committee will meet in closed session and decide by majority vote whether the preponderance of the evidence indicates that the student has or has not violated the rules he/she is charged with having violated. If the decision is that the student did engage in an act of misconduct in violation of the rules with which he/she is charged with having violated, the committee will by majority vote determine what sanction from WAC 172-120-050 it will recommend that the president impose upon the student. This recommendation to the president must be accomplished within five days of the time when the proceedings are terminated.

(2) In the course of the committee's decision as to what sanction it shall recommend be imposed by the president, it may consider any evidence of past misconduct that the chair of the committee deems relevant; such evidence may be presented by the university disciplinary officer or his/her designee.

(3) No recommendation for the imposition of sanctions may be based solely upon the failure of the accused student to answer the charges or appear at the hearing, but must be based upon the evidence considered prior to the committee's decision or on the evidence of past misconduct deemed relevant by the chair of the university disciplinary committee.

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 87-20-056 (Order 87-01), § 172-120-110, filed 10/2/87. Statutory Authority: RCW 28B.35.120. 81-06-023 (Order 1-22-81), § 172-120-110, filed 2/25/81; Order 72-2, § 172-120-110, filed 5/12/72.]

WAC 172-120-120 Appeals. (1) Any student feeling aggrieved by the imposition of minor disciplinary sanctions by the university disciplinary officer or by a student court shall have a right of appeal to the disciplinary committee, provided a written notice of appeal is received by the committee within five days after notice of disciplinary action is given. The written notice of appeal shall set forth:

(a) The student's name;

(b) The nature of the disciplinary action imposed; and

(c) The reasons why the recommendation regarding disciplinary action should be reversed, set aside or modified. The committee may request a written report of the case from the disciplinary officer or student court before making its decision. The committee shall also have the right to request additional written information or explanation from any of the parties to the proceeding before rendering its decision. In making its decision, the committee shall only consider the written record before it, the student's notice of appeal, the written report of the disciplinary officer or student court and such other information and explanation it has requested from the parties to the proceeding. There shall be no further appeal from any action of the disciplinary officer. The committee is empowered to affirm, reverse, remand, or modify (only to a less severe sanction) the recommendation regarding disciplinary action of the university disciplinary officer or a student court.

(2) Appeals to the president:

(a) Any student aggrieved by the disciplinary committee's recommendation as to what disciplinary action

the president should take (as distinguished from appellate consideration by the committee), shall have a right of appeal to the president, or the president's designee, within five days after notice of the recommendation of disciplinary action is given.

(b) If a complaining witness feels aggrieved by the decision of the university disciplinary officer or by the university disciplinary committee's recommendation to the president, he/she may petition the president to remand the charges back to the disciplinary officer or the university disciplinary committee for a rehearing of the matter as charged.

(3) The written notice of appeal by an aggrieved student or a petition by an aggrieved complaining witness shall set forth:

(a) The student's name or the complaining witness's name;

(b) The nature of the disciplinary action requested or imposed; and

(c) Reasons why the disciplinary sanction recommended should be reversed, set aside, or modified, or in the case of a petitioning complaining witness, the reasons why the disciplinary matter should be reheard by the university disciplinary officer or the university disciplinary committee.

(4) The president may request a written report of the case from the disciplinary committee before making a decision. The president shall also have the right to request additional information or explanation from any of the parties to the proceeding before rendering a decision. In making a decision, the president shall only consider the written record, the student's notice of appeal, the petition of a complaining witness if such is filed, the written record of the disciplinary committee, and such other information and an explanation requested from the parties to the proceeding. In the instance in which the president has received a finding that the university student code has been violated, the president may, in considering what disciplinary sanction should be imposed, affirm, reverse, remand, or modify (only to a less severe sanction) the recommendation of the university disciplinary committee.

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 87-20-056 (Order 87-01), § 172-120-120, filed 10/2/87. Statutory Authority: RCW 28B.35.120. 81-06-023 (Order 1-22-81), § 172-120-120, filed 2/25/81; Order 72-2, § 172-120-120, filed 5/12/72.]

WAC 172-120-130 Interim suspension permitted. Disciplinary actions of the university will be implemented by the president of the university, except as such implementation may be delegated by the president or the board of trustees. Ordinarily, the disciplinary authority of the university will be invoked only after completion of the procedures established for the review of disciplinary cases and after the employee or student, if he/she so wishes, has availed himself/herself of the appeal procedures. However, if the safety of one or more individuals is imperiled, property is endangered, or the university's ability to function is in question, the president or an

authorized representative may summarily suspend for stated cause an employee or the enrollment of any student. In all such cases, the individual is entitled to a hearing, upon written request, before the appropriate group or official as specified under discipline procedures as soon as such a hearing can be held, but not to exceed ten days after the date of summary suspension. During the period of interim suspension, the individual shall not enter or remain on the campus or other property owned or controlled by the university.

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 87-20-056 (Order 87-01), § 172-120-130, filed 10/2/87. Statutory Authority: RCW 28B.35.120. 81-06-023 (Order 1-22-81), § 172-120-130, filed 2/25/81; Order 72-2, § 172-120-130, filed 5/12/72.]

WAC 172-120-140 Judicial proceedings--Procedural rights of students. (1) Rights of the accused.

(a) An accused student has the right to a fair and impartial hearing before the appropriate committee composed of members of the campus community.

(b) No student may be asked by a university official or judiciary body to give information or to answer any question concerning the alleged violation of this chapter which he/she is suspected of having committed until he/she has been informed of:

(i) The fact that he/she is suspected of having violated this chapter and the section he/she is suspected of having violated,

(ii) The nature and approximate date of the activity in which he/she is suspected of having engaged,

(iii) The fact that he/she need not give any information regarding the alleged acts.

(c) In all judicial proceedings, the student shall enjoy the right to speak on his/her own behalf.

(d) Both the judiciary body and the student shall enjoy the right to call any persons whom he/she wishes to speak concerning the case, subject to the rules of privilege recognized by law and rules excluding evidence which is incompetent, irrelevant, immaterial or unduly repetitious.

(e) The accused student has the right to know his/her accusers and to cross-examine them and any others presenting evidence against the accused.

(f) A student shall not be subjected to university judicial action more than once for the same violation of a regulation.

(g) The burden of proof rests with the accuser. Said burden shall be carried if guilt is indicated by a fair preponderance of the evidence considered as a whole.

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 87-20-056 (Order 87-01), § 172-120-140, filed 10/2/87. Statutory Authority: RCW 28B.35.120. 81-06-023 (Order 1-22-81), § 172-120-140, filed 2/25/81; Order 76-9-1, § 172-120-140, filed 9/23/76.]

WAC 172-120-150 Academic misconduct. Academic misconduct refers to all violations of academic honesty related to fulfilling academic requirements, including but not limited to cheating, plagiarism, and/or knowingly assisting other students to engage in such conduct.

Cases of alleged academic misconduct shall be handled by the respective school/college except that recommendation for probation, fines, suspension, or dismissal shall be referred to the university disciplinary officer.

A faculty member has initial jurisdiction over any instances of academic misconduct that may occur in association with a course being taught by the faculty member. Before taking any action regarding academic misconduct, the faculty member must notify the student of the alleged misconduct within ten class days of discovering the misconduct (by meeting personally with the student, if possible) and discuss the incident in question. If action is to be taken, the faculty member shall send written notification of the action and the reason for it to the student. The faculty member may choose to resolve the matter by reducing the grade for the test, paper, or other course-related activity in question and/or by adjusting the grade for the course, including failure for the course. The student may appeal the faculty member's action through the department chairperson, dean, and vice president for academic affairs or his/her designee whose decision shall be final.

If the academic misconduct is perceived by the faculty member, department chair and dean as warranting additional misconduct sanctions, the dean shall forward the case with all relevant evidence and information including why additional sanctions are being requested within twenty class days of the incident to the university disciplinary officer. A hearing shall be conducted by the university disciplinary officer or the university disciplinary committee in accordance with the provisions of the student conduct code.

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 87-20-056 (Order 87-01), § 172-120-150, filed 10/2/87.]

Chapter 172-124 WAC

DISPOSITION OF OBLIGATIONS OWED TO COLLEGE BY STUDENTS

WAC

172-124-010	Financial obligations of students.
172-124-020	Appeal procedure.
172-124-100	Smoking regulations.
172-124-200	Definition—Pets.
172-124-210	Pet control.
172-124-220	Penalties for violations of pet control regulations.

WAC 172-124-010 Financial obligations of students. The conferring of degrees and issuance of academic transcripts may be withheld by Eastern Washington State College for failure of a student to meet his or her financial obligations owed to the college. Such fees, charges, debts, fines, or other financial obligations shall include but are not limited to the following:

- (1) Bookstore debts;
- (2) Housing and food service debts;
- (3) Parking fines;
- (4) Library fines;
- (5) "Not sufficient funds" checks;

- (6) Damages to college property;
- (7) Failure to return borrowed, leased, or rented college property;
- (8) Unreturned keys;
- (9) Personal telephone tolls charged to a college number.

[Order 72-11, § 172-124-010, filed 9/20/72.]

WAC 172-124-020 Appeal procedure. (1) Every student has the right to appeal a decision of any college department or division to assess a fee, fine, charge, debt, or other financial obligation for a determination of the validity and legitimacy of that charge. The appeal must be in writing and directed to the division or department head assessing the financial obligation. Notice of the appeal shall be given within ten days after notice of right to appeal is received. Following such notice, the student shall be allowed an informal hearing with the head or appointed representative of the department or division assessing the obligation. The decision of such hearing shall be final: *Provided*, That in the event such financial obligation shall prove to be of a magnitude requiring the assessed student to terminate his relationship with Eastern Washington State College, the student shall have a right to a formal hearing as provided in RCW 28B.19.120.

(2) If the student has not satisfied his financial obligations to the college within ten days after his right to a hearing has expired, the college may take the action provided in WAC 172-124-010 after providing the financially obligated student with notice of the intended action, whenever such notice is possible.

[Order 72-11, § 172-124-020, filed 9/20/72.]

WAC 172-124-100 Smoking regulations. The smoking of tobacco substances at Eastern Washington State College is subject to the following rules:

(1) Smoking shall not be permitted in classrooms, lecture rooms, teaching laboratories, storage rooms, posted areas, or any place where there is combustible material or inflammable liquids.

(2) Smoking shall be permitted only if offices and conference rooms where metal, plastic, or glass ash trays are used and precautions taken to avoid fire.

(3) Smoking in the JFK Memorial Library is restricted to areas so specified by the college librarian or his designee.

(4) The president shall determine whether smoking shall be permitted or not permitted in any other places on properties owned or operated by the college that are not specifically provided for in these rules.

(5) The employees and students of Eastern Washington State College will enforce the regulations as required.

[Order 73-8, § 172-124-100, filed 3/20/73.]

WAC 172-124-200 Definition—Pets. For the purposes of this section, the word, "pets," shall mean any

domestic or other animal not used in the course of laboratory or other teaching experiments at the college. Seeing eye dogs under the control of a blind person shall be exempt from this section.

[Order 73-11, § 172-124-200, filed 5/22/73.]

WAC 172-124-210 Pet control. In order to assure the health and safety of all persons on properties owned or controlled by Eastern Washington State College, the following rules and regulations regarding pet control are hereby promulgated:

(1) Title 7 of the municipal code of the city of Cheney, Washington, relating to animal control shall be expressly applicable to all portions of the Eastern Washington State College properties contained within the city of Cheney, Washington.

(2) State and county laws relating to animal control shall be expressly applicable to all portions of the Eastern Washington State College properties outside the city of Cheney, Washington.

(3) No person will be permitted to bring any pet upon properties owned or controlled by Eastern Washington State College unless such pet is under the immediate control of such person; provided, however, under no circumstances will pets be permitted to enter into buildings owned or controlled by Eastern Washington State College except that property located on the block bordered by Fifth, Sixth, B and C Streets and that property bordered by Seventh, C and D Streets, and the westerly side of Senior Hall in Cheney, Washington.

[Order 73-11, § 172-124-210, filed 5/22/73 and 6/13/73.]

WAC 172-124-220 Penalties for violations of pet control regulations. (1) Persons violating WAC 172-124-210 may be referred to an appropriate court of law for prosecution. Sworn police officers of Eastern Washington State College shall have express authority to refer such violations to appropriate courts of law.

(2) Pets found to be in violation of WAC 172-124-210 may be impounded by any employee of the office of campus safety of Eastern Washington State College. The director of campus safety, with the permission of the vice president for business and management, may enter into a contractual agreement with any competent person for the keeping and boarding of such pets for the period prescribed by Title 7 of the Cheney Municipal Code, and thereafter for the destruction of said pet as prescribed by Title 7 of the Cheney Municipal Code.

[Order 73-11, § 172-124-220, filed 5/22/73.]

Chapter 172-136 WAC COLLEGE FACILITIES

WAC

172-136-010	Introduction.
172-136-020	Employee organization defined.
172-136-030	Meeting rooms.
172-136-040	Use of mail service by employee organizations.
172-136-050	Telephone usage.
172-136-060	Use of duplicating and photocopying equipment.

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172-136-070	Use of secretarial and other supporting staff services.
172-136-080	Office equipment and supplies.
172-136-090	Travel expense.
172-136-100	Access to college records.
172-136-110	Conduct of employee organization business during scheduled working hours.
172-136-120	Conflicts with contractual provisions.
172-136-500	Tawanka Commons.
172-136-600	Commercial activities.
172-136-610	Commercial activities defined.
172-136-620	Penalties for violations of commercial activities regulations.

WAC 172-136-010 Introduction. The board of trustees of Eastern Washington State College pursuant to RCW 28B.40.120 has adopted the following rules and regulations relating to the use of college resources by employee organizations at Eastern Washington State College. The regulations set forth in this chapter are designed to control the use of college resources by employee organizations and their members when conducting the business of such organizations: *Provided, however,* That nothing in this chapter shall be construed to limit the use of college resources by members of employee organizations when such members are acting in their capacities as employees of Eastern Washington State College during the conduct of college business.

[Order 73-6, § 172-136-010, filed 3/20/73.]

WAC 172-136-020 Employee organization defined. An "employee organization" means an organization of any kind having as a primary purpose the improvement of terms and conditions of employment of employees holding faculty, classified staff, or exempt position appointments: *Provided,* That the term, "employee organization," shall not include the academic senate created by section 520.00 of the Eastern Washington State College bylaws. For the purposes of this chapter, references to limits and scope of activities by employee organizations shall be construed to affect and limit the conduct of persons acting on behalf of employee organizations.

[Order 73-6, § 172-136-020, filed 3/20/73.]

WAC 172-136-030 Meeting rooms. Employee organizations may schedule rooms for the conduct of meetings through the office of the director of student activities on the same basis as other college organizations.

[Order 73-6, § 172-136-030, filed 3/20/73.]

WAC 172-136-040 Use of mail service by employee organizations. (1) Employee organizations may use the facilities of the campus post office for intra-campus distribution of written organizational material to their membership or to the college community at large, provided that official college communications shall be given priority of distribution.

(2) Employee organizations may not use college postage or postal permits for the mailing of organizational materials off campus.

[Order 73-6, § 172-136-040, filed 4/6/73 and Order 73-6, filed 3/20/73.]

[Title 172 WAC—p 23]

WAC 172-136-050 Telephone usage. (1) Employee organizations may use college telephones for intra-campus calls.

(2) In accordance with the rules of the department of general administration, members and officials of employee organizations may not use college telephones for calls off campus on the state controlled access network (SCAN), the state-wide area telephone system (WATS), or the lease lines to Spokane when such calls concern business of the employee organization. Such calls shall be considered to be calls for purposes other than state business.

[Order 73-6, § 172-136-050, filed 3/20/73.]

WAC 172-136-060 Use of duplicating and photocopying equipment. Employee organizations may use the facilities of the college central duplicating and photocopying units by paying the regular charges established for such services.

[Order 73-6, § 172-136-060, filed 3/20/73.]

WAC 172-136-070 Use of secretarial and other supporting staff services. Employee organizations may not use for organizational purposes the services of college secretaries, typists, or other supporting staff during the college duty hours of such staff.

[Order 73-6, § 172-136-070, filed 3/20/73.]

WAC 172-136-080 Office equipment and supplies. College supplies may not be used by any employee organization. Office equipment, such as desks, typewriters, and other paraphernalia normally utilized by employees during the course of their regular working hours may be used by such employees in the conduct of employee organization business provided such usage does not take place during their regular working hours.

[Order 73-6, § 172-136-080, filed 4/6/73 and Order 73-6, filed 3/20/73.]

WAC 172-136-090 Travel expense. Travel expenses of staff members on employee organization business shall not be paid by the college. College vehicles shall not be used for employee organization business.

[Order 73-6, § 172-136-090, filed 3/20/73.]

WAC 172-136-100 Access to college records. Employee organizations shall have access to college records on the same basis as any citizen as set forth in chapter 172-09 WAC.

[Order 73-6, § 172-136-100, filed 3/20/73.]

WAC 172-136-110 Conduct of employee organization business during scheduled working hours. (1) Faculty members of Eastern Washington State College who belong to employee organizations shall conduct business related to such an organization only in the event that such business does not interfere with the primary responsibilities that the members owe the college as a condition of employment.

[Title 172 WAC—p 24]

(2) The conduct of business of employee organizations by members of the administrative staff shall not take place during the regularly assigned working hours of the staff members unless such use of staff time is specifically authorized by the president or the appropriate vice-president, provided that meetings called by the president or a vice-president with representatives of such organizations may be held during regular working hours.

(3) The business of organizations representing classified staff shall not be conducted by any employee of Eastern Washington State College during his or her regular working hours except as may be provided by contract between the organization and the board of trustees or as may be specifically authorized by the president, the vice-president for business and management, or the director of personnel.

[Order 73-6, § 172-136-110, filed 3/20/73.]

WAC 172-136-120 Conflicts with contractual provisions. Should any provisions of these rules and regulations be in conflict with any provision of a contract between an employee organization and the board of trustees, the contractual provisions shall prevail.

[Order 73-6, § 172-136-120, filed 3/20/73.]

WAC 172-136-500 Tawanka Commons. Service at Tawanka Commons is restricted to students, faculty, staff and their guests. This facility is not open for service to the general public.

[Order 73-4, § 172-136-500, filed 2/20/73.]

WAC 172-136-600 Commercial activities. Eastern Washington State College facilities will not be used for commercial solicitation, advertising, or promotional activities except when such activities clearly serve educational objectives, including but not limited to display of books of interest to the academic community or the display or demonstration of technical or research equipment, and when such commercial activities relate to educational objectives and are conducted under the sponsorship or at the request of a college department or of the vice-president for student services or his designee: *Provided*, That such solicitation does not interfere with or operate to the detriment of the conduct of college affairs or the free flow of pedestrian or vehicular traffic.

[Order 73-9, § 172-136-600, filed 3/20/73.]

WAC 172-136-610 Commercial activities defined. For the purposes of this chapter, the term, "commercial activities," does not include handbills, leaflets, or newspapers distributed free of charge by any student or students or by members of recognized student organizations or by college personnel that are distributed in a manner that does not unreasonably interfere with the ingress and egress of persons or the free flow of vehicular or pedestrian traffic, nor does it include commercial items sold through the college bookstore or any other facility at the direction of the vice-president for business and management.

[Order 73-9, § 172-136-610, filed 3/20/73.]

WAC 172-136-620 Penalties for violations of commercial activities regulations. (1) Any violation of WAC 172-136-600 by a student of Eastern Washington State College shall be deemed a violation of the student conduct code, WAC 172-120-040.

(2) Nonstudent persons violating WAC 172-136-600 may be referred to civil authorities for appropriate prosecutions, including violations of the law of criminal trespass.

[Order 73-9, § 172-136-620, filed 3/20/73.]

Chapter 172-144 WAC SPECIAL CHARGES—FINANCIAL RESPONSIBILITY

WAC

172-144-010	Purpose.
172-144-020	Authority of the university to make deductions.
172-144-030	Deductions with ten day notice.
172-144-040	Periodic deductions.
172-144-050	Right to appeal assessed financial obligations.

WAC 172-144-010 Purpose. Commensurate with the privileges afforded individual students in the employ of Eastern Washington University, an employee has a financial responsibility to the university for legitimate financial obligations owed to the university.

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 86-01-042 (Order 85-01), § 172-144-010, filed 12/13/85; Order 73-12, § 172-144-010, filed 5/22/73.]

WAC 172-144-020 Authority of the university to make deductions. (1) Except as provided in WAC 172-144-030, following fifteen calendar days' notice to the employee, the university may deduct from the net remuneration owed to the employee by the university for that particular pay period, the amount of any or all fees, charges, debts, fines, or other financial obligations owed to the university, which shall include but are not limited to the following:

- (a) Enrollment fees;
- (b) Housing charges;
- (c) Short-term and long-term loans;
- (d) Personal telephone tolls charged to a university number;
- (e) Bookstore debts;
- (f) Parking fines;
- (g) Damages to university property;
- (h) Library fines.

(2) The fifteen-day notice as provided for in WAC 172-144-020(1) shall contain a statement setting forth the manner in which the financial obligations were incurred by the employee and the amount assessed.

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 86-01-042 (Order 85-01), § 172-144-020, filed 12/13/85; Order 73-12, § 172-144-020, filed 5/22/73.]

WAC 172-144-030 Deductions with ten day notice. All terminal paychecks may have financial obligations deducted from them: *Provided*, That a letter of explanation as to the amounts and the reasons for their

deduction(s) shall be sent to the employee with ten calendar days' notice prior to issuance of such terminal paycheck.

[Order 73-12, § 172-144-030, filed 5/22/73.]

WAC 172-144-040 Periodic deductions. Should such deductions for any pay period produce a material and substantial hardship on the assessed employee, the university may enter into an agreement with the employee for a method of periodic deductions from the employee's paycheck until such financial obligations owed to the university have been satisfied.

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 86-01-042 (Order 85-01), § 172-144-040, filed 12/13/85; Order 73-12, § 172-144-040, filed 5/22/73.]

WAC 172-144-050 Right to appeal assessed financial obligations. Every employee has the right to appeal a decision of any university department or division to assess a fee, fine, charge, debt, or other financial obligation for a determination of the validity and legitimacy of that charge. The appeal must be in writing and directed to the division or department head assessing the financial obligation. Notice shall be given within ten days after assessment of the charge. Following such notice, the employee shall be allowed an informal hearing with the head or appointed representative of the department or division assessing the obligation. The decision of such a hearing shall be final.

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 86-01-042 (Order 85-01), § 172-144-050, filed 12/13/85; Order 73-12, § 172-144-050, filed 5/22/73.]

Chapter 172-149 WAC DISCRIMINATION GRIEVANCE PROCEDURE

WAC

172-149-010	Purpose.
172-149-020	Jurisdiction.
172-149-030	Definitions.
172-149-040	Statement and testimony confidential.
172-149-050	Use of informal administrative processes encouraged.
172-149-060	Informal procedures.
172-149-070	Appointment of hearing officer and alternate.
172-149-080	General procedures for grievance review.
172-149-090	Presidential review.
172-149-100	Burden of proof in grievances.
172-149-110	Costs of grievance review procedure.

WAC 172-149-010 Purpose. The purpose of the following discrimination grievance procedure shall be to promote the interests of the college in its primary endeavors of teaching and learning with related and supporting activities in research, scholarship and service; and to assure a fair hearing for any person covered under Title IX of the Education Amendments of 1972, Title VII of the 1964 Civil Rights Act, or the Rehabilitation Act of 1973 having a grievance relating to discrimination at the college, with the goal of eradicating all forms of discrimination existent in the college.

Every individual, student or employee, or potential student or employee, can expect to be treated in every

way free of discrimination. Concomitant, any individual, student or employee, accused of discriminatory practices should be presumed innocent of such acts until proven otherwise.

[Order 76-9-2, § 172-149-010, filed 9/23/76.]

WAC 172-149-020 Jurisdiction. The jurisdiction of this chapter shall be limited to matters concerning students, student applicants, faculty, professional and non-professional employees and applicants. Some of the above groups are covered under one or more grievance procedures (see WAC 251-16-010 to 251-16-020 and chapter 172-129 WAC and WFSE Article XII). We encourage individuals who feel they have been the victim of discriminatory treatment to pursue proper redress but insist that the complainant elect one procedure or the other through which to resolve the complaint. The complainant, therefore, may not pursue redress through more than one college grievance procedure. This, of course, does not preclude the complainant from seeking review of his/her complaint by appropriate state or federal enforcement agencies.

A claim of discriminatory treatment as a defense or affirmative defense by a party to a complaint filed by that party shall be considered under the grievance procedure in which the complaint is pending.

[Order 76-9-2, § 172-149-020, filed 9/23/76.]

WAC 172-149-030 Definitions. (1) "College" shall mean Eastern Washington State College, an institution of higher education administered by the board of trustees pursuant to RCW 28B.40.120, and all the constituent elements administered by the board thereunder. All communications to the college shall be addressed to the president of the college.

(2) "Days," when used in this chapter, shall mean, except where otherwise indicated, administrative working college days.

(3) "Grievance" is any contention by a grievant that he or she has suffered discrimination violative of the policies enunciated in Title IX of the Education Amendments of 1972, Title VII of the 1964 Civil Rights Act, or the Rehabilitation Act of 1973.

(4) "Grievant" is any student, unsuccessful student applicant, faculty member, or professional or non-professional employee or applicant who feels that, on the basis of sex, race, religion, national origin, or handicap, he or she has been excluded from participation in, denied the benefits of, or subjected to discrimination under any activity of the college, and who wishes to exercise the recourse provided in WAC 172-149-070 et seq.

[Order 76-9-2, § 172-149-030, filed 9/23/76.]

WAC 172-149-040 Statement and testimony confidential. Statements, testimony, and all other evidence given at an informal hearing pursuant to this chapter shall be confidential and shall not be subject to discovery or released to anyone, including the person or committee conducting any other hearing authorized by this chapter or any other parties involved, or used for impeachment

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purposes without permission of the person who divulged the information.

[Order 76-9-2, § 172-149-040, filed 9/23/76.]

WAC 172-149-050 Use of informal administrative processes encouraged. Informal review and consultation should be reasonably sought and used by any person covered by this chapter before he or she files a grievance.

[Order 76-9-2, § 172-149-050, filed 9/23/76.]

WAC 172-149-060 Informal procedures. (1) A resolution of grievance shall be accomplished as rapidly as possible. The grievant(s) shall first take up the problem or complaint directly with the person or committee responsible for the challenged action or decision. At this state, discussion shall be held in private; every effort shall be made to resolve the problem or deal with the complaint in an informal manner.

[Order 76-9-2, § 172-149-060, filed 9/23/76.]

WAC 172-149-070 Appointment of hearing officer and alternate. By October first of each academic year, the college affirmative action officer shall appoint a person to serve as hearing officer for all grievances heard under this WAC chapter. Such hearing officer shall serve a term of one year, and shall not serve more than two consecutive terms in this position. An alternate shall be appointed by the affirmative action officer to fill this position in case the appointed hearing officer should become unable to effectively discharge his responsibilities. The prohibitions contained in bylaws 300.80.00 and 400.50.00 shall be applicable to this chapter.

[Order 76-9-2, § 172-149-070, filed 9/23/76.]

WAC 172-149-080 General procedures for grievance review. If a complainant is not satisfied with the outcome of informal private discussions, he or she may begin hearing procedures by notifying, in writing, the affirmative action officer. Upon receipt of a written complaint, the affirmative action officer will notify the hearing officer who shall then set a time acceptable to both parties for a hearing.

(1) The complaint must be filed with the affirmative action officer by the grievant within thirty days after the occurrence or action being contested. However, consideration will be given to extenuating circumstances beyond the grievant's control which may have delayed the filing beyond this time limit.

(2) The two parties shall decide whether the hearing shall be open or closed, and if agreement cannot be reached, the hearing shall be closed.

(3) If the parties agree that a formal record or transcript of the proceeding shall be furnished, the cost of preparing and producing such a record shall be borne equally by the parties.

(4) Either party may be accompanied in the hearing by others who might contribute to the acceptable adjustment of the grievance and act as counsel for either

party: *Provided*, That if the grievant chooses to be represented by an attorney, he or she must provide the college five days' written notice thereof.

(5) Except for simple announcements as may be required covering the time of the hearing and similar matters, public statements and publicity about the case should be avoided as far as possible by all parties until the proceedings have been completed.

(6) All individuals involved, and all others who might possibly contribute to the acceptable adjustment of an appeal or grievance, are urged to testify, with full assurance that no reprisal will follow by reason of such participation.

(7) All documents, communications, and records dealing with the processing of a grievance shall be filed separately from the grievant's personal file in a sealed envelope which shall not be opened except for use as legal evidence, and then only upon prior written notice to the grievant. A summary prepared by the hearing officer of the final adjustment of the case and reference to the entire grievance file shall be placed in the grievant's personal file.

(8) A written recommendation containing the findings regarding the contested action shall be delivered to all parties to the complaint by the hearing officer within five days after the conclusion of the hearing.

[Order 76-9-2, § 172-149-080, filed 9/23/76.]

WAC 172-149-090 Presidential review. If the grievance is not adjusted to the satisfaction of the grievant or the college, either may, within ten days from receipt of the written findings and recommendations of that hearing, refer the grievance to the president of the college. The president or his designee may, at his option, conduct a formal hearing within ten days after receipt of the appeal. A written decision of the president or his designee shall then be delivered to the appellant within five days; such decision shall contain the president's findings and ruling and shall be deemed a final adjudication of the grievance for the purposes of these rules.

[Order 76-9-2, § 172-149-090, filed 9/23/76.]

WAC 172-149-100 Burden of proof in grievances. A grievant covered by this chapter shall have the burden of proving by a preponderance of the evidence that such grievant was, on the basis of sex, race, religion, national origin, or handicap, excluded from participation in, denied the benefits of, or subjected to discrimination under any program of the college.

[Order 76-9-2, § 172-149-100, filed 9/23/76.]

WAC 172-149-110 Costs of grievance review procedure. Except for those cases in which the parties agree to make a formal record or transcript and share the costs thereof, pursuant to WAC 172-149-080 hereof, all costs of the grievance review procedure shall be borne by the college.

[Order 76-9-2, § 172-149-110, filed 9/23/76.]

(1989 Ed.)

Chapter 172-168 WAC LIBRARY POLICIES

WAC

172-168-010	Eastern Washington University library.
172-168-020	Selection of services, personnel, resources.
172-168-030	Circulation records.
172-168-040	Inspection.
172-168-050	Prohibited entry.
172-168-060	Smoking.
172-168-070	Displays.
172-168-080	Library carrels.
172-168-090	Gifts.
172-168-100	Library borrowers.
172-168-110	Library circulation policy.
172-168-120	Library fines and charges for lost, damaged, and overdue materials.
172-168-130	Library service fees.

WAC 172-168-010 Eastern Washington University library. The library at Eastern Washington University exists first and foremost to serve the students and faculty. It also serves the rest of the university community, the regional needs of Eastern Washington, and the general scholarly community. Although normal hours for providing service varies from forty-five to more than eighty hours per week, the library may adjust these hours to meet changing public demand, availability of staff, and budgetary limitations.

[Statutory Authority: RCW 28B.35.120. 82-07-064 (Resolution No. 82-02), § 172-168-010, filed 3/22/82; Order 73-10, § 172-168-010, filed 4/18/73.]

WAC 172-168-020 Selection of services, personnel, resources. It is the policy of the Eastern Washington University library to select on the basis of what is best and most suitable whether the choice involves staff members, library materials, or equipment and services. The library expressly rejects any form of negative selection based on censorship of materials or prejudicial considerations based upon race, religion, sex, national origin, or political viewpoint.

[Statutory Authority: RCW 28B.35.120. 82-07-064 (Resolution No. 82-02), § 172-168-020, filed 3/22/82; Order 73-10, § 172-168-020, filed 4/18/73.]

WAC 172-168-030 Circulation records. Library circulation records exist to enable the library to monitor the use of its materials and to aid in the operation of the library. They are not a matter of public record and borrower information is confidential. Records may be released through subpoena or appropriate administrative action.

[Order 73-10, § 172-168-030, filed 4/18/73.]

WAC 172-168-040 Inspection. The library shall have the right to inspect packages, briefcases, containers, articles, materials, etc., leaving the building to prevent unauthorized removal of library resources. The inspection may be done by persons, by electronic equipment, or other devices designed to detect unauthorized removals.

[Order 73-10, § 172-168-040, filed 4/18/73.]

WAC 172-168-050 Prohibited entry. The library shall have the right to prevent entry of foods and beverages, animals, or other objects or materials detrimental to the library purpose.

[Order 73-10, § 172-168-050, filed 4/18/73.]

WAC 172-168-060 Smoking. Smoking in the JFK Memorial Library is restricted to areas so specified by the university librarian or his designee.

[Statutory Authority: RCW 28B.35.120. 82-07-064 (Resolution No. 82-02), § 172-168-060, filed 3/22/82; Order 73-10, § 172-168-060, filed 4/18/73.]

WAC 172-168-070 Displays. Displays utilizing library space and facilities shall be by invitation only. Solicitation of a display invitation must be submitted to the university librarian or his designee for review and evaluation concerning the display's relation to the library services. The library shall have discretionary authority regarding the decision to extend display invitations.

[Statutory Authority: RCW 28B.35.120. 82-07-064 (Resolution No. 82-02), § 172-168-070, filed 3/22/82; Order 73-10, § 172-168-070, filed 4/18/73.]

WAC 172-168-080 Library carrels. Locked library carrels are generally assigned to faculty members and graduate students (working on a thesis). The library may assign others to the carrels if space is available. Assignment is on a first-come, first-serve basis for a quarter, and multiple assignments per carrel may be made. All closed carrels shall be subject to the following:

(1) All library materials kept in a carrel must be checked out, and are subject to the library's loan policies. University staff members may enter the carrels for checking and retrieval of library materials and for cleaning and maintenance.

(2) The library is not responsible for personal property left in the carrels.

(3) A carrel assignment may be withdrawn or denied if the rules governing its use are not observed.

[Statutory Authority: RCW 28B.35.120. 82-07-064 (Resolution No. 82-02), § 172-168-080, filed 3/22/82; Order 73-10, § 172-168-080, filed 4/18/73.]

WAC 172-168-090 Gifts. The library welcomes the donations of books, other library materials, and money. Valuation of gifts for tax purposes will be based upon information available in the library and assessment of value incurs no liability of proof by the library. Gifts become university property when accepted and received. The library reserves the right to reject, dispose, or return to the donor any gift.

[Statutory Authority: RCW 28B.35.120. 82-07-064 (Resolution No. 82-02), § 172-168-090, filed 3/22/82; Order 73-10, § 172-168-090, filed 4/18/73.]

WAC 172-168-100 Library borrowers. Use of the library as part of a state public institution is the right of any adult resident of the state; however, borrowing privileges and other services may be limited in order to serve first the primary clientele of students and faculty. Children under twelve years of age must be accompanied by

an adult or obtain permission from the senior staff member on duty. Use of the library may be denied to anyone for continuing abuse of library services or resources. Library materials may be circulated to the following:

(1) Students either full time or part time, including those serving as student teachers, graduate students, faculty members including special categories as visiting professors, and emeriti faculty, administrative and civil service staff, and trustees.

(2) Faculty members of public higher education institutions of Washington state.

(3) Spouses of faculty, staff members, and students.

(4) "Friends" of the library or "library associates."

(5) Other libraries through interlibrary loans.

(6) Registrants, in good standing, of other SCOALIS (Spokane County Automated Library and Information System) libraries.

(7) Children between ages twelve and sixteen years may register and be issued a borrower's card, provided the card is co-signed by their parent or guardian.

(8) Other individuals, (nonresidents) if in the judgment of the university librarian, or his designee, the purpose is serious and the loan will not conflict with service to others.

[Statutory Authority: RCW 28B.35.120. 82-07-064 (Resolution No. 82-02), § 172-168-100, filed 3/22/82; Order 73-10, § 172-168-100, filed 4/18/73.]

WAC 172-168-110 Library circulation policy. Amounts of materials borrowed at a given time may be limited by demand, materials available, and judgment of library personnel, but normally will not exceed forty items. All materials held past the due date are considered overdue. Those materials designated for the reference, periodicals, and certain special collections ordinarily do not circulate. With these exceptions, library materials circulate for twenty-eight days and are renewable, except as follows:

(1) Items that have had holds placed on them may not be renewed, and return may be requested before the due date to meet special needs, such as reserve for class use.

(2) Unbound periodicals may be checked out for three days, and may be renewed.

(3) Reserve materials may be checked out for two hours, one day, or three days, depending on the type of reserve requested.

(4) Prints, framed pictures, browsing materials, and other small special collections may be established from time to time and be governed by varying circulation rules.

(5) Uncatalogued library materials may be loaned at the discretion of the library staff for varying loan periods.

(6) Faculty members may check out general collection materials for ninety days. They may request renewal, but are subject to the "holds" rule (1) above.

(7) The library reserves the right to request immediate return of materials needed for classwork or other special assignment. Failure to do so may cause the library to impose a penalty not to exceed \$1.00/item/day.

(8) New graduate students and certain other borrowers, at library staff discretion, may be issued general collection materials for sixty days with renewal, subject to hold rule (1) above.

[Statutory Authority: RCW 28B.35.120. 82-07-064 (Resolution No. 82-02), § 172-168-110, filed 3/22/82; Order 73-10, § 172-168-110, filed 4/18/73.]

WAC 172-168-120 Library fines and charges for lost, damaged, and overdue materials. (1) Persons to whom overdue materials are checked out are subject to the following schedule:

One dollar for first overdue notice. Two dollars for second notice.

(2) Reserve materials fine schedule:

Two hours - twenty cents per hour;

One day - fifty cents per day;

Three days - fifty cents per day.

Fines will be charged for reserve materials on weekends and holidays.

(3) Ordinarily the library sends reminder notices and hold notices on overdue materials. However, it must be recognized that the return of library materials is solely the borrower's responsibility, and the library may, when necessary, curtail the practice of sending notices.

(4) Reimbursement shall be made to the library for lost or damaged materials, the charges to be established by the librarian or his designee. Such charges will be a fair estimate of replacement or repair cost plus a five dollar processing charge.

(5) The library may request of the registrar and the student accounting office that registration of any student charged with overdue materials or unpaid fines be withheld until such materials are returned and/or fines paid.

(6) The charge for replacement of a borrower's identification card will be one dollar.

(7) All library patrons should be aware of the following section of the Revised Code of Washington:

"27.12.340 Penalty for wilfully retaining books. Whoever wilfully retains any book, newspaper, magazine, pamphlet, manuscript, or other property belonging in or to any public library, reading room, or other educational institution, for thirty days after notice in writing to return the same, given after the expiration of the time that by the rules of such institution such article or other property may be kept, shall be guilty of a misdemeanor."

(8) The library may refuse to loan materials to patrons who have a record of abuse of library privileges at other SCOALIS libraries.

(9) The library may resort to legal action to obtain compliance with these regulations.

[Statutory Authority: RCW 28B.35.120. 82-07-064 (Resolution No. 82-02), § 172-168-120, filed 3/22/82; Order 73-10, § 172-168-120, filed 4/18/73.]

WAC 172-168-130 Library service fees. Fees may be levied for some special services in the library which are not funded and must be self-supporting. In all cases, the fees reflect the actual cost of the service. A current

fee schedule will be maintained in the library as established by the university librarian, or his designee. At present, fees are charged for a variety of photocopying, bibliographic and related services. Normally these charges will not exceed actual costs incurred, including labor and overhead.

[Statutory Authority: RCW 28B.35.120. 82-07-064 (Resolution No. 82-02), § 172-168-130, filed 3/22/82; Order 73-10, § 172-138-130 (codified as WAC 172-168-130), filed 4/18/73.]

Chapter 172-190 WAC IMPLEMENTATION OF THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

WAC

172-190-010	Purpose.
172-190-020	Definitions.
172-190-030	Right of inspection.
172-190-035	Availability of directory information.
172-190-040	Access permitted to college and certain other officials without consent.
172-190-050	Distribution of information to others.
172-190-060	Notice of rights given under Family Educational Rights and Privacy Act of 1974.
172-190-070	Requests for access to student records.
172-190-080	Determination regarding records.
172-190-090	Hearing procedure.
172-190-100	Right of students to register objections.

WAC 172-190-010 Purpose. The purpose of this chapter is to comply with the requirements of Public Law 93-380, § 513, of 1974, also annotated as 20 U.S.C.A. 1232, which law represents amendments to the General Education Provisions Act. As indicated in the aforesaid law, its purpose is to assure that students attending institutions of higher education such as Eastern Washington State College shall have a right to inspect certain records and files intended for school use or made available to parties outside the college.

[Order 75-1, § 172-08-010 (codified as WAC 172-190-010), filed 3/3/75.]

WAC 172-190-020 Definitions. The following definitions shall apply in interpreting these regulations:

(1) "His" when used throughout these regulations shall accomplish reference to both the male and female sexes.

(2) "Education records" means those records, files, documents, and other materials which contain information directly related to a student and are maintained by the college. The definition of "education records", however, does not include any materials used by any college instructor in the course of assessing a student's academic performance, including but not limited to academic grades conferred, essays, tests, written evaluations given during the course of directed studies, and the like, nor materials maintained by the college's counseling center and the college's health services center, or by any other psychologist paraprofessional acting in his or her professional or paraprofessional capacity for the benefit of the college.

(3) "Student" is defined as a person who is currently enrolled in a regularly scheduled class conducted at the college. Regularly scheduled classes shall include those classes occurring during fall, winter, spring, and summer quarters and those classes in which residence credits are conferred at Fairchild, Spokane, or any other location at which the college confers residence credit. A person is a student for purposes of these regulations even though he is not currently enrolled in summer quarter but was regularly enrolled during the previous Spring quarter.

[Order 75-1, § 172-08-020 (codified as WAC 172-190-020), filed 3/3/75.]

WAC 172-190-030 Right of inspection. Any student shall have a right, subject to the procedural requirements outlined in WAC 172-08-070 through 172-08-090 [codified as WAC 172-190-070 through 172-190-090] of these regulations, to inspect any and all education records directly related to him that is intended for school use or is available for parties outside the school or school system. In the case of any education records relating to a student which also include information regarding another student, the responsible college officials shall delete any personally identifiable information relating to the identity of such other student.

[Order 75-1, § 172-08-030 (codified as WAC 172-190-030), filed 3/3/75.]

WAC 172-190-035 Availability of directory information. Except as hereinafter provided, the following information contained in a student's education records shall be available to members of the public: Student's name, address, telephone listing, date of birth, participation in officially recognized activities and sports, weight and height of athletic teams, dates of athletic teams, dates of attendance at the college, degrees and awards received, and the most recent previous educational agency or institution attended by the student. Such information shall be deemed "directory information." The college will give public notice to students of the matters contained in the above-designated "directory information" that is available to members of the public at the time the student registers for enrollment in the academic quarter. On the day of such registration each student shall indicate on the college registration form whether he will not consent to the college's release of such directory information to others without his consent.

[Order 75-1, § 172-08-035 (codified as WAC 172-190-035), filed 3/3/75.]

WAC 172-190-040 Access permitted to college and certain other officials without consent. (1) The following persons, individuals, agencies, or organizations shall be entitled to access to official records, files, and data of any student, subject to the limitations outlined in subpart (2) of this section, WAC 172-08-040 [codified as WAC 172-190-040], without the written consent of the student:

(a) Other school officials, including instructors within the college who have a legitimate educational interest;

(b) Officials of other colleges, schools, or school systems, upon the condition that the student is notified of the transfer and receives a copy of the record if he desires it and has the opportunity to challenge the content of the record, per the procedures outlined in WAC 172-08-090 [codified as WAC 172-190-090];

(c) Authorized representatives of the controller general of the United States, the Secretary of Health, Education and Welfare, and administrative head of an education agency as defined in § 409 of Public Law 93-380, or state of Washington educational authorities; provided, that except when collection of personally identifiable data is specifically authorized by federal law, any data collected by the controller general, the secretary, administrative head of a United States Education Agency or state educational authorities with respect to individual students shall not include information (including social security numbers) which permit the personal identification of such students.

(d) Authorized representatives of the Office of Education at the U.S. Department of Health, Education and Welfare, the Law Enforcement Assistance Administration of the U.S. Department of Justice, the U.S. Veterans Administration, the Bureau of Indian Affairs, the Washington state council on higher education, the Washington state department of social and health services, lending institutions receiving applications from students or granting to students financial aid, and individual organizations or institutions that provide scholarships to any applicant student when such organizations or individuals make requests for students' education records in connection with a student's application for, or receipt of, financial aid.

(2) The college shall maintain a record, kept with the education records of each student, which will indicate all the agencies or organizations referenced in subparagraphs (1)(b) and (c) of this section, which have requested or obtained access to the student's education records. The college employee who is the custodian charged with the maintenance of such student education records shall further indicate specifically the legitimate interest each such agency or organization has in obtaining this information.

(3) If any of the agencies or organizations described in subparagraphs (1)(b) or (c) of this section, request access to the education records of ten or more students, they may do so on a form provided by the college that indicates the request is being made on a blanket basis. Such form shall also require the agency to identify the legitimate interest the agency has regarding students' education records. The college employee who is the custodian of each student education record requested by an agency or organization referenced in subparagraphs (1)(b) and (c) of this section shall then enter in such education record notice of such agency's or organization's request and the place where the request may be found.

[Order 75-1, § 172-08-040 (codified as WAC 172-190-040), filed 3/3/75.]

WAC 172-190-050 Distribution of information to others. The college shall not furnish in any form any personally identifiable information contained in education records directly related to a student to any person, agency, or organization other than those designated in WAC 172-08-040 [codified as WAC 172-190-040], unless it first obtains written consent from the student, which written consent also specifically identifies the records to be released, the reasons for such release, and to whom such personally identifiable information is to be released. In the case any such personally identifiable information contained in a student's education records is to be furnished in compliance with a judicial order or pursuant to a lawfully issued subpoena, the college shall notify the student in advance of compliance therewith.

[Order 75-1, § 172-08-050 (codified as WAC 172-190-050), filed 3/3/75.]

WAC 172-190-060 Notice of rights given under Family Educational Rights and Privacy Act of 1974. In accordance with the requirements of the aforesaid federal statute, the college will make its best efforts to notify all students of their rights under this act. Such notification shall be done through the Washington Administrative Code procedures provided for by the Higher Education Administrative Procedures Act, notices accomplished through *The Easterner*, and such other publications and media that the college deems appropriate.

[Order 75-1, § 172-08-060 (codified as WAC 172-190-060), filed 3/3/75.]

WAC 172-190-070 Requests for access to student records. (1) No personally identifiable information relating to a student's education record will be furnished to any person whatsoever unless such person makes a written request to do so and provides to the custodian of such records information sufficient to identify the requesting party as a person who has a right to access to such records. By way of example and not limitation, a requesting party who identifies himself as a student to whom such record relates must provide a driver's license sufficient to identify such student, college identification card, and any other official identifying document that is sufficient to establish the identity of such student. In the case of any persons in the category of those individuals, persons, agencies, or organizations identified in WAC 172-08-040 [codified as WAC 172-190-040], no personally identifiable information contained in any student's education record will be disclosed without providing information of the same type and nature as that required of a student plus other information as the custodian of the record deems sufficient to ascertain the official capacity of such requesting party.

[Order 75-1, § 172-08-070 (codified as WAC 172-190-070), filed 3/3/75.]

WAC 172-190-080 Determination regarding records. (1) The college reserves the right to determine that a record regarding a student is not an education record or material defined in WAC 172-08-020 [codified as WAC 172-190-020] or that the provision of

personally identifiable information relating to a student was properly given to an authorized agency per WAC 172-08-040 [codified as WAC 172-190-040]. Such determination shall be made in writing and may be accomplished in consultation with any of the records officers of the college designated in chapter 172-09 WAC, the president, a vice-president, or an assistant attorney general assigned to the college.

[Order 75-1, § 172-08-080 (codified as WAC 172-190-080), filed 3/3/75.]

WAC 172-190-090 Hearing procedure. (1) Any person objecting to a denial of a request for any college record relating to a student, or any student who contests whether the transfer of any college record relating to him is permitted under these regulations, may petition for prompt review of such denial or written objection to transfer. Such written request shall:

(a) Be served upon the public records officer provided for in chapter 172-09 WAC;

(b) Demand prompt review; and

(c) In the case of objection to transfer, specifically reference the party to whom he does not want the record transferred and contain a written statement by the record custodian denying the person's request.

Upon receipt of a proper written objection to transfer of a student record, the college public records officer shall cause such records to not be transferred pending outcome of the hearing proceeding provided for in these regulations.

(2) Within ten days after receipt of the written request by a person petitioning for prompt review of a decision by a custodian of student records, the president of the college or any of his designees, which for the purposes of this section may include any vice-president of the college, shall consider such petition.

(3) The president or his designee may at the end of the ten day period either meet the objecting party's objection and advise him of the same in writing, or in the alternative, set the matter up for a hearing before a hearing officer designated by the president or the president's designee. Such hearing shall be conducted within thirty days after the objecting party served his objections on the college's public records officer and shall be an informal hearing, as that term is defined in WAC 172-129-035 and shall be conducted as provided for therein. The president or his designee shall determine the time and place for such hearing. At the hearing, the objecting party shall further explain and identify his exact purpose for seeking the record he has been denied or why he has lodged objections to transfer of a student record. Failure by the person requesting the review to appear at such informal hearing shall be deemed a waiver of that person's right to insist upon completion of the review of his request.

(4) During the course of the informal hearing conducted by the president, his designee, or by anyone appointed by the president or his designee, the person conducting the hearing shall consider the obligation of the college to fully comply with the Family Educational

Rights and Privacy Act, but shall also consider the exemptions provided in the course of these regulations. A record shall be made of the informal hearing by mechanical transcriptions or any other means satisfactory to the college.

(5) Within ten days after the hearing has occurred, the president, or his designee, or the hearing officer appointed to conduct the informal hearing shall provide the objecting party with a written decision, which decision shall be binding upon the college and upon the objecting party.

[Order 75-1 § 172-08-090 (codified as WAC 172-190-090), filed 3/3/75.]

WAC 172-190-100 Right of students to register objections. Any student who objects to the accuracy or truthfulness of any information contained in any Eastern Washington State College education records or portion thereof that is related to him may submit to the college's public records officer his written views regarding the same, which written objection shall then be included in such education records provided, however, no student has any right to post his objections to academic grades and have the same appear on his academic transcript.

[Order 75-1, § 172-08-100 (codified as WAC 172-190-100), filed 3/3/75.]

Chapter 172-325 WAC ENVIRONMENTAL POLICY

WAC

172-325-010 State Environmental Policy Act (SEPA).

WAC 172-325-010 State Environmental Policy Act (SEPA). It is the policy of Eastern Washington University that any project shall be accomplished in compliance with chapter 43.21C RCW, the State Environmental Policy Act (SEPA) and in accordance with chapter 197-10 WAC, guidelines for the State Environmental Policy Act implementation. To this end, Eastern Washington University hereby adopts by reference chapter 197-10 of the WAC SEPA guidelines and all subsequent amendments thereto.

In compliance with chapter 197-10 WAC, the vice-president for business and finance, or his/her designee shall be the responsible official for carrying out this policy.

[Statutory Authority: RCW 28B.35.120 and 43.21C.120. 83-23-100 (Order 83-02), § 172-325-010, filed 11/23/83.]