

Title 174 WAC

THE EVERGREEN STATE COLLEGE

Chapters

- 174-108 Governance and decision making at The Evergreen State College--Public records.
- 174-112 Personnel rules.
- 174-116 Parking regulations.
- 174-120 Social contract--Student conduct code--Grievance and appeals process.
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- 174-157 Food service--Alcoholic beverage banquet permits.
- 174-160 Admissions procedures.
- 174-162 Student affairs--Release of student information--Financial obligation of students.

- 174-12-99001 Exhibit II--Equal employment opportunity activity report. [Order 174-12, Exhibit II (codified as WAC 174-12-99001), filed 11/5/71.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-12-99002 Exhibit III--The Evergreen State College minority/female employee report. [Order 174-12, Exhibit III (codified as WAC 174-12-99002), filed 11/5/71.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.

Chapter 174-104

REGULAR AND SPECIAL MEETINGS OF THE BOARD OF TRUSTEES

- 174-104-010 Regular meetings. [Statutory Authority: RCW 28B.40.120(11). 85-10-049 (Order 85-2, Resolution No. 85-14), § 174-104-010, filed 4/30/85, effective 6/1/85; 84-14-025 (Order 84-1, Resolution No. 84-20), § 174-104-010, filed 6/26/84; 82-10-035 (Order 82-1, Resolution No. 82-9), § 174-104-010, filed 4/30/82; 78-05-008 (Order 78-1, Resolution Motion 78-7), § 174-104-010, filed 4/7/78; Order 72-3, § 174-104-010, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-104-020 Special meetings. [Order 72-3, § 174-104-020, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.

Chapter 174-107

GOVERNANCE AND DECISION MAKING

- 174-107-100 Definitions. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-100, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-110 The social contract--General. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-110, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-120 The social contract--Purpose. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-120, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-130 The social contract--Freedom and civility. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-130, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-140 The social contract--Individual and institutional rights. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-140, filed 7/22/83.] Repealed by 88-17-

DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 174-12

EQUAL OPPORTUNITY POLICY AND PROCEDURES--AFFIRMATIVE ACTION PROGRAMS

- 174-12-010 Preface. [Order 174-12, § 174-12-010, filed 11/5/71.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-12-020 Legal bases. [Order 174-12, § 174-12-020, filed 11/5/71.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-12-030 Policy. [Order 174-12, § 174-12-030, filed 11/5/71.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-12-040 Procedure. [Order 174-12, § 174-12-040, filed 11/5/71.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-12-050 Affirmative action goals--Report. [Order 174-12, § 174-12-050, filed 11/5/71.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-12-060 Complaint of discrimination--Grievance procedure. [Order 174-12, § 174-12-060, filed 11/5/71.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-12-990 Exhibit I--Contractors' agreements. [Order 174-12, Exhibit I (codified as WAC 174-12-990), filed 11/5/71.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.

- 069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-150 The social contract—Society and the college. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-150, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-160 The social contract—Prohibition against discrimination. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-160, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-170 The social contract—Right to privacy. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-170, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-180 The social contract—Intellectual freedom and honesty. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-180, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-190 The social contract—Open forum and access to information. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-190, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-200 The social contract—Political activities. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-200, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-210 The legal nature and status of The Evergreen State College. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-210, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-220 Standards for decision making and governance at Evergreen. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-220, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-230 Implementation of governance policies and procedures: The Evergreen council. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-230, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
- 174-107-240 The Evergreen council—Membership. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-240, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
- 174-107-250 The Evergreen council—The executive committee. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-250, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
- 174-107-260 The Evergreen council—Subcommittees. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-260, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
- 174-107-270 The Evergreen council—Ad hoc committees. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-270, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
- 174-107-280 The Evergreen council—Standing committees and consultative constituency groups. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-280, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
- 174-107-290 The Evergreen council—Community access. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-290, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
- 174-107-300 The Evergreen council—The agenda. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-300, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
- 174-107-310 The Evergreen council—Meetings. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-310, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
- 174-107-320 The Evergreen council—Minutes of meetings. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-320, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
- 174-107-330 The Evergreen council—Actions of council. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-330, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
- 174-107-340 The Evergreen council—Relationship with administrators. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-340, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
- 174-107-350 The Evergreen council—Appeals from and notification of decisions or findings. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-350, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
- 174-107-360 Conflict resolution, general. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-360, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-370 Mediation/mediator. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-370, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).

- 174-107-380 Mediator of legal issues. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-380, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-400 Hearing board procedures. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-400, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-410 Petition for hearing and preliminary procedures. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-410, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-420 Hearing board chairperson. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-420, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-430 Requirements of disputants. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-430, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-440 Guidelines—The hearing. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-440, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-450 Admissible documents. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-450, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-460 Components of hearings. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-460, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-470 Challenges to board members. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-470, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-500 Presentation of evidence. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-500, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-510 Timelines for hearing. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-510, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-520 Hearing board deliberations and decisions. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-520, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-530 Appeals from hearing decisions. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-530, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-540 Amending procedure for governance document. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-540, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-550 Evaluation of governance. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-550, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).

Chapter 174-109

AFFIRMATIVE ACTION POLICY

- 174-109-010 Preamble. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-010, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-020 Legal basis of affirmative action program. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-020, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-030 Definitions. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-030, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-040 Purpose. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-040, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-050 Responsibility for implementation. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-050, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-060 Policy dissemination. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-060, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-070 Hiring procedures. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-070, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-080 Goals and timetables. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-080, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-090 Corrective employment. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-090, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-100 Other policies. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-100, filed 8/21/84.]

- 174-109-200 Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95. Education and training of campus community. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-200, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-300 Academic program and activities policies. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-300, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-400 Monitoring, evaluation, and improvement. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-400, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-500 Grievance procedures. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-500, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-124-080 Informal mediation. [Order 2, § 174-124-080, filed 2/22/72.] Repealed by 78-11-092 (Order 78-3, Motion No. 78-50), filed 11/1/78. Statutory Authority: RCW 28B.40.120(11).
- 174-124-090 Formal mediation—Community service list. [Order 2, § 174-124-090, filed 2/22/72.] Repealed by 78-11-092 (Order 78-3, Motion No. 78-50), filed 11/1/78. Statutory Authority: RCW 28B.40.120(11).
- 174-124-100 Appeal procedure—Board of judgment. [Order 2, § 174-124-100, filed 2/22/72.] Repealed by 78-11-092 (Order 78-3, Motion No. 78-50), filed 11/1/78. Statutory Authority: RCW 28B.40.120(11).
- 174-124-110 Off-campus offenses or convictions—All-campus hearing board. [Order 2, § 174-124-110, filed 2/22/72.] Repealed by 78-11-092 (Order 78-3, Motion No. 78-50), filed 11/1/78. Statutory Authority: RCW 28B.40.120(11).
- 174-124-120 Procedural review—Subsequent modification of the social contract. [Statutory Authority: RCW 28B.40.120(11). 78-11-092 (Order 78-3, Motion No. 78-50), § 174-124-120, filed 11/1/78; Order 2, § 174-124-120, filed 2/22/72.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).

Chapter 174-148

EQUAL OPPORTUNITY POLICY AND PROCEDURES—
AFFIRMATIVE ACTION PROGRAM

Chapter 174-124

SOCIAL CONTRACT AMONG THE MEMBERS OF THE
COMMUNITY OF THE EVERGREEN STATE COLLEGE—
COMMUNITY CODE OF CONDUCT

- 174-124-010 Introduction—Declarations of college policy. [Order 2, § 174-124-010, filed 2/22/72.] Repealed by 78-11-092 (Order 78-3, Motion No. 78-50), filed 11/1/78. Statutory Authority: RCW 28B.40.120(11).
- 174-124-020 Basic purposes—Individual responsibility of members of the college community. [Statutory Authority: RCW 28B.40.120(11). 78-11-092 (Order 78-3, Motion No. 78-50), § 174-124-020, filed 11/1/78; Order 2, § 174-124-020, filed 2/22/72.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-124-030 Individual rights of members of the Evergreen community. [Statutory Authority: RCW 28B.40.120(11). 78-11-092 (Order 78-3, Motion No. 78-50), § 174-124-030, filed 11/1/78; Order 2, § 174-124-030, filed 2/22/72.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-124-040 Conditions of learning—Freedom—Privacy—Honesty. [Statutory Authority: RCW 28B.40.120(11). 78-11-092 (Order 78-3, Motion No. 78-50), § 174-124-040, filed 11/1/78; Order 2, § 174-124-040, filed 2/22/72.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-124-050 Institutional rights and obligations. [Statutory Authority: RCW 28B.40.120(11). 78-11-092 (Order 78-3, Motion No. 78-50), § 174-124-050, filed 11/1/78; Order 2, § 174-124-050, filed 2/22/72.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-124-060 The issue of strikes—Boycotts—Sanctions. [Order 2, § 174-124-060, filed 2/22/72.] Repealed by 78-11-092 (Order 78-3, Motion No. 78-50), filed 11/1/78. Statutory Authority: RCW 28B.40.120(11).
- 174-124-070 Judicial action. [Order 2, § 174-124-070, filed 2/22/72.] Repealed by 78-11-092 (Order 78-3, Motion No. 78-50), filed 11/1/78. Statutory Authority: RCW 28B.40.120(11).
- 174-148-010 General. [Order 75-6, § 174-148-010, filed 11/5/75; Order 75-3, § 174-148-010, filed 8/12/75; Order 74-1, § 174-148-010, filed 5/17/74; Order 72-10, § 174-148-010, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-015 Policy and program dissemination. [Order 75-3, § 174-148-015, filed 8/12/75.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-020 Legal basis. [Order 72-10, § 174-148-020, filed 10/27/72.] Repealed by Order 75-3, filed 8/12/75. See WAC 174-148-110, Order 74-1, filed 5/17/74.
- 174-148-030 Additional communication of policy and program. [Order 74-1, § 174-148-030, filed 5/17/74; Order 72-10, § 174-148-030, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-040 Responsibility for implementation. [Order 75-6, § 174-148-040, filed 11/5/75; Order 74-1, § 174-148-040, filed 5/17/74; Order 72-10, § 174-148-040, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-050 Monitoring and auditing. [Order 75-6, § 174-148-050, filed 11/5/75; Order 74-1, § 174-148-050, filed 5/17/74; Order 72-10, § 174-148-050, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-060 Practices problem areas identification. [Order 74-1, § 174-148-060, filed 5/17/74; Order 72-10, § 174-148-060, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-070 Utilization analysis. [Order 74-1, § 174-148-070, filed 5/17/74.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-080 Goals and timetables. [Order 74-1, § 174-148-080, filed 5/17/74.] Repealed by 88-01-047 (Order 87-4,

- Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-085 Pregnancy and maternity leave. [Order 76-2, § 174-148-085, filed 3/2/76.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-090 Grievance procedure. [Order 74-1, § 174-148-090, filed 5/17/74.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-100 Incorporation by reference. [Order 74-1, § 174-148-100, filed 5/17/74.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-110 Legal basis. [Order 74-1, § 174-148-110, filed 5/17/74.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-120 Definitions. [Order 75-6, § 174-148-120, filed 11/5/75; Order 74-1, § 174-148-120, filed 5/17/74.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.

- 74-3, § 174-108-030, filed 6/18/74; Order 1, § 174-108-030, filed 2/22/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-040 The information and communications center. [Order 1, § 174-108-040, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-04001 Patterns of administrative decision making. [Order 74-3, § 174-108-040 (codified as WAC 174-108-04001), filed 6/18/74.] Repealed by Order 77-2, filed 11/14/77.
- 174-108-041 Evergreen council and DTFs. [Order 77-2, § 174-108-041, filed 11/14/77.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-050 The college forum. [Order 1, § 174-108-050, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-05001 Initiative processes. [Order 74-3, § 174-108-050 (codified as WAC 174-108-05001), filed 6/18/74.] Repealed by Order 77-2, filed 11/14/77.
- 174-108-051 Administrative evaluation. [Order 77-2, § 174-108-051, filed 11/14/77.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-060 The college sounding board. [Order 1, § 174-108-060, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-06001 Mediation and adjudication of disputes, grievances, and appeals. [Order 77-2, § 174-108-06001, filed 11/14/77; Order 76-5, § 174-108-06001, filed 9/22/76; Order 74-3, § 174-108-060 (codified as WAC 174-108-06001), filed 6/18/74.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-06003 Informal mediation procedures. [Order 77-2, § 174-108-06003, filed 11/14/77.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-06005 Formal hearing procedures. [Order 77-2, § 174-108-06005, filed 11/14/77.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-06007 Guidelines for the operation of the formal hearing board. [Order 77-2, § 174-108-06007, filed 11/14/77.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-06009 Procedure of hearing and deliberations. [Order 77-2, § 174-108-06009, filed 11/14/77.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-06011 Further grievance procedures. [Order 77-2, § 174-108-06011, filed 11/14/77.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-070 Accomplishment of objectives--Patterns of administrative decision making. [Order 1, § 174-108-070, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-07001 Evaluation of governance. [Order 77-2, § 174-108-07001, filed 11/14/77; Order 74-3, § 174-108-070 (codified as WAC 174-108-07001), filed 6/18/74.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.

Chapter 174-108 WAC

GOVERNANCE AND DECISION MAKING AT THE EVERGREEN STATE COLLEGE--PUBLIC RECORDS

WAC

PUBLIC RECORDS

- 174-108-170 Definition of public record.
- 174-108-180 Description of central and field organization at The Evergreen State College.
- 174-108-190 General course and method of decision making.
- 174-108-200 Informal procedures regarding the general course and methods of decision.
- 174-108-210 Designation of public records officers.
- 174-108-220 Availability for public inspection and copying of public records.
- 174-108-230 Requests for public records.
- 174-108-240 Charges for copying.
- 174-108-250 Determination regarding exempt records.
- 174-108-260 Review of denials for public records requests.
- 174-108-900 Form--Request for public records.
- 174-108-90001 Form--Public records request for copies.
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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 174-108-010 Introduction--Guidelines to governance and decision making. [Order 77-2, § 174-108-010, filed 11/14/77; Order 74-3, § 174-108-010, filed 6/18/74; Order 1, § 174-108-010, filed 2/22/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-020 The legal nature and status of The Evergreen State College. [Order 77-2, § 174-108-020, filed 11/14/77; Order 74-3, § 174-108-020, filed 6/18/74; Order 1, § 174-108-020, filed 2/22/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-030 Information, communications and recordkeeping. [Order 77-2, § 174-108-030, filed 11/14/77; Order

- 174-108-080 Three major avenues for consultation and advice. [Order 1, § 174-108-080, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-08001 Conclusion. [Order 74-3, § 174-108-080 (codified as WAC 174-108-08001), filed 6/18/74.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-090 Initiative processes. [Order 1, § 174-108-090, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-100 Adjudication of disputes, grievances, and appeals. [Order 1, § 174-108-100, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-110 All-campus hearing board. [Order 1, § 174-108-110, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-120 Evaluation of governance. [Order 1, § 174-108-120, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-130 Fundamental principles of decision making—Evaluation—Appeals. [Order 1, § 174-108-130, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.

PUBLIC RECORDS

WAC 174-108-170 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 The Evergreen State College, regardless of the physical form or characteristics; provided, however, that in accordance with RCW 42.17.310, the following personal and other records are exempt from the definition of public record: (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 or 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 government 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 73-2, § 174-108-170, filed 9/27/73.]

WAC 174-108-180 Description of central and field organization at The Evergreen State College. (1) The Evergreen State College is located on a campus in Thurston County, near the city of Olympia, 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 in Thurston county. The college is governed by a board of trustees appointed by the governor; such board normally meets at least once every calendar month, as provided in WAC 174-104-010. The board employs a president, his assistants, members of the faculty and other employees. It establishes such divisions and units necessary to carry out the purposes of the college, provides the necessary property, facilities and equipment and promulgates such rules, regulations and policies as are necessary to administration of the college.

(2) The board of trustees, either directly or by delegation, has caused to be created various administrative, academic and support divisions to enable the college to discharge its obligations. Academic, library and computing matters are the concern of the vice president and provost; business, facilities, security, personnel, student services, and auxiliary services are the concern of the administrative vice president. These vice presidents report to the president of the college.

[Order 73-2, § 174-108-180, filed 9/27/73.]

WAC 174-108-190 General course and method of decision making. (1) The formal procedures for decision making at the college are governed by the board of trustees through rules promulgated by it 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 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 or 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 through the procedures of the HEAPA and appear in Title 174 WAC, provided, however, that 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 matters need not be established by rule adopted under HEAPA unless otherwise required by law. Internal rules and regulations are set forth in the colleges published catalogs, the Business Policies and Procedures Manual, and the Faculty Handbook.

[Order 73-2, § 174-108-190, filed 9/27/73.]

WAC 174-108-200 Informal procedures regarding the general course and methods of decision. Informal procedures regarding the methods and general course of operations at the college are, for the purposes of these rules, either:

(1) Decisions made by persons authorized by board resolution, the 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 73-2, § 174-108-200, filed 9/27/73.]

WAC 174-108-210 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 Daniel J. Evans Library Building of the

college; his exact location and name may be determined by inquiry at the office of the president of the college. The public records officer shall also be responsible for compiling and maintaining the index required by Initiative 276.

(3) For purposes of this chapter, the custody of the college's records shall be divided into the following divisions:

(a) Office of the president;

(b) Office of the vice president and provost;

(c) Office of the administrative vice president.

The heads of the above-designated divisions shall be deemed custodian of the records in the possession or control of units and employees of his division and responsible for the care and custody of records within his division even though such person is not in actual possession or control of such records. The three persons mentioned above shall be known as the college "records custodians."

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

[Order 73-2, § 174-108-210, filed 9/27/73.]

WAC 174-108-220 Availability for public inspection and copying of public records. 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, acting through the public records officer or a records custodian, agree on a different time.

[Order 73-2, § 174-108-220, filed 9/27/73.]

WAC 174-108-230 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 174-108-210. 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.

(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 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 73-2, § 174-108-230, filed 9/27/73.]

WAC 174-108-240 Charges for copying. (1) No fee shall be charged for inspection of public records. The 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 73-2, § 174-108-240, filed 9/27/73.]

WAC 174-108-250 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 RCW 42.17.310. Such determination may be made in consultation with any of the records officers of the college, 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) No denial of a request for public records shall be valid unless accompanied by a written statement, signed by the public records officer or his designee, specifying the specific reasons therefor.

[Order 73-2, § 174-108-250, filed 9/27/73.]

WAC 174-108-260 Review of denials for 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

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this section may include the public records officer or the records custodians, 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 twenty-four hours 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, the hearing officer 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 RCW 42.17.310 and the requirement of RCW 42.17.250 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 73-2, § 174-108-260, filed 9/27/73.]

WAC 174-108-900 Form--Request for public records.

REQUEST FOR PUBLIC RECORDS

The Evergreen State College

Section I - IDENTIFICATION. The information requested in Boxes 1 through 4 is not mandatory. If provided, it will allow the Records Officer to contact you, if necessary, in connection with your request.		DATE
1. Name of Requester	2. Representing (if applicable)	
3. Street Address		
4. City-State-Zip Code	If there is any particular urgency attached to this request, please indicate the date by which you need the information.	

Section II - NATURE OF REQUEST. Please be specific about the records you wish to see. If you do not know the name of the records, make your request in the form of a question. To comply with RCW 42.17.260(5) (non-commercial use), please sign the certification below.

I certify that the information obtained as a result of this request for public records will not be used in whole or in part to compile a list for commercial purposes.

Requester's Signature

DO NOT FILL IN BELOW THIS LINE

Section III - REQUEST FOR REVIEW

Requested by	Office	Telephone
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Section IV - DISPOSITION OF REQUEST

1.	2.	3.	4.	
5.	6.	7.	8.	9.

[Order 73-2, Form (codified as WAC 174-108-900), filed 9/27/73.]

WAC 174-108-90001 Form--Public records request for copies.

PUBLIC RECORDS REQUEST FOR COPIES

The Evergreen State College

Please indicate the records that you wish to have copied, and number of copies of each. When completed, give this request to a staff member who will accompany you to the cashier and then to the nearest copy center. You will be required to pay for the copies before receiving them.

DESCRIPTION OF MATERIALS TO BE COPIED:

Requester's Signature

[Order 73-2, Form (codified as WAC 174-108-90001), filed 9/27/73.]

WAC 174-108-90002 Form--Request for review--Public records request.

REQUEST FOR REVIEW

PUBLIC RECORDS REQUEST

The Evergreen State College

A review of the attached request for public records has been requested by the person named below. Note your opinion below and then have your secretary notify the PRO so that the forms may be picked up by our office. Your opinion, as stated, will not be disclosed to the public.

Review Requested By	Office	Telephone
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Reason for Request of Review

Opinion

Review Made By

[Order 73-2, Form (codified as WAC 174-108-90002), filed 9/27/73.]

Chapter 174-112 WAC PERSONNEL RULES

WAC

EMPLOYMENT OF RELATIVES CONCERNING CONFLICT OF INTEREST

- 174-112-130 Employment of relatives concerning conflict of interest--General policy.
- 174-112-140 Employment of relatives concerning conflict of interest--Procedure.
- 174-112-150 Employment of relatives concerning conflict of interest--Definition.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 174-112-010 Policy. [Order 73-1, § 174-112-010, filed 6/20/73; Order 72-4, § 174-112-010, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-112-020 Credit programs. [Order 73-1, § 174-112-020, filed 6/20/73; Order 72-4, § 174-112-020, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-112-030 Noncredit programs. [Order 73-1, § 174-112-030, filed 6/20/73; Order 72-4, § 174-112-030, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-112-070 Release of personnel information--General policy. [Order 72-5, § 174-112-070, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-

- 38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-112-080 Release of personnel information—Practices and procedures. [Order 72-5, § 174-112-080, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-112-090 Release of personnel information—Information on race, creed, and politics. [Order 72-5, § 174-112-090, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.

EMPLOYMENT OF RELATIVES CONCERNING CONFLICT OF INTEREST

WAC 174-112-130 Employment of relatives concerning conflict of interest—General policy. In accordance with general college policy, the basic criteria for appointment and promotion of all college staff will be the appropriate qualifications and performance. Relationship by family or marriage shall constitute neither an advantage nor a deterrent to appointment by the college provided the individual meets and fulfills the appropriate appointment standards. However, section 16, chapter 234, Laws of 1969 and RCW 42.18.160 provide in part as follows: "No state employee shall participate in a transaction involving the state in the consequences of which to his actual knowledge any of the following persons have a direct and substantial economic interest: a) his spouse or child; or b) any person in which he has a substantial economic interest of which he may reasonably be expected to know."

In order to preclude the possibility of violation of the section as cited, whenever a relative of a present employee is being considered for employment at the college, prior written approval must be given by the appropriate vice-president in the case of exempt personnel and by the budgetary unit head and the director of personnel in the case of classified personnel. In situations where individuals become relatives after being employed by the college or regardless of the manner in which relatives have become members of the campus community, it shall be the responsibility of the appropriate vice-president to insure that they do not participate in transactions as defined in WAC 174-112-150(2).

[Order 72-6, § 174-112-130, filed 10/27/72.]

WAC 174-112-140 Employment of relatives concerning conflict of interest—Procedure. If a supervisor is granted approval to hire a relative, a copy of the written approval will be placed in the staff member's personnel file. If employees are determined to have participated in transactions as defined in WAC 174-112-150(2), they will be subject to the college code of conduct.

[Order 72-6, § 174-112-140, filed 10/27/72.]

WAC 174-112-150 Employment of relatives concerning conflict of interest—Definition. (1) Relative: For the purpose of this policy, relative is defined as the husband or wife of a staff member, as well as the son,

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daughter, mother, father, brother, or sister of the staff member or spouse. This definition is not to be construed to exclude the possibility of questions of conflict of interest in the case of other family relationships.

(2) Conflict of interest/transactions: The college considers the following as among transactions involving a direct and substantial economic interest: The appointment, termination of appointment, promotion, demotion, approval of salary increase or decrease of persons employed by the college.

[Order 72-6, § 174-112-150, filed 10/27/72.]

Chapter 174-116 WAC PARKING REGULATIONS

WAC

- 174-116-010 Purpose.
174-116-011 Regulations.
174-116-020 Authority.
174-116-030 Enforcement.
174-116-040 Parking permits—General information.
174-116-041 Parking permits—Visitors and guests.
174-116-042 Parking permits—Special permits.
174-116-043 Parking permits—Issuance and display.
174-116-044 Parking permits—Validity periods.
174-116-046 Parking permits—Revocations.
174-116-050 Responsibility and presumption in reference to illegal parking.
174-116-060 Designated and assigned parking areas.
174-116-071 Parking—Prohibited places and fines.
174-116-072 Impounding of vehicles.
174-116-080 Access.
174-116-091 Special parking regulations and restrictions authorized.
174-116-092 Parking of motorcycles.
174-116-119 Fines.
174-116-121 Election to pay or contest a notice of infraction.
174-116-122 Appeal/hearing procedure.
174-116-123 Establishment of infraction review committee.
174-116-124 Jurisdiction of the infraction review committee.
174-116-125 Appeal/hearing procedure—Rules of evidence.
174-116-126 Appeal/hearing—Procedure—Review decision.
174-116-127 Appeal/hearing—Mitigation and suspension of fines.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 174-116-045 Parking permits—Housing residents. [Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-045, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-045, filed 9/22/83.] Repealed by 88-19-097 (Order 88-3, Resolution No. 88-32), filed 9/20/88. Statutory Authority: RCW 28B.40.120(12).
- 174-116-070 Speed. [Statutory Authority: RCW 28B.40.120(11). 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-070, filed 9/22/83; Order 72-7, § 174-116-070, filed 10/27/72.] Repealed by 87-14-020 (Order 87-2, Resolution No. 87-13), filed 6/24/87. Statutory Authority: RCW 28B.40.120(11).
- 174-116-090 Motor vehicle registration. [Order 72-7, § 174-116-090, filed 10/27/72.] Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-100 Parking permits required. [Order 72-7, § 174-116-100, filed 10/27/72.] Repealed by Order 73-4, filed 11/27/73. Later promulgation, see WAC 174-116-105.
- 174-116-105 Valid parking permits required. [Order 77-3, § 174-116-105, filed 12/16/77; Order 75-2, § 174-116-105, filed 8/12/75. Formerly WAC 174-116-100.]

- 174-116-110 Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-110 Parking permits. [Order 72-7, § 174-116-110, filed 10/27/72.] Repealed by Order 73-4, filed 11/27/73. Later promulgation, see WAC 174-116-115.
- 174-116-115 Parking permit regulations. [Statutory Authority: RCW 28B.40.120(11). 81-19-092 (Order 81-3, Motion No. 81-36), § 174-116-115, filed 9/18/81; 80-06-034 (Order 80-2, Motion No. 80-13), § 174-116-115, filed 5/9/80, effective 9/1/80; Order 77-3, § 174-116-115, filed 12/16/77; Order 75-2, § 174-116-115, filed 8/12/75. Formerly WAC 174-116-110.] Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-120 Parking permit valid. [Order 72-7, § 174-116-120, filed 10/27/72.] Repealed by Order 73-4, filed 11/27/73. Later promulgation, see WAC 174-116-125.
- 174-116-130 Display of parking permits. [Order 72-7, § 174-116-130, filed 10/27/72.] Repealed by Order 73-4, filed 11/27/73. Later promulgation, see WAC 174-116-135.
- 174-116-135 Parking permits displayed. [Order 75-2, § 174-116-135, filed 8/12/75. Formerly WAC 174-116-130.] Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-140 Parking areas. [Order 75-2, § 174-116-140, filed 8/12/75; Order 73-4, § 174-116-140, filed 11/27/73; Order 72-7, § 174-116-140, filed 10/27/72.] Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-150 Violation, penalty, impounding. [Statutory Authority: RCW 28B.40.120(11). 78-08-088 (Order 78-2, Motion 78-26), § 174-116-150, filed 7/31/78; Order 75-2, § 174-116-150, filed 8/12/75; Order 73-4, § 174-116-150, filed 11/27/73; Order 72-7, § 174-116-150, filed 10/27/72.] Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-160 Bicycle parking. [Order 72-7, § 174-116-160, filed 10/27/72.] Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-170 Bicycle travel. [Order 72-7, § 174-116-170, filed 10/27/72.] Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-180 Bicycle equipment, brakes, lights. [Order 72-7, § 174-116-180, filed 10/27/72.] Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-190 Pedestrian right of way. [Order 72-7, § 174-116-190, filed 10/27/72.] Repealed by 87-14-020 (Order 87-2, Resolution No. 87-13), filed 6/24/87. Statutory Authority: RCW 28B.40.120(11).
- 174-116-260 Fines and penalties. [Statutory Authority: RCW 28B.40.120(11). 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-260, filed 9/22/83.] Repealed by 87-14-020 (Order 87-2, Resolution No. 87-13), filed 6/24/87. Statutory Authority: RCW 28B.40.120(11).

[Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-010, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-010, filed 9/22/83; Order 72-7, § 174-116-010, filed 10/27/72.]

WAC 174-116-011 Regulations. Drivers and owners of vehicles on the property of The Evergreen State College are responsible for safe and lawful operation of those vehicles. Individuals operating or parking vehicles on college-owned property must at all times comply with the campus regulations, ordinances of Thurston County and laws of the state of Washington.

[Statutory Authority: RCW 28B.40.120(11). 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-011, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-011, filed 9/22/83.]

WAC 174-116-020 Authority. (1) The Evergreen State College through its board of trustees is authorized to establish traffic and parking regulations as stated in RCW 28B.10.560. The board of trustees reserves the right to add, delete or modify portions of these regulations including the appended fee and fine and penalty schedules in accordance with its regulations and applicable laws. Administration and enforcement of these parking regulations will be delegated to the security and parking offices.

(2) The Evergreen State College parking office is authorized to issue annual, quarterly, daily, car-pool, and special permits to park upon the campus. Special permits are issued pursuant to the provisions of these regulations. All outstanding campus parking violations must be satisfactorily settled before a special permit will be issued or renewed.

(3) The authority and powers conferred upon the security chief and director of facilities by these regulations shall be subject to delegation by him/her to subordinates.

[Statutory Authority: RCW 28B.40.120(12). 88-19-097 (Order 88-3, Resolution No. 88-32), § 174-116-020, filed 9/20/88. Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-020, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-020, filed 9/22/83; Order 72-7, § 174-116-020, filed 10/27/72.]

WAC 174-116-030 Enforcement. Whenever an unattended vehicle is observed in violation of the regulations herein set forth, the parking or security personnel shall take the registration number and other identifiable information and shall affix to such vehicle a parking infraction in a conspicuously visible location.

[Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-030, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-030, filed 9/22/83; Order 72-7, § 174-116-030, filed 10/27/72.]

WAC 174-116-010 Purpose. (1) To expedite college business, protect state property, provide maximum safety and convenience for all.

(2) To assure access at all times for emergency vehicles and personnel.

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

(4) To protect and control vehicular traffic.

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

(2) Fees for parking permits are as follows:

	Automobile	Motorcycle
Quarterly	22.00	11.00
Quarterly-mod resident	22.00	11.00
Annual	54.00	27.00
Annual-mod resident	54.00	27.00
Daily	.75	.75

[Statutory Authority: RCW 28B.40.120(12). 88-19-097 (Order 88-3, Resolution No. 88-32), § 174-116-040, filed 9/20/88. Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-040, filed 6/24/87; 85-03-048 (Order 85-1, Resolution No. 85-5), § 174-116-040, filed 1/14/85; 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-040, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-040, filed 9/22/83; Order 72-7, § 174-116-040, filed 10/27/72.]

WAC 174-116-041 Parking permits--Visitors and guests. All visitors, including guests, salespersons, maintenance or service personnel and all other members of the public will park in available space as established by The Evergreen State College parking regulations and will pay the established parking fee except as noted below:

(1) Federal, state, county, city, school district, and similar governmental personnel, on official business in vehicles with tax exempt licenses, will be admitted without charge.

(2) Vehicles owned by contractors and their employees working on campus construction may be parked within available construction sites or designated areas without charge but must have a permit to do so.

(3) Members of the press, television, radio and wire services, on official business, may park without charge, and must obtain a permit at the parking booth.

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

(5) Visitors and guests attending special college events may be parked without charge if prior arrangement has been made with the parking office.

(6) Visitors invited to the campus for the purpose of rendering uncompensated services to The Evergreen State College may be parked without charge, provided prior notification is given to the parking office.

(7) Persons utilizing campus facilities may park for up to one hour in the B-lot visitor stalls.

[Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-041, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-041, filed 9/22/83.]

WAC 174-116-042 Parking permits--Special permits. (1) Physically challenged users must display a valid TESC parking permit and a state of Washington "disabled person parking permit." Temporary permits must be approved by The Evergreen State College affirmative action office.

(2) Salespersons, maintenance and service personnel, persons serving the college without pay, and other visitors who must frequently visit the campus on college

business, may be issued a parking permit from the parking office, upon request from the division benefiting from the services provided, subject to approval by the parking office. Parking on campus will not be provided to persons intending to make personal solicitations from or personal sales to college employees or students.

(3) Overnight or extended period permits may be purchased from the parking office for disabled vehicles, field trips or other valid reasons that may necessitate the operator's leaving the vehicle on campus.

[Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-042, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-042, filed 9/22/83.]

WAC 174-116-043 Parking permits--Issuance and display. (1) All parking permits must be positioned so that they are clearly visible and readable from the outside of the vehicle.

(2) Car pool permits may be purchased by faculty, staff and students. One transferable permit will be issued by the parking office for each car pool. This permit is transferable only among the registered members of the car pool. The permit must be displayed on the dashboard or in the left corner in front of the driver.

(3) Annual and quarterly parking permits must be affixed to the vehicle's rear window with the following exceptions:

(a) On convertibles and trucks they may be affixed in the lower left corner of the front windshield.

(b) On station wagons and cars with heated rear windows, permits may be affixed in the left rear side window.

(c) Motorcycle permits must be affixed to the left front fork.

(4) Daily parking permits shall be placed on the dashboard with date stamp facing up, so as to be clearly visible from the exterior of the vehicle.

(5) A parking permit application is required to be on file for each vehicle displaying a permit. Ownership of permits is not transferable except when approved by the parking office. If the vehicle is sold, and for any reason a replacement permit is requested, the old permit must be removed and presented to the parking office to be eligible for a replacement or a refund.

(6) Faculty, staff and students who do not live in campus housing may be issued a duplicate car permit for another vehicle either personally owned, family owned, or owned by their employer. Proof of ownership or authorization from the owner for all vehicles must be presented. However, two vehicles bearing the same numbered permit may not be parked on campus at the same time unless one also displays a valid daily permit.

(7) Vehicles displaying a valid permit may be parked in any campus lot with the exception of the modular housing lot. Only mod resident permits are valid for that lot. Mod residents, upon proof of residency, may purchase these decals, honored in all lots on campus.

(8) Any permit holder may obtain a temporary permit at the parking booth without charge for another vehicle when the vehicle for which a permit was purchased is unavailable due to repair or for another valid reason.

[Statutory Authority: RCW 28B.40.120(12). 88-19-097 (Order 88-3, Resolution No. 88-32), § 174-116-043, filed 9/20/88. Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-043, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-043, filed 9/22/83.]

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

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

(3) Daily permits shall be valid from the time purchased until 5:00 p.m. on the date of purchase.

[Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-044, filed 6/24/87; 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-044, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-044, filed 9/22/83.]

WAC 174-116-046 Parking permits--Revocations. Permits are licenses and the property of the college, and may be recalled for any of the following reasons:

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

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

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

(4) Counterfeiting or altering of permits.

(5) Appeals of permit revocations must be made in accordance with the institutional hearing procedures outlined in infraction review committee's governing document.

[Statutory Authority: RCW 28B.40.120(11). 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-046, filed 9/22/83.]

WAC 174-116-050 Responsibility and presumption in reference to illegal parking. The registered owner or permit holder shall be responsible for all parking violations involving the vehicle on which the permit is displayed.

In any review, appeal or hearing alleging the violation of any parking regulation, proof that the particular vehicle described was stopping, standing or parked in violation of any such regulation together with proof that the person named in the complaint or infraction at the time of such violation was the registered owner or permit holder of such vehicle shall constitute in evidence a prima facie presumption that the owner was the person who parked or placed such vehicle in the location the violation occurred.

[Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-050, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-050, filed 9/22/83; Order 72-7, § 174-116-050, filed 10/27/72.]

WAC 174-116-060 Designated and assigned parking areas. The motor vehicle laws of the state of Washington and any rules stated herein shall be applicable at all times in areas covered under the scope of this policy.

The college assumes no liability for vehicles operated or parked on college properties. No bailment, but only a license, is created by the purchase and/or issuance of any permit.

(1) No vehicle shall be parked on the campus except in those areas set aside and designated as parking areas.

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

(3) Vehicles may only park within marked spaces provided in each parking lot.

[Statutory Authority: RCW 28B.40.120(11). 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-060, filed 9/22/83; Order 72-7, § 174-116-060, filed 10/27/72.]

WAC 174-116-071 Parking--Prohibited places and fines. (1) No person shall stop, stand or park any vehicle so as to obstruct traffic along or upon any street or sidewalk.

(2) No vehicle shall park or stand except momentarily to pick up or discharge passengers.

(3) No vehicle shall be parked on any lawn or grass areas except as required for maintenance or construction authorized by the director of facilities.

(4) The following schedule of fines for violations is hereby established:

(a) No valid permit	5.00
(b) Overtime parking	5.00
(c) Improper position	5.00
(d) Parked where signs prohibited	10.00
(e) Parked within fifteen feet of hydrant	15.00
(f) Handicapped zone	15.00
(g) Blocking driveway	10.00
(h) Parked at painted curb	10.00
(i) Parked in prohibited zone	10.00
(j) Obstructing traffic	10.00
(k) Parked in bus zone	15.00
(l) Parked in fire lane	15.00
(m) Altered permit	25.00

(5) 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 violator to occupy a portion of more than one space or stall shall not constitute an excuse for a violation of this section.

[Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-071, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-071, filed 9/22/83.]

WAC 174-116-072 Impounding of vehicles. (1) No disabled or inoperative vehicle shall be parked on the campus for a period in excess of ninety-six hours. Vehicles which have been parked for periods in excess of ninety-six hours and which appear to be disabled or inoperative may be impounded and stored at the expense of the registered owner. Neither the college nor its employees shall be liable for loss or damage of any kind resulting from impounding and/or storage services provided by a private vendor. Notice of intent to impound will be posted on the vehicle twenty-four hours prior to impound. In any case, the owner or operator of a disabled vehicle should notify the security or parking office

of the vehicle's location and estimated time of removal or repair.

(2) Any vehicle parked upon property of The Evergreen State College in violation of these regulations, including the motor vehicle and other traffic laws of the state of Washington, may be impounded or immobilized and taken to such place for storage as the chief of security and director of facilities selects. The expense of such impounding and storage shall be charged to the owner or operator of the vehicle and paid by him/her prior to its release. The college and its employees shall not be liable for loss or damage of any kind resulting from such impounding and/or storage services provided by a private vendor.

[Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-072, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-072, filed 9/22/83.]

WAC 174-116-080 Access. Privately owned motor vehicles shall be driven only on those roadways designed and built for their use.

Marked "service" drives shall be used only by college employees conducting official business, emergency vehicles, and authorized delivery vehicles. Any and all other vehicles are prohibited from traveling or parking in these areas.

Brick-paved and other designated areas are for pedestrian and bicycle traffic only, except as needed for emergency vehicle or for maintenance of buildings or grounds.

[Statutory Authority: RCW 28B.40.120(11). 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-080, filed 9/22/83; Order 72-7, § 174-116-080, filed 10/27/72.]

WAC 174-116-091 Special parking regulations and restrictions authorized. No person without authorization from the director of facilities shall move, deface, or in any way change a sign, barricade, structure, marking or direction so placed, or previously placed, for the purpose of regulating traffic or parking.

[Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-091, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-091, filed 9/22/83.]

WAC 174-116-092 Parking of motorcycles. (1) Motorcycles are for the purpose of these regulations considered to be motor vehicles and are subject to all parking regulations.

(2) Motorcycles may be parked in designated areas in addition to the regular parking lots.

(3) Motorcycles are not permitted on paths, sidewalks, in buildings or in pedestrian areas at any time.

[Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-092, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-092, filed 9/22/83.]

WAC 174-116-119 Fines. (1) Payment.

(a) Persons cited for violation of these regulations may respond by paying a fine within ten days of the date of notice of infraction. However, persons cited for "no

valid permit" or for "overtime parking" which are designated as five dollar fines, may pay a reduced fine of two dollars, if the citation is attached to the two dollar payment and deposited in the parking booth drop box on the same day the citation is issued. Such payment shall constitute a waiver of the right to request a review as described in WAC 174-116-121.

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

(2) Unpaid.

If any fine remains unpaid after ninety days from the date of the notice of infraction, the account will be referred to the controller for collection and the following actions may be taken by The Evergreen State College:

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

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

(c) Unless payment of the fine has been made, the amount of the fine may be deleted from an employee's paycheck after notice from the controller.

[Statutory Authority: RCW 28B.40.120(12). 88-19-097 (Order 88-3, Resolution No. 88-32), § 174-116-119, filed 9/20/88. Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-119, filed 6/24/87; 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-119, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-119, filed 9/22/83.]

WAC 174-116-121 Election to pay or contest a notice of infraction. The notice of infraction issued pursuant to these regulations shall direct the alleged violator that he/she may elect either to pay the fine applicable to the violation(s) charged or to request a review with the infraction review committee within ten days of the date of the infraction.

(1) If the alleged violator chooses to contest, a written request for a review will be filed with the chairperson of the infraction review committee, through the parking office. Requests for review forms are available at the parking office and at the parking booth. Requests for a review may be submitted without posting of the fine within ten days after date of infraction.

(2) The infraction review committee will review the written request for review and notify the appellant by mail of its decision.

[Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-121, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-121, filed 9/22/83.]

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

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

(3) The appellant will be notified by the chairperson of the infraction review committee of the time and date of such hearing. Decisions rendered by the infraction review committee on appeals heard shall be binding.

[Statutory Authority: RCW 28B.40.120(11), 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-122, filed 6/24/87; 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-122, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-122, filed 9/22/83.]

WAC 174-116-123 Establishment of infraction review committee. The Evergreen State College infraction review committee is hereby established, the members of which shall be composed of the following:

- (1) One faculty member chosen by the vice-president and provost;
- (2) One exempt staff member chosen by the president;
- (3) One classified staff member chosen by the vice-president for development and administrative services;
- (4) Two currently enrolled students chosen by the vice-president for student affairs;
- (5) A nonvoting secretary chosen by the director of facilities.

[Statutory Authority: RCW 28B.40.120(11), 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-123, filed 6/24/87; 85-21-067 (Order 85-4, Resolution No. 85-32), § 174-116-123, filed 10/18/85, effective 1/1/86; 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-123, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-123, filed 9/22/83.]

WAC 174-116-124 Jurisdiction of the infraction review committee. The infraction review committee established by these regulations shall have jurisdiction to hear and review infractions involving alleged violations of these rules and to render a judgment as to the validity of such infractions.

[Statutory Authority: RCW 28B.40.120(11), 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-124, filed 9/22/83.]

WAC 174-116-125 Appeal/hearing procedure—Rules of evidence. The rules of evidence applicable to courts of law shall not apply and any oral or documentary evidence may be received, but the chairperson of the infraction review committee may exclude such evidence as is irrelevant, immaterial or unduly repetitious.

[Statutory Authority: RCW 28B.40.120(11), 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-125, filed 9/22/83; Order 77-3, § 174-116-125, filed 12/16/77; Order 75-2, § 174-116-125, filed 8/12/75. Formerly WAC 174-116-120.]

WAC 174-116-126 Appeal/hearing—Procedure—Review decision. Upon conclusion of the review and/or appeal, the chairperson of the infraction review committee shall render the decision of the review committee as to appropriateness of the assessed fines. The decision shall be recorded in the records maintained by the parking office and the secretary of the infraction review committee shall endorse his/her signature therein, certifying the record to be correct.

[Statutory Authority: RCW 28B.40.120(11), 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-126, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-126, filed 9/22/83.]

WAC 174-116-127 Appeal/hearing—Mitigation and suspension of fines. Upon the showing of good cause or mitigating circumstances, the infraction review committee may impose any lesser fine than those established in WAC 174-116-260 of these regulations or may dismiss the fine. The chairperson may grant an extension of time within which to comply with the review and/or appeal decision. A person charged with a parking infraction who deems himself or herself aggrieved by the final decision in an internal adjudication may, within ten days after written notice of the final decision, appeal by filing a written notice thereof with the parking office. Documents relating to the appeal shall immediately be forwarded to the district court in the county in which the offense was committed, which court shall have jurisdiction over such offense and such appeal shall be heard de novo.

[Statutory Authority: RCW 28B.40.120(11), 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-127, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-127, filed 9/22/83.]

Chapter 174-120 WAC

SOCIAL CONTRACT—STUDENT CONDUCT CODE—GRIEVANCE AND APPEALS PROCESS

WAC

174-120-010	Definitions.
174-120-030	Student conduct code—Specific examples of social contract violations.
174-120-040	Student conduct code—Corrective action.
174-120-050	Student conduct code—Informal conflict resolution.
174-120-060	Student conduct code—Grievance officer.
174-120-070	Student conduct code—Formal hearing notice and rights.
174-120-080	Student conduct code—Formal procedures.
174-120-090	Academic appeals.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

174-120-020	The social contract—College philosophy. [Statutory Authority: RCW 28B.40.120(12), 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-020, filed 8/18/88.] Repealed by 89-21-073, filed 10/17/89, effective 11/17/89. Statutory Authority: Chapter 34-.05 RCW.
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WAC 174-120-010 Definitions. (1) **HEARING BOARD:** Five community members appointed by and from the different sectors of the college community (i.e. 1 faculty; 1 classified or exempt staff; 3 students). The vice-president shall be responsible for ensuring hearing board members and their alternates are appointed. The vice-president will appoint the chair of the hearing board who with the technical and clerical assistance of the vice-president's office will write and issue the board's finding. The attorney general, an administrative law judge or any other qualified community member may serve as a nonvoting advisor to the hearing board on the hearing process.

(2) **GRIEVANCE OFFICER:** A faculty or staff person who shall be appointed by and accountable to the vice-president. The grievance officer is responsible for determining if violations of this policy have occurred, for investigating and initiating formal disciplinary action on behalf of the college and for keeping all records specified in these hearings procedures. In cases involving violations of the housing contract the director of housing or designee shall act as the grievance officer.

(3) **CAMPUS MEDIATOR:** Designated intervenor in potential conflicts between two members or groups of the community which do not involve alleged violations of the student conduct code, issues about employee performance, or matters covered by other grievance procedures. The mediator will assist the two parties to reach informal resolution. If successful, the parties will sign an agreement that resolution has been reached. If unsuccessful, both parties may agree to arbitration wherein the finding of the mediator will be binding.

This individual is appointed by the vice-president and typically has been the dean of student development or his/her designee.

(4) **PREPONDERANCE OF THE EVIDENCE:** The greater weight of evidence or evidence more convincing to the mind than not.

(5) **SPONSORED EVENT OR ACTIVITY:** Activities scheduled by the college and supervised and controlled by college employees.

(6) **COLLEGE FACILITIES/PREMISES:** Property owned, leased, operated, controlled, or supervised by the college.

(7) **TRIER OF FACT:** The hearing board, administrative law judge, or any other individual(s) (e.g. campus mediator; affirmative action officer) designated by the vice-president and responsible for determining the facts relevant to decide a controversy.

(8) **REVIEWING OFFICER:** An individual designated by the president to provide a review of the trier of fact's finding.

(9) **EXCEPTION TO TRIER OF FACT'S FINDINGS:** An exception is a written request by either the grievance officer or the student requesting a review of the findings by the reviewing officer.

(10) **VICE-PRESIDENT:** The vice-president for student affairs or his/her designee. The vice-president or his/her designee shall advise students on matters of jurisdiction related to this policy and to other college grievance and conflict resolution mechanisms.

[Statutory Authority: Chapter 34.05 RCW. 89-21-073, § 174-120-010, filed 10/17/89, effective 11/17/89. Statutory Authority: RCW 28B.40.120(12), 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-010, filed 8/18/88.]

WAC 174-120-030 Student conduct code—Specific examples of social contract violations. In addition to the social contract, students must abide by the rules below in order to maintain community membership. Specific violations are set forth in writing in order to provide notice to students. They are not designed to define violations in exhaustive terms. Students may be accountable to both civil/criminal authorities and the college for acts

which constitute violations of law occurring on or off campus.

(1) **DESTROYING OR DAMAGING PROPERTY:** Intentionally and/or recklessly destroying or damaging college property or the property of others on college premises or at college-sponsored events.

(2) **DISRUPTING COLLEGE FUNCTIONS:** Intentionally and/or recklessly interfering with normal college or college sponsored activities, including, but not limited to, studying, teaching, research, college administration, fire, police, campus security or emergency services.

(3) **DRUGS:** Use, possession or distribution of any controlled substance or illegal drug on college premises or at college sponsored activities (as defined in the Uniform Controlled Substances Act chapter 69.50 RCW, as amended).

(4) **FALSE ALARMS:** Intentionally causing a false police or fire alarm that involves college property or a college sponsored event.

(5) **FALSE INFORMATION:** Intentionally providing false information to the college for the purpose of gaining admission or employment or to avoid determination of facts in accordance with any college investigation or hearing.

(6) **HARASSMENT/PHYSICAL HARM:** Threatening, intimidating or harassing another with intent to substantially harm the person with respect to his or her physical safety or mental health. This includes causing physical harm to any person or property on college premises or at any college sponsored activity, or causing reasonable apprehension of such harm to another person.

(7) **HOUSING CONTRACT VIOLATIONS:** Violation of residence hall contracts.

(8) **LIQUOR:** Use, possession or distribution of liquor on college property. This is not intended to apply to use by students of legal age in a residence or at a college sponsored event provided the event has an approved alcoholic beverage banquet permit (chapter 174-157 WAC, as amended). However, public appearance on campus or at any college-sponsored event while intoxicated, as defined by state law, will be considered a violation.

(9) **SMOKING:** Smoking in a prohibited area on college property as defined by college rules (WAC 174-136-160 to 174-136-170, as amended).

(10) **THEFT OR CONVERSION:** Deprivation of another's property, including college property or services, without that individual's or the college's authorization.

(11) **REFUSAL TO DESIST FROM PROHIBITED CONDUCT:** Refusal of students on college property to desist from conduct prohibited by these rules.

(12) **WEAPONS, FIREARMS, EXPLOSIVES AND DANGEROUS CHEMICALS:** Unauthorized use, possession or storage (other than storage with the campus security office) of any weapon, explosives, dangerous chemicals, substances or instruments or other weapons, as defined by state law, which may be used to inflict bodily harm on another individual or damage upon college premises or college-sponsored event.

[Statutory Authority: Chapter 34.05 RCW. 89-21-073, § 174-120-030, filed 10/17/89, effective 11/17/89. Statutory Authority: RCW

28B.40.120(12). 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-030, filed 8/18/88.]

WAC 174-120-040 Student conduct code--Corrective action. The primary purpose for imposing corrective measures is to protect the college community. Notification of corrective action shall be in writing, indicating the terms of any suspension or termination and any special conditions which must be met before readmission. Violations of WAC 174-120-030 (1) through (5), (6), (8), (10) through (12), inclusive, may result in expulsion, suspension, or summary suspension unless specific and significant mitigating factors are present. Factors to be considered in mitigation shall be the present demeanor and past disciplinary record of the student, as well as the nature of the offense and the severity of any damage, injury, or harm resulting from it. Repeated or aggravated violations of any rule may also result in expulsion or suspension or in the imposition of such lesser corrective measures as may be appropriate. A student's off-campus criminal conduct may also be considered in determining what discipline is warranted for similar on-campus conduct.

(1) **EXPULSION:** Permanent separation from the college and termination of community membership. The student may also be barred from college premises and/or college sponsored events.

(2) **REPRIMAND:** Warning(s) that further misconduct may result in more severe sanctions.

(3) **RESTITUTION:** An alternative to other sanctions which the student may elect wherein payment may be made to the college or to other persons, groups, or organizations for damages incurred as a result of prohibited conduct.

(4) **EJECTION FROM THE PREMISES:** Students on college property who willfully refuse to obey an order of the president, the president's designees, or law enforcement officers to desist from conduct prohibited by the college's rules and regulations may be ejected from the premises. Refusal to obey such an order will subject the student to arrest under the provisions of the Criminal Trespass Act, in addition to such other sanctions as may be applicable. Students who repeatedly engage in any conduct prohibited above may be subject to other disciplinary action.

(5) **SUMMARY SUSPENSION:** Students presenting imminent danger to themselves, others, college property and/or the educational process may be immediately suspended from the college by the president, vice president, or their designee(s) for a period of time not to exceed ten days. At the time of the suspension, the student shall be notified in writing, if possible, otherwise orally of the circumstances constituting prohibited conduct and of their right to petition for a formal hearing. If oral notification is given at the time of the summary suspension, written notification shall be personally delivered or sent to the student's last known address within 24 hours.

(6) **SUSPENSION:** Temporary dismissal from the college and temporary termination of community membership for a stated period of time, but no longer than one year.

The student shall not participate in any college-sponsored activity and may be barred from college premises. Suspension implies that the student may eventually return if evidence or other assurances are presented that prohibited conduct will not be repeated.

(7) **OTHER SANCTIONS:** Other sanctions may be imposed if related to the violation. For example, extracurricular activities may be limited; registration of motor vehicles may be restricted; and/or community service may be assigned. Students may also be removed from college housing for housing contract violations.

[Statutory Authority: Chapter 34.05 RCW. 89-21-073, § 174-120-040, filed 10/17/89, effective 11/17/89. Statutory Authority: RCW 28B.40.120(12). 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-040, filed 8/18/88.]

WAC 174-120-050 Student conduct code--Informal conflict resolution. (1) **VOLUNTARY MEDIATION/ARBITRATION:** Community members who come into conflict with one another should make a determined effort to resolve problems peacefully and constructively between themselves. To facilitate this objective, the college encourages voluntary mediation and/or arbitration through the campus mediator or any mutually agreed upon third party. A student may bypass mediation/arbitration and file a complaint directly with the grievance officer if the student believes the student conduct code has been violated. The grievance officer will determine if a violation of the social contract-student conduct code has occurred.

(2) **SETTLEMENT:** If the grievance officer decides to pursue a case in the name of the college, the student may accept or deny responsibility for the violation. If the student accepts responsibility, in writing, she or he may propose a sanction to resolve the case. The grievance officer may also propose a sanction. If agreement on responsibility and sanction are reached, the agreement shall be made in writing and signed by the student and grievance officer. The agreement may be withdrawn in writing, within one working day. If the agreement is not withdrawn within one working day, the student waives her or his right to a formal hearing.

(3) **SETTLEMENT AGREEMENT:** An agreement on responsibility and sanctions, if appropriate, shall be written and contain:

(a) A description of the violation for which responsibility is accepted;

(b) The agreed sanction if any;

(c) Signatures of the student and the grievance officer.

(4) **FAILURE TO REACH AN AGREEMENT:** If no agreement is reached on responsibility or sanction, the grievance officer shall bring the case before the trier of fact or shall dismiss the case.

(5) **FAILURE TO RESPOND TO THE GRIEVANCE OFFICER'S REQUEST FOR A MEETING:** Failure to respond to a request for a meeting shall trigger a formal hearing as defined in WAC 174-120-060 through 174-120-080, as follows.

[Statutory Authority: Chapter 34.05 RCW. 89-21-073, § 174-120-050, filed 10/17/89, effective 11/17/89. Statutory Authority: RCW

28B.40.120(12). 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-050, filed 8/18/88.]

WAC 174-120-060 Student conduct code--Grievance officer. (1) **PURPOSE:** The basic role of the grievance office is to seek justice and not convictions. The grievance officer receives and investigates complaints and proposes corrective action, if warranted. The grievance officer has the responsibility of making a decision of who and when to charge with a violation.

(2) **PROCEDURE:** If the grievance officer is satisfied that sufficient evidence exists to substantiate a violation and if a settlement has not been reached, he/she shall send a notice of the formal charges, recommended corrective action and the right to a hearing to the student. If the student is charged with a violation potentially punishable by suspension or termination, the vice-president shall institute formal hearing board procedures unless otherwise waived by the student. If a student is not charged with a violation potentially punishable by suspension or termination, he/she must petition the vice-president for a formal hearing within 10 days after receipt of the grievance officer's charges. If the student fails to petition the vice-president for a formal hearing, the recommended disciplinary action shall go into effect unless summary suspension has already occurred.

[Statutory Authority: Chapter 34.05 RCW. 89-21-073, § 174-120-060, filed 10/17/89, effective 11/17/89. Statutory Authority: RCW 28B.40.120(12). 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-060, filed 8/18/88.]

WAC 174-120-070 Student conduct code--Formal hearing notice and rights. Notice of the hearing, including a statement of the particular rules involved and matters asserted, shall be provided at least ten days before any hearing, as called for by RCW 28B.19.120(1), as amended or superseded. Both parties may submit to the designated trier of fact brief written position statements. Both parties have:

(1) The right to question witnesses; have someone appear on their behalf to defend them; and that they may have a maximum of three character witnesses appear on their behalf. The parties shall inform each other of their witnesses and representatives at least three days before the hearing. Representatives may not appear in lieu of the student charged.

(2) The right to have subpoena(s) issued by the vice-president and/or trier of fact, subject to a convincing showing of the general relevance and reasonable scope of the evidence sought;

(3) The failure of the party charged to appear will result in a default judgment against all parties - this default judgment must be served on all parties stating the grounds for the order. The student or the grievance officer has a minimum of seven days in which to file a written motion requesting that the order be set aside and stating the grounds for this request. The trier of fact must respond to this request in writing within seven days. The student or grievance officer may appeal the trier of fact's response to the reviewing officer as set

forth in WAC 174-120-080 (6) and (7). Failure to provide a list of witnesses or/and the name(s) of their representatives at least three days before the hearing will result in disqualification of those witnesses and/or representatives.

[Statutory Authority: Chapter 34.05 RCW. 89-21-073, § 174-120-070, filed 10/17/89, effective 11/17/89. Statutory Authority: RCW 28B.40.120(12). 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-070, filed 8/18/88.]

WAC 174-120-080 Student conduct code--Formal procedures. (1) **GENERAL:** Students have a right to a fair and impartial hearing on any charge of prohibited conduct and the right to confer with a representative present during the hearing. Pursuant to state law, the college president authorizes the vice-president to determine the trier of fact. Unless the vice-president determines otherwise, the formal hearing shall be conducted by the hearing board. Any such hearing shall be conducted pursuant to state law, chapter 34.05 RCW, as amended or superseded. Hearings will be closed to the public and shall be deemed confidential except as provided by statute. RCW 34.05.449. The student may request the presence of his/her representative. An open hearing may be held, in the discretion of the trier of fact, if requested by the student.

(2) **CHALLENGES:** Each party has the right to one peremptory challenge of a member of the hearing board. Any party may challenge any hearing board member based on cause, such as personal bias. The unchallenged hearing board members shall hear the challenge for cause and make a finding. If cause is found, the vice-president shall fill the vacancy forthwith. The hearing board advisor may also challenge a hearing board committee member. Except for peremptory challenges, hearing board members may be disqualified upon majority vote of the remaining board members. The trier(s) of fact should not discuss the case outside of the hearing, and shall base their decision upon the evidence presented at the hearing.

(3) **BURDEN OF PROOF:** The burden of proof shall be on the college which must establish, by a preponderance of the evidence, that the student is responsible for a violation of these rules.

(4) **FORMAL RULES OF EVIDENCE DO NOT APPLY:** Formal procedural rules of evidence shall not be applicable nor shall harmless procedural errors necessarily invalidate a decision or proceeding, unless significant prejudice to the rights of the student or the college would result. The trier of fact shall recognize rules of confidentiality and privilege, but shall otherwise admit all matters into evidence which reasonable persons would accept as having probative value in the conduct of their affairs. Undue repetitious or irrelevant evidence may be excluded. Illegally obtained evidence cannot be used.

(5) **TRIER OF FACT DECISION:** The trier of fact shall reach a final decision within 30 days of receipt of the petition or within 15 days of the close of the hearing, whichever is greater. Decisions of the hearing board shall be by majority vote of the members present and

voting. The trier of fact's written findings and conclusions shall be delivered to the student by hand or certified mail to his/her last known address.

(6) **REVIEWING OFFICER DECISION:** Either the grievance officer or the student may file an exception to the findings of the trier of fact with the college's designated reviewing officer. This exception must be filed within five days and the reviewing officer must review the record and afford the parties opportunity to present written argument. The reviewing officer may allow each party to make oral argument. Within fifteen days of the filing of the exception, the reviewing officer must render a final written order. No further agency appeal is required or provided for.

(7) **STATUS PENDING FINAL ACTION:** Except in cases of summary suspension, the student's status shall not be altered pending final decision by the reviewing officer.

[Statutory Authority: Chapter 34.05 RCW, 89-21-073, § 174-120-080, filed 10/17/89, effective 11/17/89. Statutory Authority: RCW 28B.40.120(12), 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-080, filed 8/18/88.]

WAC 174-120-090 Academic appeals. Academic issues relating to credit, the content of evaluations, and academic dishonesty are appealed to the academic deans who have authority to make final determinations.

[Statutory Authority: RCW 28B.40.120(12), 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-090, filed 8/18/88.]

Chapter 174-121 WAC

SOCIAL CONTRACT--COLLEGE PHILOSOPHY

WAC

174-121-010 The social contract--College philosophy.

WAC 174-121-010 The social contract--College philosophy. (1) **GENERAL:** Evergreen is an institution and a community that continues to organize itself so that it can clear away obstacles to learning. In order that both creative and routine work can be focused on education, and so that the mutual and reciprocal roles of campus community members can best reflect the goals and purposes of the college, a system of governance and decision-making consonant with those goals and purposes is required.

(2) PURPOSE:

(a) Evergreen can thrive only if members respect the rights of others while enjoying their own rights. Students, faculty, administrators, and staff members may differ widely in their specific interests, in the degree and kinds of experiences they bring to Evergreen, and in the functions which they have agreed to perform. All must share alike in prizing academic and interpersonal honesty, in responsibly obtaining and in providing full and accurate information, and in resolving their differences through due process and with a strong will to collaboration.

(b) The Evergreen community should support experimentation with new and better ways to achieve Evergreen's goals. Specifically, it must attempt to emphasize

the sense of community and require members of the campus community to play multiple, reciprocal, and reinforcing roles in both the teaching/learning process and in the governance process.

(3) **FREEDOM AND CIVILITY:** The individual members of the Evergreen community are responsible for protecting each other and visitors on campus from physical harm, from personal threats, and from uncivil abuse. Civility is not just a word; it must be present in all our interactions. Similarly, the institution is obligated, both by principle and by the general law, to protect its property from damage and unauthorized use and its operating processes from interruption. Members of the community must exercise the rights accorded them to voice their opinions with respect to basic matters of policy and other issues. The Evergreen community will support the right of its members, individually or in groups, to express ideas, judgments, and opinions in speech or writing. The members of the community, however, are obligated to make statements in their own names and not as expressions on behalf of the college. The board of trustees or the president speaks on behalf of the college and may at times share or delegate the responsibility to others within the college. Among the basic rights of individuals are freedom of speech, freedom of peaceful assembly and association, freedom of belief, and freedom from intimidation, violence, and abuse.

(4) **INDIVIDUAL AND INSTITUTIONAL RIGHTS:** Each member of the community must protect:

(a) The fundamental rights of others in the community as citizens;

(b) The right of each member in the community to pursue different learning objectives within the limits defined by Evergreen's curriculum or resources of people, materials, equipment and money;

(c) The rights and obligations of Evergreen as an institution established by the state of Washington; and

(d) Individual rights to fair and equitable procedures when the institution acts to protect the safety of its members.

(5) SOCIETY AND THE COLLEGE:

(a) Members of the Evergreen community recognize that the college is part of the larger society as represented by the state of Washington, which funds it, and by the community of greater Olympia, in which it is located. Because the Evergreen community is part of the larger society, the campus is not a sanctuary from the general law or invulnerable to general public opinion.

(b) All members of the Evergreen community should strive to prevent the financial, political, or other exploitation of the campus by any individual or group.

(c) Evergreen has the right to prohibit individuals and groups from using its name, its financial or other resources, and its facilities for commercial, or political activities.

(6) **PROHIBITION AGAINST DISCRIMINATION:** There may be no discrimination at Evergreen with respect to race, sex, age, handicap, sexual orientation, religious or political belief, or national origin in considering individuals' admission, employment, or promotion. To this end

the college has adopted an affirmative action policy approved by the state human rights commission and the higher education personnel board. Affirmative action complaints shall be handled in accordance with state law, as amended (e.g., chapter 49.74 RCW; RCW 28B-.16.100; chapter 251-23 WAC).

(7) **RIGHT TO PRIVACY:**

(a) All members of the college community have the right to organize their personal lives and conduct according to their own values and preferences, with an appropriate respect for the rights of others to organize their lives differently.

(b) All members of the Evergreen community are entitled to privacy in the college's offices, facilities devoted to educational programs, and housing. The same right of privacy extends to personal papers, confidential records, and personal effects, whether maintained by the individual or by the institution.

(c) Evergreen does not stand in loco parentis for its members.

(8) **INTELLECTUAL FREEDOM AND HONESTY:**

(a) Evergreen's members live under a special set of rights and responsibilities, foremost among which is that of enjoying the freedom to explore ideas and to discuss their explorations in both speech and print. Both institutional and individual censorship are at variance with this basic freedom. Research or other intellectual efforts, the results of which must be kept secret or may be used only for the benefit of a special interest group, violate the principle of free inquiry.

(b) An essential condition for learning is the freedom and right on the part of an individual or group to express minority, unpopular, or controversial points of view. Only if minority and unpopular points of view are listened to, and are given opportunity for expression will Evergreen provide bona fide opportunities for significant learning.

(c) Honesty is an essential condition of learning, teaching or working. It includes the presentation of one's own work in one's own name, the necessity to claim only those honors earned, and the recognition of one's own biases and prejudices.

(9) **OPEN FORUM AND ACCESS TO INFORMATION:**

(a) All members of the Evergreen community enjoy the right to hold and to participate in public meetings, to post notices on the campus, and to engage in peaceful demonstrations. Reasonable and impartially applied rules may be set with respect to time, place and use of Evergreen facilities in these activities.

(b) As an institution, Evergreen has the obligation to provide open forum for the members of its community to present and to debate public issues, to consider the problems of the college, and to serve as a mechanism of widespread involvement in the life of the larger community.

(c) The governance system must rest on open and ready access to information by all members of the community as well as on the effective keeping of necessary records.

(d) In the Evergreen community, individuals should not feel intimidated or be subject to reprisal for voicing

their concerns or for participating in governance or policy making.

(e) Decision making processes must provide equal opportunity to initiate and participate in policy making, and Evergreen policies apply equally regardless of job description, status or role in the community. However, college policies and rules shall not conflict with state law or statutory, regulatory and/or contractual commitments to college employees.

(10) **POLITICAL ACTIVITIES:** The college is obligated not to take a position, as an institution, in electoral politics or on public issues except for those matters which directly affect its integrity, the freedom of the members of its community, its financial support, and its educational programs. At the same time, Evergreen has the obligation to recognize and support its community's members' rights to engage, as citizens of the larger society, in political affairs, in any way that they may elect within the provision of the general law.

[Statutory Authority: Chapter 34.05 RCW. 89-21-073, § 174-121-010, filed 10/17/89, effective 11/17/89.]

Chapter 174-126 WAC USE OF HUMAN SUBJECTS

WAC

174-126-010 General policy.
174-126-020 Practices and procedures.
174-126-030 Human subjects review board.

WAC 174-126-010 General policy. This policy regarding the use of human subjects recognizes the responsibility to protect the rights, well-being and personal privacy of individuals, to assure a favorable climate for the conduct of academic-oriented inquiry, and to protect the interests of The Evergreen State College. The following practices and procedures have been established for the conduct of activities involving human subjects.

[Statutory Authority: RCW 28B.40.120(11). 79-07-003 (Order 79-2, Motion 79-31), § 174-126-010, filed 6/7/79.]

WAC 174-126-020 Practices and procedures. (1) No activity involving human subjects shall be undertaken unless a human subjects review board has reviewed and approved such activity. This review shall determine whether these subjects will be placed at risk and, if so, whether:

(a) The risks to the subject are so outweighed by the sum of the benefit to the subject and the importance of the knowledge to be gained as to warrant a decision to allow the subject to accept these risks;

(b) The rights and welfare of any such subjects will be adequately protected; and

(c) Legally effective informed consent will be obtained by adequate and appropriate methods.

(2) **Definitions.**

(a) "Subject at risk" means any individual who may be exposed to the possibility of injury, including physical, psychological or social injury, as a consequence of

participation in any activity which departs from the application of those established and accepted methods necessary to meet the subject's needs, or which increases the ordinary risks of daily life.

(b) "Informed consent" means the knowing consent of any individual or of a legally authorized representative. The consent is to be a free-will choice obtained from the subject or representative without undue inducement or any element of constraint or coercion. The basic elements of information necessary to such consent include:

(i) A description of the procedures to be followed, including an identification of those which are experimental;

(ii) A description of the attendant risks and discomforts;

(iii) A description of the benefits to be expected or the knowledge hoped to be gained;

(iv) A disclosure of appropriate alternative procedures that might be advantageous to the subject;

(v) An offer to answer any inquiries the participant has concerning the activity;

(vi) An instruction that the subject is free to withdraw at anytime without penalty.

(vii) An assurance that the subject's identity will remain confidential;

(viii) A disclosure of what costs the subject may immediately or ultimately be forced to bear, and what reimbursement of costs or other compensation the subject will receive.

(c) "Substantial experiment" means any activity involving risk to human health but would exclude all those activities relating solely to the gathering of data, material, and information.

(3) Activities subject to review.

(a) All activities supported by noncollege funds in which such action is required by the grantor;

(b) Other activities which involve the likelihood of risk or substantial stress or discomfort to the subject;

(c) Activities which include the administration of personality tests, inventories or questionnaires of a personal and sensitive nature;

(d) Activities involving health care procedures of any kind which are not principally for the benefit of the subject, or which include diagnostic or therapeutic measures that are not yet standard;

(e) Other activities in which the subject is not fully informed as to the procedure to be followed.

(4) Responsibilities.

(a) Responsibility for review and approval of proposed activities is vested in the human subjects review board.

(b) The appropriate dean or director under whose program the proposed activities emanate is responsible for determining if any of the above criteria (subsection (3) of this section) apply to the proposed activities and, if so, to forward the proposal to the human subjects review board.

(c) It is the obligation of the investigator to bring any proposed activity involving the use of human subjects to the attention of the respective faculty member, supervisor or dean.

[Statutory Authority: RCW 28B.40.120(11), 79-07-003 (Order 79-2, Motion 79-31), § 174-126-020, filed 6/7/79.]

WAC 174-126-030 Human subjects review board.

(1) The purpose of the human subjects review board is to conduct initial and continuing reviews of the use of human subjects in accordance with the policy outlined in WAC 174-126-020(1).

(2) Review board composition and qualifications.

(a) The review board must be composed of not less than five persons with varying backgrounds.

(b) The review board must be sufficiently qualified through the maturity, experience and expertise of its members and diversity of its membership to insure respect for its advice and counsel for safeguarding the rights and welfare of human subjects.

(c) The review board must be able to ascertain the acceptability of application and proposals in terms of institutional commitments and regulations, applicable law, standards of professional conduct and practice and community attitudes.

(d) No review board member shall be involved in either the initial or continuing review of an activity in which the respective member has a conflict of interest.

(e) At no time shall the review board consist entirely of persons who are associated with the institution apart from their membership on the review board.

(f) The quorum of the review board shall be defined but in no event will be less than a majority of the total membership.

(g) Members of the review board are to be appointed by the president of the college for two-year renewable terms.

(3) Responsibilities of the human subjects review board.

(a) The review board will develop and maintain procedures which the college will follow in its initial and continual review of applications, proposals and activities.

(b) The review board will develop and maintain procedures to:

(i) Provide advice and counsel to activity directors and investigators with regard to the review board's actions;

(ii) Insure prompt reporting to the review board of proposed changes in an activity and of unanticipated problems involving risk to subjects or others; and

(iii) Insure that any such problems including adverse reactions to biological drugs, radioisotope labeled drugs or to medical devices are promptly reported to the appropriate authority.

(c) The review board will develop and maintain procedures which the college will follow to maintain an active and effective review board and to implement its recommendations.

(d) Policies and procedures established by the review board will be in compliance with federal (specifically Title 45, Sec. 46), state and local laws as well as college policies and procedures.

(4) Executive responsibility of the college.

(a) Review board approvals, favorable actions and recommendations are subject to review and disapproval

or further restrictions by the president, academic vice-president and administrative vice-president.

(b) When it is a requirement of receipt of funds for the activity, review board disapprovals, restrictions or conditions cannot be rescinded or removed except by action of the review board.

(c) The president shall review all approvals by the review board for experiments involving human subjects and if, in his determination, it is a substantial experiment, prior to its commencement, it shall be submitted the board of trustees for final approval.

[Statutory Authority: RCW 28B.40.120(11). 79-07-003 (Order 79-2, Motion 79-31), § 174-126-030, filed 6/7/79.]

Chapter 174-128 WAC

FACULTY MEMBERSHIP, APPOINTMENT AND EVALUATION

WAC

CATEGORIES OF FACULTY MEMBERSHIP

- 174-128-010 Philosophy.
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FACULTY EVALUATION

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REAPPOINTMENT AND NONREAPPOINTMENT OF FACULTY

- 174-128-080 Reappointment and nonreappointment.
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CATEGORIES OF FACULTY MEMBERSHIPS

WAC 174-128-010 Philosophy. Everyone who is directly responsible for generating credit at Evergreen will be a member of the faculty. The college seeks to avoid the distinctions in rank characterizing traditional institutions. Therefore, all faculty will be appointed to the rank of "member of the faculty" without any hierarchical distinction in titles. In those cases where indication of a professional specialty is relevant, designation of the particular discipline(s) from which the faculty member comes can be made in parentheses, e.g. "member of the faculty (biology)."

[Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-010, filed 11/22/78.]

WAC 174-128-020 Categories of faculty membership. Since different members of the faculty may, however, have differing kinds of responsibilities, the college has established categories of faculty membership which

recognize the necessary differences in selection, evaluation, and reappointment procedures. These categories are:

- (1) Regular faculty;
- (2) Associate faculty;
- (3) Resource faculty; and
- (4) Staff faculty.

The distinguishing characteristics of each of these categories are summarized below.

(a) Regular faculty. Regular faculty members are primarily hired to teach, except that the president, provost, academic deans, and dean of the library are also regular faculty members.

Regular faculty (except for the administrators denoted above) are expected to teach in the three major modes of instruction as their primary responsibility, but are also expected to participate in curricular planning, serve on DTF's, advise students, engage in faculty development, and carry out the faculty duties discussed in the section on faculty evaluation and reappointment (WAC 174-128-080). The administrators identified above will carry out the duties defined in their job descriptions while serving in an administrative capacity.

Regular faculty other than the president, provost, academic deans and the dean of the library are selected through the regular faculty hiring procedure defined in WAC 174-128-030. They are appointed for a three-year contract initially with three-year renewals dependent on satisfactory evaluations through regular faculty procedures described in WAC 174-128-050 through 174-128-070. They may be full or part time.

Regular faculty are compensated on the normal faculty salary scale. The administrative officers named above shall be compensated according to appropriate salary scales from sources other than the instructional budget.

(b) Associate faculty. Associate faculty are those individuals working in a teaching capacity who have not been designated either regular faculty or staff faculty. Associate faculty may or may not be expected to participate in DTF's, curricular planning, advising students, etc. depending on the terms of their contract. They are selected in accordance with procedures specified in WAC 174-128-042 by the deans according to their qualifications and ability to teach in order to meet particular curricular needs defined by the curricular development process. If a staff member's associate faculty membership will require teaching during that staff member's regular work hours, permission must be obtained from the appropriate staff budget unit head. Associate faculty may be full or part time.

Associate faculty are appointed for a contract period not to exceed one year. Reapplication for the same status (associate faculty) is possible. Associates may apply for regular faculty positions or staff-faculty membership through the normal regular faculty and staff-faculty hiring procedures. Full-time associates will be evaluated in the same manner as regular faculty. Associates are also evaluated on any other duties which may have been specified as part of their contract. In the event that a staff person is denied or loses associate faculty

status, that action will not affect his/her continuation in regular staff duties and position.

Associate faculty are compensated from the instructional budget commensurate with their duties, except that associate faculty who are also staff will not be compensated additionally for teaching two or fewer individual contracts.

(c) Resource faculty. Resource faculty are selected by the provost with appropriate advice from the TESC community to meet particular institutional needs. They may be full or part time. Normally, they will not be directly responsible for the generation of credit. Resource faculty appointments would fall into three categories as follows:

(i) Appointments under grant auspices in which the individual's remuneration is not part of the college's faculty entitlement;

(ii) Appointments in which another institution bears the cost of the individual's being at Evergreen — e.g., faculty from other colleges and universities on paid sabbatical from their home institution who require institutional affiliation as a condition of their sabbatical; and

(iii) A limited number of persons serving in short-term (i.e., less than a full quarter) capacities as visiting artist, scholar, or lecturer. Less than one FTE of faculty entitlement is to be used by the college in this fashion in any given year. Compensation in such appointments is set by the provost corresponding to the individual's contractual obligations.

Resource faculty have contract periods of no more than one academic year and renewal options as appropriate to their situations. They are compensated appropriately at the discretion of the provost but according to existing salary policies.

(d) Staff faculty. The current definition given in WAC 174-129-010 through 174-129-030 applies to this category.

[Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-020, filed 11/22/78.]

*Reviser's note: At the time of this publication, WAC 174-129-010 through 174-129-040 has not been filed in the office of the code reviser.

FACULTY RECRUITMENT AND APPOINTMENT PROCESS

WAC 174-128-030 Philosophy. The Evergreen curricular program demands motivation and a range of competencies not always required of faculty in colleges and universities whose offerings are organized around departments. Some of the characteristics which we seek in prospective faculty members are:

(1) Previous experience or clearly expressed desire to participate in collaborative interdisciplinary teaching;

(2) Willingness to work as a member of a coordinated studies team;

(3) Demonstrated expertise in one or more fields of study and a willingness to participate with students in learning new fields (a Ph.D. is not in itself a requirement for hiring or retention);

(4) Willingness to teach and learn through the exploratory, cooperative seminar mode (see WAC 174-128-062);

(5) Willingness to work with students in tutorials and individual contracts;

(6) Willingness to act as an academic advisor; and

(7) Willingness to participate in TESC governance activities, task forces, etc.

The goal of the recruitment and appointment procedure for regular faculty is to develop a large pool of applicants which implements our affirmative action policy and reflects the characteristics above, to involve the Evergreen community as much as is possible in the planning for and selection of candidates, and to keep applicants, the affirmative action officer and community aware of the stages within the hiring procedure. All candidates for regular faculty appointments shall go through the procedure detailed below and diagrammed in Appendix I [WAC 174-128-990].

[Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-030, filed 11/22/78.]

WAC 174-128-040 Recruitment of regular faculty.

(1) Stage I. Identification of recruiting areas. The faculty recruitment process should begin in the spring, eighteen months before the new faculty will be hired. At that time the academic deans, in consultation with the faculty, students, and appropriate staff will identify tentative priority needs (academic areas) in faculty recruitment. These needs will be discussed with dean-faculty groups and specialty areas and be made available for comment from students and staff through regular channels after which final priorities will be determined. The deans will then consult with the faculty associated with that academic area and the affirmative action office to draw up a list of recruitment sources appropriate to each area and to the affirmative action policies of the institution. These sources will be selected to reach deeply into the pool of Third World and women candidates and must be considerably broader than conventional professional journals. The advertising will include specific remarks describing the general philosophy of education at Evergreen and the areas to which an applicant needs to speak.

(2) Stage II. Application and completion of file. The initial process is designed to develop complete applicant files and to help prospective candidates understand us and our hiring needs and respond appropriately. It is not the purpose to eliminate candidates at this stage.

Each application, be it a response to our advertising, self-initiated, or initiated by personal request of a current Evergreen person, will be assigned a file. The dean whose desk responsibility is faculty recruitment will review all files for completeness. A complete file will include: (a) Vitae; (b) two or more letters from colleagues; (c) two or more letters from students (if applicable); and (d) a written essay addressing the applicant's philosophy of education and the seven characteristics above. During the initial process applicant files will be sorted into three categories to aid applicants in completing their files and Evergreen in assessing the status of those files:

(i) Category 1. This category contains those applicants whose competencies or academic philosophies do not appear to match our hiring needs. The dean sends the applicant a letter describing Evergreen's educational philosophy, areas of hiring interest, projected hiring dates, and that the applicant's competencies or educational philosophies do not appear to fit these needs;

(ii) Category 2. The applicant is a possible candidate but the file is incomplete. The dean sends the applicant a letter stating this, the specific information needed to complete the file, and the dates in the hiring process;

(iii) Category 3. The applicant is a possible candidate and the file is complete. The dean sends a letter stating that we have the complete file and indicating the dates in the hiring process.

To keep track of the applicant's status, the files will be kept at a single location separated by category. If identifiable, the files of women and Third World persons should be flagged. The front jacket of each file will be marked to indicate the standard letter(s) sent. Copies of any nonstandard letters will be included in the file. As applications are received, the file will be reviewed, categorized, and tagged appropriately. The dean's office will maintain a list of current applicants that indicates category and identifies women and Third World candidates. The list will be open to the community and affirmative action officer and both will be notified once it has been drawn up.

Applicants remaining in category 1 at the end of stage II will be sent letters of rejection by the dean. Files in category 1 will be held until the end of the academic year and then destroyed. Files still in category 2 may be reviewed by the faculty screening committee (to be described later) and those individuals may be contacted in order to get completion if it seems appropriate. Any applicants that present anomalies in classification go to the faculty screening committee for review.

(3) Stage III. Screening of files and identification of candidates. Fall quarter, the dean whose desk responsibility is recruitment will convene the faculty screening committee using the procedures in the governance document. The purpose of this committee shall be to screen the files of applicants, make recommendations with respect to candidacy, interview prospective candidates when possible, and make hiring recommendations. The faculty screening committee should contain ten members of the faculty, five students, and five staff members. Each member will hold a two year overlapping term (half the members of each group are new each year). In each case (faculty, student, staff), the committee should include a wide array of disciplines and areas of specialization and representation of men and women, white and third world. The faculty screening committee will be "current" until new membership is appointed the next fall. In emergency situations or at times when a full committee cannot be brought together (e.g., summer) the deans and provost will consult with as many members as can be reached. All appointments not receiving full committee review will be made for not more than one year in duration.

The committee will read the applicants' files in category 3 (and possibly 2) and evaluate each applicant in light of the criteria in WAC 174-128-030 (1) through (7) with the goal of identifying active candidates.

The files will be available for review by other faculty, students, and staff. Written comments by each reader should be added to the file at this point. As the faculty screening committee identifies applicants about whom more information is needed, it will inform the appropriate dean who will attempt to secure the information for the file. By the end of the screening period all applicants in category 3 will be designated active or inactive. All candidates classified as inactive shall receive letters from the deans indicating their status as future potential candidates. Applicants remaining in category 2 are sent letters of rejection by the dean. The list of current candidates shall be updated to indicate classification as active or inactive. The inactive files shall be retained for review if either the college or the candidate requests it during the two years following the initial application.

As the faculty screening committee identifies active candidates, it will inform the dean with the recruiting desk assignment, who will invite, when possible, the candidate for a campus visit. As a part of the invitation the candidate will be informed that the campus visit is extremely important. If a visitation is not possible, conference phone calls should be used.

The cost of the candidates' visits, including transportation and accommodations, shall be paid by the college to the extent permitted by statute, current travel policy, and availability of funds.

Acceptance of the invitation and/or the provision of accessory information requested by the faculty screening committee by the candidates shall mark their entry into stage IV of the hiring process.

(4) Stage IV. Interviewing and recommendation for hiring. The dean's secretary or student staff, under the supervision of the dean, shall be responsible for organizing and publicizing the campus visits of active candidates. These visits shall be publicized with the information center, campus media, and the happenings at least one week prior to the visit so that all Evergreen community members who desire to meet the candidates may do so. There will be a standard time and place set aside insofar as it is possible (e.g., noon on Wednesdays) for the Evergreen community to meet the candidate. During the campus visit the dean whose desk responsibility is recruiting will attempt to make arrangements for the candidate to meet: (a) The faculty screening committee; (b) additional faculty, staff, and students interested in meeting the candidate; (c) staff representatives from student services, cooperative education, the registrar's office, and any other area relevant to this person's specialty; (d) the academic deans and the dean of the library; (e) the provost; and (f) the affirmative action officer. The dean's secretary or student staff shall arrange for additional introductions and interviews in accordance with the needs and expressed desires of the candidates, deans, faculty screening committee, and other Evergreen community members.

Following the candidate's visit to campus, members of the Evergreen community who met with the candidate will be expected to contribute written statements of their observations and opinions to the candidate's file. A period of at least two weeks shall be provided after the campus visits during which written statements may be added to the candidate's file. Following this period, the faculty screening committee will review the active candidates' files and provide a list of candidates who would be the most beneficial additions to the faculty. Normally this will be accomplished by the end of February.

The deans will then review the active candidates' files, consider the advice of the faculty screening committee and others, and make their recommendation to the provost from among the candidates. If the deans wish to consider making an offer to someone who was not recommended by the screening committee's list for any reason (for example, new candidates for positions which became vacant later in the year) the dean responsible for faculty recruiting will have the current faculty screening committee review the candidate's file, using the same criteria used during the initial screening process. The deans will make recommendations to the provost, who will have appointing authority subject to final approval by the president. The dean responsible for faculty recruiting will convey hiring decisions and the reasons for them to the faculty screening committee, the affirmative action officer, and community as a whole. The provost will inform the public information officer when signed contracts have been received.

[Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-040, filed 11/22/78.]

WAC 174-128-042 Procedures for hiring associate faculty. (1) Full-time appointments. This category includes:

- (a) Visiting positions where a faculty member is on leave from another institution;
- (b) Specific, short-term positions in programs;
- (c) Situations where there is an identified position but the applicant pool is not diverse enough to hire a regular faculty member;
- (d) Emergency hiring (e.g., during summer, or replacement during the year) where the full faculty screening committee cannot be constituted or the full screening procedure cannot be observed.

In general, the procedure for one-year appointments is similar to hiring regular faculty. These positions should be identified and advertised as one-year appointments. In addition, the procedure should include categorizing and responding to applicants, affirmative action and reporting of information to the affirmative action officer, screening through the existing faculty screening committee, and recommending to the dean and provost in accordance with the procedures for hiring regular faculty.

The procedure should reflect the specialized needs of programs planned for the forthcoming academic year. Thus applicants need not have the diverse background

reflected in hiring criteria for regular faculty. The applicant essay may be directed more concretely to a position in a program for which she/he is applying. When possible, the faculty team with whom the applicant might be working should be actively involved in the screening and recommendation process.

One-year appointees wishing to apply for regular faculty status in the future go through the hiring procedure for a regular faculty applicant.

(2) Part-time appointments. These faculty are hired to teach specific part-time segments of the curriculum that have been identified as nonfillable with the current regular faculty. It is accepted that these positions require persons with specific areas of competence and may arise at almost any time. Compared to regular and one-year appointments, these positions might be filled with less rigorous advertising or control by the faculty screening committee. When it is possible to anticipate needs, the position must be advertised. The current faculty especially must be appraised of the potential positions and requested to submit names of individuals who might be interested or capable. If the appointment is to be a part of a larger program, that program team must be involved in screening and selection.

The dean with the module desk responsibility is to develop a method for the regular evaluation of all part-time associate faculty and of the modules in which they teach.

[Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-042, filed 11/22/78.]

WAC 174-128-044 Resource faculty. Resource faculty are selected by the provost with appropriate advice from the Evergreen community to meet particular institutional needs.

[Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-044, filed 11/22/78.]

WAC 174-128-046 Staff faculty. See *WAC 174-129-010 through 174-129-040.

[Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-046, filed 11/22/78.]

*Reviser's note: At the time of this publication, WAC 174-129-010 through 174-129-040 has not been filed in the office of the code reviser.

FACULTY EVALUATION

WAC 174-128-050 Philosophy. Faculty evaluation at Evergreen should be a pleasure. The primary purpose of Evergreen's faculty evaluation procedures is to provide reinforcement and feedback with respect to each faculty member's commitment to the teaching arts, the basis on which all Evergreen faculty appointments are made.

Unfortunately, most institutions of higher education still make little provision for learning the art of teaching. With only the rarest of exceptions, American colleges have no real apprentice system for developing the teacher's craft. The assistant professor is not associated with the full professor in the enterprise of teaching. Junior

professors are simply paid less and have less power in their departments. In the meantime they are busy publishing, or worrying about not publishing. Their seniors do not help them learn to teach. There is no reason why this should continue. Evergreen will provide members of its faculty with opportunities to learn to teach, to experiment, to acquire intellectual breadth and depth, and to get acquainted with students free from the usual constraints of specialized discipline and department.

Because of the unique structure of the college, the faculty member will have the opportunity to learn to do things he or she would never feel free to try in a discipline-bound department. Moreover, she or he will have the experienced staff to lean on for advice and assistance. They will provide a reservoir of experience in small-group teaching.

Well-designed programs will come to nothing unless we can help each other discover and perfect the art of teaching. Every dean and experienced member of the faculty will be charged with the responsibility of helping other members of the faculty in this very difficult but exciting enterprise.

[Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-050, filed 11/22/78.]

WAC 174-128-060 The appointment and evaluation cycles. Faculty evaluation is to be viewed as an ongoing process occurring in regular cycles. Each year a regular faculty member is to have an evaluation session with his or her dean, at which time portfolios are to be exchanged and their contents discussed. In the first and last years of a regular faculty contract the evaluation sessions are primarily directed toward aiding continued growth, the identification and discussion of areas of strength and weakness, and ways of improving upon these strengths and/or eliminating weaknesses. If in these growth evaluations the dean sees deficiencies which, if not corrected, might serve as grounds for non-reappointment, those deficiencies must be clearly discussed, both in the dean's oral and written evaluation of the faculty member.

(1) The initial appointment for regular faculty will be for three years, and the first-year teaching assignment will be to a coordinated studies program. The first evaluation procedure will be conducted by the deans in the latter half of spring quarter of year one, and will be directed explicitly toward faculty development questions. If there is evidence of difficulty in adjusting to Evergreen teaching styles and demands, the deans, in consultation with the faculty member, will arrange for specific assistance, either through the faculty team of the second year's teaching assignment, or by a small, mutually agreed upon consultant team of experienced and successful faculty, or both. In addition students provide information and support vital to faculty development. The faculty members may request help from mutually agreed upon students both on the consulting team and in informal conferences. The team, with the dean and the faculty member in question, will design a program to correct whatever difficulties have been identified and discussed in the previous evaluation session. It will be

the responsibility of the dean to meet periodically over the year with these individuals as a group to assess and advise on the progress being made. The second formal evaluation process will take place in spring quarter of year two and should provide evidence of continued good performance or satisfactory improvement through the faculty development consulting process. This evaluation is also the critical retention evaluation. In the case of a one-year reappraisal extension, any remaining deficiencies should be clearly identified in writing by the deans and the development consulting process continued as required. In case of a nonretention decision, year three will serve as a terminal year.

(2) All evaluation sessions will consist of a close scrutiny of the faculty member's portfolio, taking special note of previous growth evaluations. Both dean and faculty member will assess the faculty member's growth and development over the contract period. Except for faculty in their initial appointment, there will be two growth evaluations prior to a reappointment evaluation; in the case of faculty in their initial appointment, the second growth evaluation is concurrent with reappointment evaluation. After each regular faculty member has completed his or her reappointment evaluation session, the provost, upon recommendation of the deans, will inform that person of intent either to:

- (a) Reappoint for a three-year contract period; or
- (b) Issue a one-year reappraisal extension to the present contract, with explicit written statements of deficiencies to be corrected during the reappraisal year; or
- (c) Terminate employment at the end of the current contract.

For those faculty receiving one-year reappraisal extensions, the deans will provide consulting assistance similar to that discussed above, to provide maximum opportunity for correction of the deficiencies.

[Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-060, filed 11/22/78.]

WAC 174-128-062 Faculty seminars. Collaborative, interdisciplinary study constitutes the heart of the Evergreen curriculum. An integral and indispensable component of such study is the faculty seminar in which faculty members meet to conduct their own seminar, and in which they discuss materials and ideas which either will be explored later in student seminars (as in a coordinated studies program) or which in some other manner will be brought to the teaching of participating faculty. In faculty seminars, the faculty draw upon their respective areas of expertise to share viewpoints and to offer criticism of the subject at hand. They are not discussions of teaching but represent an important scholarly activity and in part replace the "publish or perish" syndrome prevalent at other institutions.

In recognition of the central curricular role of collaborative, interdisciplinary study and the significance of faculty seminars for growth and development, faculty are expected to be regularly and consistently, if not continuously, involved in faculty seminars of the kind characterized above. Therefore, following the assignment of faculty to programs, individual or group contracts, or

other duties, faculty who are not in programs and thereby already in teams, are expected either to align themselves with existing teams or to form their own teams among themselves for the purpose of faculty seminars. In either event, the members of the seminar are to negotiate the particular details of their collaborative work, including a list of the materials to be discussed, place them in a covenant, notify their deans of the arrangement and include a copy of the covenant in their portfolio, along with evaluative statements by the seminar members of one another's performance in faculty seminar. However, it is not the intention of these expectations to inhibit individual scholarship. Therefore, an exception to the above arrangement will be possible upon submitting an alternative plan to the deans, together with appropriate evaluative procedures, and upon receiving written acknowledgement from a dean. The overriding concern will be that in the long run one's scholarly activities be consonant with Evergreen's commitment to collaborative, interdisciplinary study.

[Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-062, filed 11/22/78.]

WAC 174-128-064 The faculty portfolio. As one of the conditions for reappointment, each faculty member must maintain a portfolio representing work done at and for the college during the contract period. This document should be thought of as a cumulative intellectual and professional history, carefully organized for readability, and critically reviewed and commented upon annually by one of the academic deans with the intent of encouraging growth and development in the arts of learning and teaching in the Evergreen environment. In the year prior to the end of a contract period, this cumulative portfolio will become the principal documentary evidence for a thorough evaluation by the deans and the principal source for determining satisfactory performance in the criteria for reappointment or nonreappointment. After the reappointment evaluation, the faculty member selects materials to be retained in the portfolio and begins to build a fully documented, inclusive portfolio to cover the next three-year evaluation cycle. The process begins anew at the conclusion of each evaluation cycle.

To fulfill the spirit of the process, the faculty portfolio should be more than just a personnel file. As it is a vehicle for the growth and development of each faculty member as a person who is both learning and teaching, it should be in part an autobiography and contain the materials for an autobiography. It is recognized that other items than those enumerated below may be contained in the portfolio and might in fact tell more about growth and development and contributions to the college than do the enumerated items themselves. It is the responsibility of the dean evaluating the faculty member to understand the portfolio as more than a personnel file and respond to it in its entirety rather than focus on the enumerated items. New faculty members may seek assistance from experienced faculty in assembling their first portfolio.

(1989 Ed.)

To fulfill both the growth and development function and the evaluation function, the portfolio is expected to be as complete and informative as possible. For each year of work the portfolio is expected to contain, as a minimum, the following:

- (1) Both the self-evaluation and the dean's evaluation from the previous year;
- (2) All evaluations of you by your faculty colleagues;
- (3) All evaluations you have written of your faculty colleagues;
- (4) All evaluations of you by staff members;
- (5) All evaluations you have written of staff members;
- (6) All evaluations of you by your students;
- (7) All evaluations you have written of your students' work both transcript and informal;
- (8) Copies of your coordinated studies program covenants or group contract agreements between you and your students;
- (9) Copies of individual contracts you have sponsored;
- (10) A thoughtful and critical self-evaluation of the current year's work, based largely on the documentation available in the portfolio. This essay should assess your successes and your disappointments, and it should address the areas in which you hope to make improvements during the following year in your teaching, in your other contributions to Evergreen, in your fields of expertise, and in exploring new academic interests.

Each year, at least one of the academic deans will review this portfolio and self-evaluation while in return having her or his own portfolio reviewed by the faculty member. Each party will write a critical evaluative response for inclusion in the other's portfolio.

[Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-064, filed 11/22/78.]

WAC 174-128-066 Faculty evaluation schedule. Each year, during the first half of winter quarter, evaluation conferences will be scheduled with the deans for those faculty members for whom reappointment decisions are to be made. During the remaining portion of winter quarter and on into spring and summer quarters as necessary and feasible, conferences will be scheduled with the remainder of the faculty. Reappointment decisions will be completed prior to the end of winter quarter, and notification given to each person. The evaluation process will proceed as follows:

- (1) A conference will be scheduled between a faculty member and one of the academic deans who has worked most closely with that faculty member during the current academic year. (Among other working relationships possible, the dean should have visited the faculty member's academic program on more than one occasion during the current academic year.)
- (2) Before the scheduled conference, the dean and the faculty member will exchange portfolios. Both the dean and the faculty member will prepare written responses for inclusion in the portfolio of the following year.
- (3) For the reappointment cases, shortly after the conference sessions are ended, the deans will meet and jointly prepare a recommendation in writing on each

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faculty member to be submitted to the provost, with a copy to the faculty member involved.

Faculty whose appointments include unusual duties will have the specific criteria of their evaluation written into their contract letter. In cases of leave or other interruptions in the evaluation cycle, advance written provision for evaluation must be agreed upon by the faculty member and the dean.

[Statutory Authority: RCW 28B.40.120(11), 78-12-040 (Order 78-5, Motion 78-55), § 174-128-066, filed 11/22/78.]

WAC 174-128-070 The dean's role in the evaluation process. (1) If the evaluation process at Evergreen is to work well and promote the goal of faculty development, the deans must have sufficient time and commitment to make it a major aspect of their decanal responsibilities. Further, in order to fully utilize the handbook's mechanisms for faculty growth and development, dean-faculty evaluations must be entered into in an open and frank spirit.

(2) In order to provide sufficient time for thorough evaluation and counseling to those faculty for whom deficiencies are noted and to those in their reappointment evaluation, the deans will exercise discretion in evaluating the remaining faculty. For a faculty member in the third year of a three-year contract, the deans may decide to review the portfolio, hold an evaluation conference, and write only a pro forma note affirming the conference. Or, for faculty teams whose programs are running smoothly, the dean may choose to hold a group evaluation with the team and submit an affirming note to each member of the program team. In all cases, every faculty member will write an evaluation of his or her dean.

This reduced evaluation process allows the deans to devote careful attention and consideration to reappointment evaluations and to those faculty for whom deficiencies are evident or have been previously noted. In these latter cases, it is the responsibility of the deans to enter directly into the process of development and consultation as described in the section on the appointment and evaluation cycle. It is important that the dean state and explain each deficiency clearly and specifically in writing and make sure that the faculty member who has been so informed is assigned to another dean the following year. It is then the joint responsibility of both deans to work together, along with the faculty member and the mutually-selected consultative team, to attempt to correct any deficiencies which have been identified. Where appropriate to the correction of a deficiency, it is advisable that the faculty member be assigned to a coordinated studies team made up of experienced faculty especially capable of helping other faculty improve their performance. That assignment should be made only on the mutual agreement of all parties to work together on overcoming the identified deficiencies. Finally, the dean should be open to the possibility of seeking other special assistance in or outside the college for faculty members who request that assistance in resolving their difficulties.

(3) In addition to these obligations relating to the formal evaluation, the deans will monitor various aspects

of faculty performance throughout the contract period, for example: Timely completion of student credit reports and transcript evaluations in accordance with current academic policies, carrying of a fair share of the instructional load over the time of the contract, continuing mastery of one or more fields of expertise along with the development of interdisciplinary competence, etc.

[Statutory Authority: RCW 28B.40.120(11), 78-12-040 (Order 78-5, Motion 78-55), § 174-128-070, filed 11/22/78.]

REAPPOINTMENT AND NONREAPPOINTMENT OF FACULTY

WAC 174-128-080 Reappointment and nonreappointment. The reappointment criteria speak to those academic qualities, skills, and attitudes of professional colleagueship which make for excellence in undergraduate teaching. The evaluation process, through which reappointment decisions are made, has at its heart a concern for excellence in all aspects of the academic enterprise; and each faculty member will be evaluated in terms of his or her growth as a teacher, colleague, and member of the Evergreen community.

Specifically, reappointment decisions will focus on the development and creative use of teaching skills stressed by Evergreen's curricular modes as evidenced by:

- (1) Program design and leadership;
- (2) Seminar leadership;
- (3) Individual contract design and leadership;
- (4) Lecturing;
- (5) Laboratory, studio or workshop leadership;
- (6) Timely evaluation writing of students and colleagues;
- (7) Student counseling and academic advising;
- (8) Writing and adhering to a faculty covenant;
- (9) Participating in faculty seminars (see section on faculty seminars WAC 174-128-062);
- (10) Keeping a faculty portfolio and participating in the annual faculty-dean evaluations (see section on faculty evaluations WAC 174-128-064 and 174-128-066);
- (11) Demonstrating mastery of one's fields of specialization, willingness and ability to encounter other disciplines, and acceptance of the collaborative assumptions of the coordinated studies mode;
- (12) Devoting at least one-third of a three-year contract to the development of interdisciplinary competence through teaching in the coordinated studies mode;
- (13) Participating in Evergreen activities, in addition to teaching, such as DTF's, curriculum development and evaluation, and the Evergreen council.

More experienced Evergreen faculty members, in addition to excellence in their own teaching, will be expected to contribute to the growth of their colleagues' skills. Therefore, after the initial contract period, the following additional criteria will apply to reappointment decisions.

- (14) Advising and working with faculty members in the acquisition and improving of Evergreen teaching skills;
- (15) Willingness to teach with new faculty in coordinated studies programs;

(16) Serving, when requested, on consultative teams as specified in WAC 174-128-060(1).

[Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-080, filed 11/22/78.]

WAC 174-128-090 Academic freedom and tenure. We subscribe to the AAUP's 1940 *Statement of Principles on Academic Freedom and Tenure* as modified by the following provisions designed to tailor this statement to our specific educational objectives:

(1) It is the policy of The Evergreen State College that no faculty member will be separated from the college because of written or spoken views, according to the guarantees of the First Amendment to the Constitution of the United States.

(2) The principles governing academic freedom at Evergreen apply to all members of the faculty.

(3) A regular faculty appointment is for a three-year contract. A regular faculty member must be evaluated annually and informed in writing of any deficiencies which might be cause for nonreappointment. Prior to April 15 of the penultimate year of the contract (hereafter referred to as the reappointment year), each regular faculty member must be informed if she or he is to be reappointed to a three-year contract, or is to be terminated. The regular faculty member to be terminated must receive a written statement of the reasons upon which the decision to terminate was based. The regular faculty member to be issued a one-year reappraisal extension to his or her present contract must receive a written statement of the deficiencies to be corrected during the reappraisal year. A regular faculty member who has not been advised otherwise by April 15 of the reappointment year of his or her current contract will be awarded a new three-year contract at the end of the current contract period. Except as provided in subsection (4) of this section, no regular faculty member may be terminated or issued a reappraisal extension for reasons of which he or she was not previously informed during the annual evaluation prior to the one for the year in which the decision not to reappoint was made. Only the criteria for reappointment and nonreappointment previously specified in WAC 174-128-080 (1) through (16)

may be applied to that regular faculty member in making the decision for reappointment or nonreappointment to a three-year contract. Increases in salary and fringe benefits may, however, be made at any time during the life of the contract.

(4) The only reasons for which a regular faculty member's appointment may be terminated prior to the end of his or her current contract are the necessity for a campus-wide reduction-in-force as provided in *WAC 174-112-850 through 174-112-860 or the result of a violation of the social contract (WAC 174-124-010 through 174-124-120) via procedures carried out under the provisions of COG (WAC 174-108-010 through 174-108-080).

(5) A regular faculty member who has been advised that he or she will not be reappointed to a three-year contract (except those receiving a one-year reappraisal extension) shall have access to the following adjudicative procedure. In all cases it is the decision of the aggrieved faculty member to request the grievance procedure as outlined below within sixty days of receipt of the notice of nonreappointment, and in which it is assumed the burden of proof lies with the institution.

The faculty member and the institution will each select two representatives from within the college to reflect the opinions of the two sides in dispute. The four members of this ad hoc committee will select an impartial fifth person from inside or outside the college to act as judge. After consultation, investigation and hearings, the decision of the judge will be binding on both sides. The hearing must begin as soon as possible after the faculty member formally requests it, and in no case more than two weeks thereafter. In cases of failure to agree on a judge, he or she will be chosen at random, by the chairperson of the board of trustees in a public meeting, from a list of three persons agreed upon in advance between a faculty task force and the trustees. The potential hearing officers will serve staggered terms of no longer than three years.

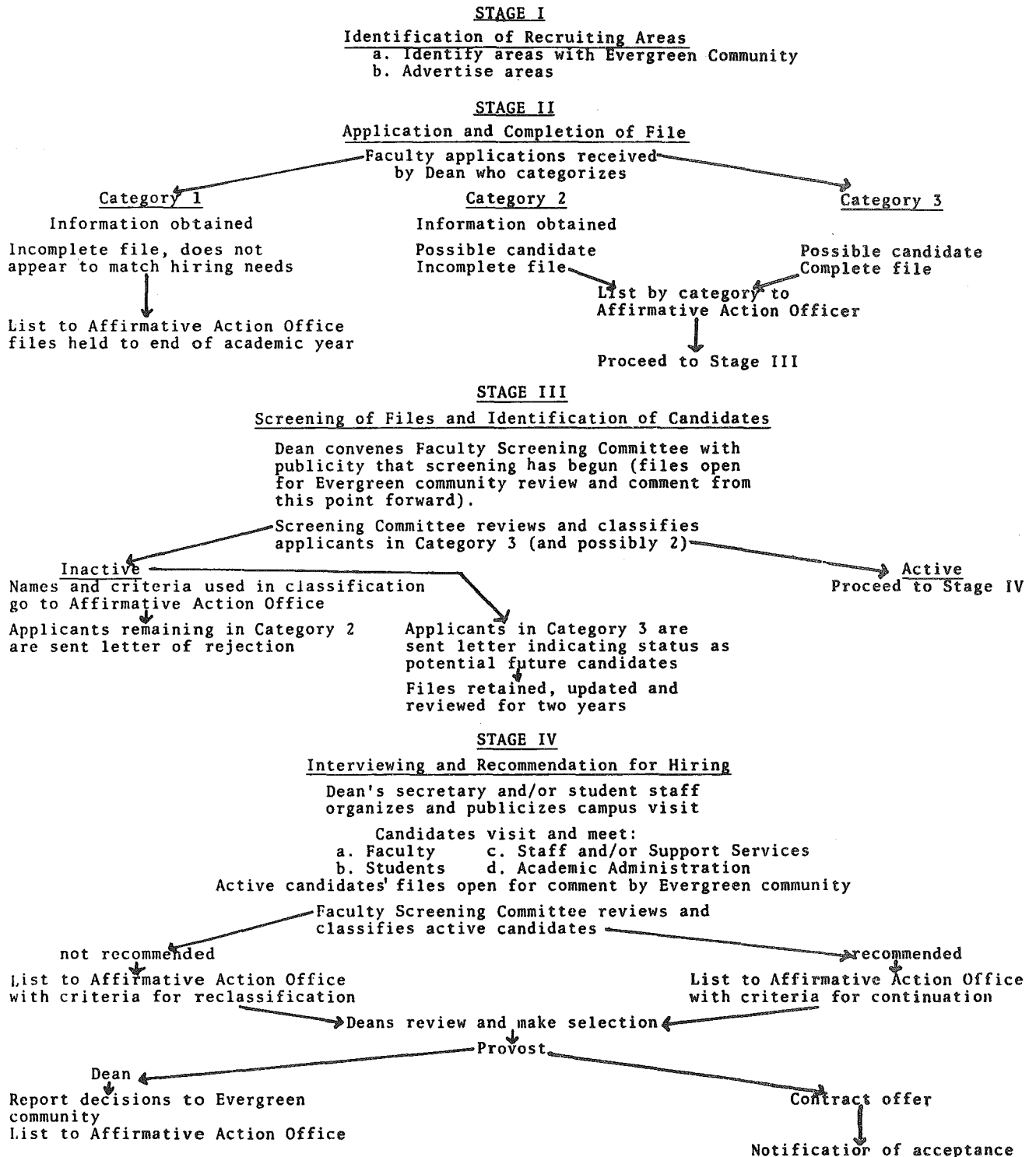
[Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-090, filed 11/22/78.]

*Reviser's note: At the time of this publication, WAC 174-112-850 through 174-112-860 has not been filed in the office of the code reviser.

WAC 174-128-990 Appendix I--Diagram of faculty recruitment and hiring procedure.

DIAGRAM OF FACULTY RECRUITMENT AND HIRING PROCEDURE

APPENDIX I



[Statutory Authority: RCW 28B.40.120(11), 78-12-040 (Order 78-5, Motion 78-55), § 174-128-990, filed 11/22/78.]

Chapter 174-132 WAC

POLICY STATEMENT ON COMPUTER SERVICES

WAC
174-132-010 General.

- 174-132-020 Acquisition of information processing resources.
- 174-132-030 Information processing plan.
- 174-132-040 Security plan.
- 174-132-050 Academic computing.
- 174-132-060 General policies.
- 174-132-070 Privacy.
- 174-132-080 Abuse of college computing resources.

174-132-090	Copying of software.
174-132-100	Account usage and lifetimes.
174-132-110	Administrative computing.
174-132-120	Requests for services.

WAC 174-132-010 General. Computer services is responsible for providing computing services to both academic and administrative users. Computer services operates with the advice of an academic computing users group and an administrative computing users group. Membership in the user groups consists of user constituents and includes faculty, staff and students. Interested users should contact computer services for meeting schedules.

[Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-010, filed 12/19/88.]

WAC 174-132-020 Acquisition of information processing resources. The department of information services (DIS) of the state of Washington has acquisition authority for computing equipment, software and supportive services. The DIS has delegated the authority for purchases of computing resources up to \$50,000 to the director of computer services at the college.

(1) The director of computer services must sign all purchase requisitions for computing resources. Computer services must submit a monthly report describing acquisition activity to the DIS. Normally, all computing resources must be competitively acquired via a bidding process (RCW 43.19.190 et seq.; chapter 43.105 RCW; as amended).

(2) For acquisitions in excess of \$50,000 approval must be obtained from the department of information services through the director of computer services. Normally, a formal acquisition plan will be required with a cost/benefit analysis.

[Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-020, filed 12/19/88.]

WAC 174-132-030 Information processing plan. The department of information services requires that the college update and submit an information processing plan annually. This plan is prepared by computer services in consultation with users and in coordination with college budget plans.

[Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-030, filed 12/19/88.]

WAC 174-132-040 Security plan. Computer services is also required to prepare a security plan for computing resources annually. This planning process includes a review of physical security of computing resources to prevent damage from fire and theft. It also involves a review of backup and recovery schedules in case of catastrophic events such as earthquake or floods.

[Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-040, filed 12/19/88.]

WAC 174-132-050 Academic computing. (1) General philosophy The Evergreen State College has a strong commitment to a liberal arts education in which students develop fundamental intellectual abilities and

problem-solving techniques rather than merely acquire knowledge of a particular body of facts. Out of this educational philosophy and the growing importance of the computer as an analytic tool and as a social phenomenon, computer services has a strong commitment to supporting Evergreen students with a variety of computer resources. Evergreen's modes of study are highly individualized, interdisciplinary, and project oriented.

(a) That they are individualized implies that the college attempts to serve students having widely differing abilities, motivations, and interests and must call on all available resources within the college to provide breadth.

(b) That they are interdisciplinary implies that much instruction is a team effort involving the coordination of staff, faculty, and material resources directed at a student interest group rather than a traditional discipline.

(i) That they are project-oriented implies that many students are involved in work on real-world problems. In order to equitably provide such resources to the Evergreen community, a set of general and specific operational policies are required.

[Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-050, filed 12/19/88.]

WAC 174-132-060 General policies. (1) All students, faculty, and staff at The Evergreen State College are provided with free or low cost access to the academic computing resources with academic usage limited by available resources.

(2) No commercial work of any kind will be accepted. It is contrary to the intent of this policy and to state law for college computing resources to be used for the direct personal financial gain (real or intended) of any individual.

(3) TESC computer services recognizes that the TESC modes of study are in many ways unique. Consequently, computer services is committed to a policy of flexibility in meeting the needs of TESC students, faculty, and staff.

(4) Academic computing resources are provided to currently enrolled students to facilitate program research and project completion. Computer-oriented credit-generating programs, when computer resources are limited, have priority access to computing resources. Otherwise, an open access policy prevails circumscribed by necessary class/lab and exercise practice reserve times.

[Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-060, filed 12/19/88.]

WAC 174-132-070 Privacy. A student's data, existing in an academic computer account, will be released to a third party only when required by law (rather than not being released only when prohibited by law). Student accounts on academic computing systems will be administered and reviewed by academic computing staff as required for system management and administration.

[Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-070, filed 12/19/88.]

WAC 174-132-080 Abuse of college computing resources. Users of computer services are expected to use

its resources in a responsible manner and with regard for other user rights. Computer services relies on peer pressure, individual responsibility, Evergreen rules and policies, and the general body of law to prevent abuse of the college's computing resources.

[Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-080, filed 12/19/88.]

WAC 174-132-090 Copying of software. (1) NO DUPLICATION of copyrighted material is permissible. (Under guidelines of Title 17 of the U.S. code.) Violators may lose computing access privileges and be subject to further discipline.

(2) No copyrighted software may be placed on any hard disk system without authorization from the copyright owner and the manager of academic computing.

[Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-090, filed 12/19/88.]

WAC 174-132-100 Account usage and lifetimes. As a user of academic computing resources and a participatory member of the user community, the account holder agrees to abide by current rules and procedures for utilization of computing resources available through academic computing; the account holder agrees to abide by all of the rules and policies established by TESC and computer services.

(1) Further, the account holder will hold account access/usage to himself/herself and not loan or authorize any other person usage of the account. Failure to comply will result in immediate termination of the account and contents and loss of computing access privileges. The college may also require reimbursement of costs which, if not paid, may necessitate further disciplinary action, as provided for by college rules including, but not limited to, withholding transcripts, registration denial, suspension or expulsion.

(2) Student accounts, with program suffixes, will exist on an academic system as long as a student is enrolled in the particular program or course. Generic student accounts will exist for one quarter after the student is no longer registered as an Evergreen student or is matriculated. Backed-up account data will be maintained for one year after a student is no longer registered as an Evergreen student; system changes and updates may prevent the data from being reloadable.

[Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-100, filed 12/19/88.]

WAC 174-132-110 Administrative computing. General administrative computing provides computing support to administrative users in the areas of systems and programming, microcomputer acquisitions, training and support, office automation, data communications and computer operations.

(1) Policies administrative users are not billed for computer support. Funding is secured via the college budget request process. Allocations of resources are made in consultation with the administrative computing users group, president and vice presidents.

(2) Software developed for administrative computing at Evergreen will be made available to other state institutions. Likewise, Evergreen will seek to purchase software and to use common systems such as the Washington community college consortium payroll/personnel system when they are cost effective for the college.

(3) Administrative computing will support a small number of commonly used microcomputers and microcomputer software such as Wordperfect and Lotus 1-2-3 and will encourage standardization of hardware and software used on campus.

(4) In the interest of providing high quality and reliable services, administrative computing will work with DIS and electronic maintenance and engineering to acquire maintenance contracts on major computing hardware and software in situations where it is not cost-effective or feasible to maintain the hardware and software on campus. Reliance on electronics maintenance and engineering will be made for maintenance of communications equipment, microcomputers, printers and other commonly used equipment.

[Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-110, filed 12/19/88.]

WAC 174-132-120 Requests for services. Requests for systems development services are initiated by users and must include the following information:

(1) Description and scope of the project and objectives to be accomplished;

(2) Benefits to be realized including quantified cost savings as well as intangible benefits;

(a) Contact for additional information;

(b) Desired implementation date;

(c) Authorizing/approving signatory;

(d) Approval/request date.

(3) Administrative computing will assess the operational, technical and economic impact of the request and develop a preliminary estimate of costs including labor, computing, telecommunications and ongoing operational costs. This information will then be reviewed with the requesting user and prioritized.

(4) Requests for access/connection to computing resources are initiated by users and include:

(a) Date, unit, person to contact, location/room telephone number;

(b) Number and type of devices to be connected;

(c) Purpose and justification.

(5) Administrative computing assesses the technical requirements such as system load and configuration and coordinates the request with electronic maintenance and engineering and the individuals responsible for access to data bases. The request is then reviewed with the requesting user for development of an implementation schedule if the connection is feasible and resources are available.

[Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-120, filed 12/19/88.]

**Chapter 174-136 WAC
USE OF COLLEGE FACILITIES**

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(FACILITIES PLANNING AND UTILIZATION POLICY)**

- 174-136-010 General policy.
- 174-136-011 Limitations.
- 174-136-012 Sponsoring and broad policy.
- 174-136-013 Scheduling and reservation priorities.
- 174-136-014 Facilities assignment and scheduling responsibility.
- 174-136-015 Procedures for securing permission and reservations.
- 174-136-016 Scheduling and procedures.
- 174-136-017 Other requirements.
- 174-136-018 Audio and visual recording.
- 174-136-019 Activities for commercial purposes.
- 174-136-02001 Revenues.
- 174-136-021 Conferences and conventions.
- 174-136-022 Penalties for violations of commercial activities regulations.
- 174-136-040 Habitating in unauthorized places—Prohibition.
- 174-136-042 Habitating in unauthorized places—Penalties for violation.

**THE EVERGREEN STATE COLLEGE LIBRARY
CIRCULATION POLICY (FACILITIES PLANNING AND
UTILIZATION POLICY)**

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- 174-136-080 Loan periods and fines.
- 174-136-090 Lost and damaged library resources.
- 174-136-100 Reserve.
- 174-136-110 Charging out library resources.
- 174-136-120 Interlibrary loan.
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SMOKING REGULATIONS

- 174-136-160 When smoking is permitted.
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ON-CAMPUS EMPLOYER INTERVIEWS AND RECRUITING

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- 174-136-230 Discrimination.
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PET POLICY

- 174-136-300 Pet policy—Purpose.
- 174-136-310 Pet policy—Definitions.
- 174-136-320 Pet policy—Animal control.
- 174-136-330 Pet policy—Enforcement.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS
CHAPTER**

- 174-136-020 Policy implementation. [Order 72-1, § 174-136-020, filed 5/5/72.] Repealed by Order 75-4, filed 8/12/75.
- 174-136-070 Priority. [Order 72-2, § 174-136-070, filed 6/16/72.] Repealed by 89-01-064 (Order 88-5, Resolution No. 88-43), filed 12/19/88. Statutory Authority: RCW 28B.40.120(12).

**OUTSIDE SPEAKERS, PERFORMERS, AND
OTHER EVENTS (FACILITIES PLANNING AND
UTILIZATION POLICY)**

WAC 174-136-010 General policy. The Evergreen State College is an educational institution provided and maintained by the people of the state of Washington. Those activities related to its broad educational mission

shall at all times have first call on its campus buildings, properties and facilities.

[Order 74-2, § 174-136-010, filed 5/24/74; Order 72-1, § 174-136-010, filed 5/5/72.]

WAC 174-136-011 Limitations. (1) College facilities may not be used in ways which interfere with or are detrimental to the college's own teaching, research, public service or support programs, or which interfere with the free flow of pedestrian or vehicular traffic.

(2) College facilities may not be used for religious worship, exercise, or instruction (Washington state Constitution, Article I, section 2).

(3) College facilities may not be used for private or commercial purposes such as solicitation, sales, advertising or promotional activities, unless such activities clearly serve educational purposes *and* when sponsored by or undertaken at the request of an appropriate college unit, or when by contractual agreement with the college.

(4) College facilities may be used on a nondiscriminatory basis for the purpose of political campaigning by or for candidates who have filed for public office when space is provided to the candidate or party on a rented basis at rates the same as those charged to nonpolitical activities, or when sponsored as a public service by the college or its students, faculty or staff.

(5) In no case may college facilities or services be used to establish or maintain an office or headquarters for a political candidate or partisan political cause.

(6) No speaker or performer will be barred from appearance on the Evergreen campus on account of nationality, race, color, sex, religion, political affiliation, or personal philosophy.

(7) No person not a member of the Evergreen student body, faculty or staff has an inherent right to conduct an event or speak, lecture, or perform on the Evergreen campus.

(8) No person not a member of the Evergreen student body, faculty or staff has a right to demand that he/she be allowed to participate in an event or listen to or watch a speaker, lecturer, or performer on the Evergreen campus.

In exceptional cases, the president may at his/her discretion limit participants or audience to members of the group who issued the invitation.

[Statutory Authority: RCW 28B.40.120(11), 79-01-020 (Order 78-4, Motion 78-54), § 174-136-011, filed 12/15/78; Order 74-2, § 174-136-011, filed 5/24/74.]

WAC 174-136-012 Sponsoring and broad policy.

(1) Any Evergreen student, faculty, or staff member, or formal or informal organization thereof, is eligible to sponsor an event or the appearance of a speaker, lecturer, performer or other individual or group from outside the college, subject to WAC 174-136-010 through 174-136-022 and the *Faculty Handbook*, and subject to compliance with local, state and federal laws. (See the *Faculty Handbook* for guidelines on noncredit generating educational activities.)

(2) The use of college premises and facilities by an individual or groups for purposes other than in connection with Evergreen's regular educational, research, public service or support programs will be permitted, subject to the requirements of WAC 174-136-010 through 174-136-022, if:

(a) The individual or group requesting the space is eligible to use it, and

(b) The space is available and has been reserved for the event or appearance.

[Order 74-2, § 174-136-012, filed 5/24/74.]

WAC 174-136-013 Scheduling and reservation priorities. No college facilities may be employed for an event or appearance of a speaker, lecturer, performer, or other individual or group from outside the college unless and until facilities required have been reserved. Reservation for the use of college facilities, including buildings, equipment, and land, will be assigned according to the following priorities:

(1) Academic buildings and the college recreation center:

(a) The college's regular instructional, research, public service and support programs.

(b) Major college events.

(c) Student, faculty, and staff related events.

(d) Alumni related events.

(e) Noncollege (outside individual or organization) related events.

(2) College activities building (other than areas designated for specific functions such as food service and the bookstore):

(a) Student related events.

(b) Major college events.

(c) Faculty and staff related events.

(d) Alumni related events.

(e) The college's regular instructional, research, public service and support programs.

(f) Noncollege (outside individuals and organizations) related events.

(3) Residence halls (common areas only):

(a) Residence hall residents related events.

(b) Other student related events.

(c) Faculty and staff related events.

(d) Alumni related events.

(e) The college's regular instructional, research, public service and support programs.

(f) Noncollege (outside individuals and organizations) related events.

[Order 74-2, § 174-136-013, filed 5/24/74.]

WAC 174-136-014 Facilities assignment and scheduling responsibility. Responsibility for assigning and scheduling college buildings and land lies with the director of facilities, subject to his delegation.

[Order 74-2, § 174-136-014, filed 5/24/74.]

WAC 174-136-015 Procedures for securing permission and reservations. (1) No permission is necessary for a speaker or performer invited by a faculty member or

staff member to participate in the regular instructional, research, public service or support programs of the college if it is not necessary to make special arrangements for facilities and if the appearance will not disrupt the college's normal operations or interfere with rights of others. (If the event is to be open to the public, the procedures outlined in the following paragraphs must be followed.)

(2) Permission to schedule and reserve space for an event or appearance other than as delineated in subsection (1) of this section must be secured by the following procedures:

(a) For events open to the public and events requiring special arrangements complete a tentative production planning form (Exhibit I) and production clearance report (Exhibit II) available at the office of campus activities.

(b) For commercial activities in the college activities building mall area, contact the campus activities office (Rm 305) and complete the application for commercial use of the college activities building (Exhibit III). For commercial activities other than college activities building contact the college controller and complete the forms listed in subsection (2) of this section.

(c) For conferences and conventions for noncollege events, contact the conferences coordinator and complete the conference reservation form (Exhibit IV), available from the college conference office.

(d) For student, faculty, and staff related events not requiring any special arrangements, contact the campus scheduling office located in the office of facilities and complete a scheduling confirmation form (Exhibit V).

[Statutory Authority: RCW 28B.40.120(11), 83-05-034 (Order 83-1, Resolution No. 83-1), § 174-136-015, filed 2/10/83; 79-01-020 (Order 78-4, Motion 78-54), § 174-136-015, filed 12/15/78; Order 74-2, § 174-136-015, filed 5/24/74.]

WAC 174-136-016 Scheduling and procedures. (1) Preference in scheduling space for free use will be given to the college's regular instructional, research, public service, support or college activity programs.

(2) The director of facilities or his/her designee shall decide whether the proposed use of the space relates to a college function. Sponsors of all other events or appearances will be charged for the use of college facilities in accordance with the schedule of charges established and published by the controller.

(3) College activities that do not have a budgetary unit sponsoring the function must register with the director of recreation and campus activities to be recognized as a college activity.

(4) State agencies, state schools and post secondary institutions in the state of Washington will be permitted to use unscheduled college space free of charge on a single use basis. If the space is to be used for periods longer than two days at a time, these organizations should be charged by the conference coordinator.

(5) Special services (e.g., extra janitorial, security, audio visual equipment, coffee) related to special events or appearances will be charged to the user.

[Statutory Authority: RCW 28B.40.120(11), 83-05-034 (Order 83-1, Resolution No. 83-1), § 174-136-016, filed 2/10/83; 79-01-020 (Order 78-4, Motion 78-54), § 174-136-016, filed 12/15/78; Order 74-2, § 174-136-016, filed 5/24/74.]

WAC 174-136-017 Other requirements. (1) When deemed advisable by the director of recreation and campus activities, or the business manager or the conference coordinator as the case may be, the sponsor or conductor of an event or appearance may be required to make an advance deposit, post a bond, and/or obtain insurance to protect the college against damage costs or other liability.

(2) Permission to an individual or organization for use of college facilities, when granted, carries the express understanding and condition that the individual or organization assumes full responsibility for any loss or damage resulting from the use of college facilities and that he, she, or it agrees to hold harmless and indemnify the college against any loss or damage or claims arising out of such use.

[Statutory Authority: RCW 28B.40.120(11), 79-01-020 (Order 78-4, Motion 78-54), § 174-136-017, filed 12/15/78; Order 74-2, § 174-136-017, filed 5/24/74.]

WAC 174-136-018 Audio and visual recording. The sponsor of any event or appearance shall be responsible for obtaining written clearances from the speaker or performer if any audio or visual recording of the presentation is to take place; such clearance shall be deposited with and maintained by the college's grants and contracts accountant. The form for this purpose is attached as Exhibit VI.

[Statutory Authority: RCW 28B.40.120(11), 83-05-034 (Order 83-1, Resolution No. 83-1), § 174-136-018, filed 2/10/83; 79-01-020 (Order 78-4, Motion 78-54), § 174-136-018, filed 12/15/78; Order 74-2, § 174-136-018, filed 5/24/74.]

WAC 174-136-019 Activities for commercial purposes. (1) The term "commercial purposes" means the exchange, sale, or purchase of goods, productions, or property of any kind or personal services or entertainment, and/or solicitation, advertising, or other promotion of such exchange, sale, or purchase, when as a result of such activities, profit accrues to one or more individuals or companies, whether or not such individuals or companies are constituted entirely of members of the Evergreen student body, faculty and/or staff. The term "for profit" shall mean monetary gain as an intent of the activity whether or not the activity is in fact profitable.

(2) Charges for use of facilities for commercial purposes shall be made at the scheduled rates except in the following cases:

(a) Commercial activities to support instructional programs (e.g., bake sales, pottery and ceramic sales).

(b) Commercial activities by recognized campus activities groups.

(c) Commercial activities by the regular campus food service.

(d) Commercial activities by the college bookstore.

(e) Commercial activities by publishers and manufacturers who bring to the attention of faculty, staff and

students books, equipment and facilities which aid and abet the instructional, research, public service or operational programs of the college.

(3) Application for the use of campus facilities for commercial purposes is made with the controller. In addition to the satisfaction of any requirements imposed for advanced deposit, bond, and/or insurance, and the indemnification of the college against loss, damage, and/or claims, the application shall include:

(a) Statement of goals and objectives.

(b) Justification statement demonstrating the necessity for the venture on campus and an assessment of needs.

(c) An inventory of legal requirements (including tax obligations) to be met and evidence of the individual's or organization's ability to comply with them.

(d) A pro forma balance sheet and profit and loss statement with supporting detail for revenue and expense. Projections should cover the next two fiscal years.

[Statutory Authority: RCW 28B.40.120(11), 83-05-034 (Order 83-1, Resolution No. 83-1), § 174-136-019, filed 2/10/83; 79-01-020 (Order 78-4, Motion 78-54), § 174-136-019, filed 12/15/78; Order 74-2, § 174-136-019, filed 5/24/74.]

WAC 174-136-02001 Revenues. All revenues which accrue to the college from charges for use of facilities and for college services shall be paid to The Evergreen State College for deposit by the cashier in the respective fund or account for which the revenues are earned.

[Order 74-2, § 174-136-02001, filed 5/24/74.]

WAC 174-136-021 Conferences and conventions. The conference coordinator for the college shall offer college facilities and services for conferences and conventions when the campus atmosphere is particularly appropriate or when demands for facilities and services exceed the demands of local private enterprise, but shall never place itself in a position of direct competition with Olympia-Lacey-Tumwater businesses.

[Statutory Authority: RCW 28B.40.120(11), 79-01-020 (Order 78-4, Motion 78-54), § 174-136-021, filed 12/15/78; Order 74-2, § 174-136-021, filed 5/24/74.]

WAC 174-136-022 Penalties for violations of commercial activities regulations. Persons other than Evergreen students, faculty and staff who violate WAC 174-136-011(3) may be referred to civil authorities for appropriate prosecutions, including violations of the law of criminal trespass; Evergreen students, faculty and staff who violate WAC 174-136-011(3) shall be subject to sanctions under Evergreen governance documents.

[Statutory Authority: RCW 28B.40.120(11), 79-01-020 (Order 78-4, Motion 78-54), § 174-136-022, filed 12/15/78; Order 74-2, § 174-136-022, filed 5/24/74.]

WAC 174-136-040 Habiting in unauthorized places--Prohibition. In the interest of health and safety and to preserve campus ecosystems, The Evergreen State College expressly prohibits overnight habitation by any person in any place on the campus, including its buildings, except that this prohibition shall not apply to:

(1) The facilities provided for such specific purpose by the college housing operation;

(2) The fire station, and the permanent domiciles located on the college's "organic farm," on the extension of Indian Rock Road, and on the leased property at the Nisqually River delta;

(3) Individuals for whom the prohibition is waived by a vice president or his/her designee for fixed temporal periods and at fixed locations.

[Order 76-1, § 174-136-040, filed 2/11/76.]

WAC 174-136-042 Habitating in unauthorized places--Penalties for violation. Any person who violates WAC 174-136-040 may be referred to civil authorities for appropriate prosecution, including prosecution for violation of the law of criminal trespass.

[Order 76-1, § 174-136-042, filed 2/11/76.]

**THE EVERGREEN STATE COLLEGE LIBRARY
CIRCULATION POLICY (FACILITIES PLANNING
AND UTILIZATION POLICY)**

WAC 174-136-060 Access and use of library resources. Any person has access to the public areas of the library. Library resources (except those noted below) may be borrowed by members of the Evergreen community with a valid Evergreen State College identification card, and by members of the local community who have suitable identification (e.g., driver's license).

[Statutory Authority: RCW 28B.40.120(12), 89-01-064 (Order 88-5, Resolution No. 88-43), § 174-136-060, filed 12/19/88; Order 72-2, § 174-136-060, filed 6/16/72.]

WAC 174-136-080 Loan periods and fines. (1) GENERAL USE LIBRARY RESOURCES (PRINT AND NON-PRINT).

(a) Due dates will not exceed one academic quarter. Requests for extended loan periods should be cleared through the head of circulation. Renewals should be requested before due date.

(b) Users are guaranteed the use of the material for ten days, after which it may be recalled to meet the needs of another user. A \$5.00 service charge will be levied if the recall due date is not honored. If an item is not returned within 60 days, a replacement charge and processing fee will be levied.

(2) Limited use library resources.

(a) Limited use library resources (e.g., video tapes) will only be loaned for specific periods.

(b) Slides are checked out for showings only.

(c) 16mm films and video cassettes will be checked out for showings only and are circulated through the services of the Washington state film library.

(d) Media services resources.

(i) The first priority for use of media services resources is for coordinated and contracted studies. Resource requests will be handled by and administered in accordance with policy formulated by the coordinator of media services.

(ii) Charges consistent with current commercial rates will be made to users outside The Evergreen State College community and to nonacademic workshops, seminars, conferences or self-sustaining programs.

(e) Portable media loan equipment. Media loan circulates audio/visual equipment to students, staff, and faculty of the college to support academic work and college business. The first priority for use of media loan resources is for coordinated and contracted studies. Borrowers are liable for loss or damage of equipment and any associated processing fees.

(i) Media loan reserves the right to deny privileges if a borrower is in violation of state operating procedures (see media loan policy statement). Campus security may be asked to contact the borrower in cases where equipment is more than two weeks overdue.

(ii) To assure borrowers that equipment will be available for reservations, overdue fines will be assessed for late equipment. Fines are uniform regardless of the kind of equipment. A \$3 charge per transaction will be levied when equipment is one day overdue. A \$5 additional charge will be levied once a week for the next two weeks. If equipment is more than two weeks overdue, the borrower may lose privileges and \$20 weekly fines (up to the cost of the items) will be assessed until the equipment is returned.

(iii) If the borrower keeps equipment out over the end of the academic quarter, the replacement cost and a two dollar service fee will be charged to his or her account. This replacement fee will be rescinded when the equipment is returned, but accumulated overdue fees and service fees will be not rescinded.

(iv) When equipment is returned and all fees and charges have been paid, a borrower may make an appointment with the Head of Media Loan to review policies and procedures in order to determine if borrowing privileges may be restored.

(v) Late fees, replacement charges and service fees are deposited in a library account for replacement of media loan equipment.

(vi) Charges will be made to funded workshops, seminars, conferences or self-sustaining programs. Charges will be consistent with current commercial rates.

(vii) Borrowers may be required to carry insurance for large packages of equipment (the college has no insurance). Insurance is a requirement if equipment is to leave the country.

(f) Other library resources can circulate by special arrangement with the head of circulation or appropriate account manager and are subject to recall and replacement charges.

(3) Borrowers who repeatedly ignore the rights of other borrowers or abuse the responsibilities inherent in sharing library resources with the rest of the Evergreen community, shall be denied the privilege of borrowing those resources for the remainder of the quarter.

[Statutory Authority: RCW 28B.40.120(12), 89-01-064 (Order 88-5, Resolution No. 88-43), § 174-136-080, filed 12/19/88; Order 72-2, § 174-136-080, filed 6/16/72.]

WAC 174-136-090 Lost and damaged library resources. (1) The borrower is responsible for loss.

(2) The borrower is responsible for damage.

(3) The borrower is responsible for the proper operation of media loan equipment.

(4) It is the borrower's responsibility to pay for lost resources before the end of the quarter. The cost of lost resources shall be their replacement value and a processing fee (\$12.00 for library books).

[Statutory Authority: RCW 28B.40.120(12), 89-01-064 (Order 88-5, Resolution No. 88-43), § 174-136-090, filed 12/19/88; Order 72-2, § 174-136-090, filed 6/16/72.]

WAC 174-136-100 Reserve. Materials on reserve will be found at the circulation desk.

[Statutory Authority: RCW 28B.40.120(12), 89-01-064 (Order 88-5, Resolution No. 88-43), § 174-136-100, filed 12/19/88; Order 72-2, § 174-136-100, filed 6/16/72.]

WAC 174-136-110 Charging out library resources. Resources are charged out at the main circulation desk, at the media [loan desk], and at other appropriate locations in the library.

[Statutory Authority: RCW 28B.40.120(12), 89-01-064 (Order 88-5, Resolution No. 88-43), § 174-136-110, filed 12/19/88; Order 72-2, § 174-136-110, filed 6/16/72.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The bracketed material in the above section does not appear to conform to this rule.

WAC 174-136-120 Interlibrary loan. The library will attempt to obtain resources from wherever available. Interlibrary loan services are maintained by the reference services.

[Statutory Authority: RCW 28B.40.120(12), 89-01-064 (Order 88-5, Resolution No. 88-43), § 174-136-120, filed 12/19/88; Order 72-2, § 174-136-120, filed 6/16/72.]

WAC 174-136-130 Circulation records. In order to prevent an unreasonable invasion of personal privacy (including but not limited to RCW 42.17.260 and 42.17.310) all records relating to the registration of patrons and their requests for use and subsequent circulation of materials by The Evergreen State College library are hereby deemed confidential, regardless of the source of inquiry or request for information.

[Statutory Authority: RCW 28B.40.120(11), 81-12-019 (Order 81-1, Motion No. 81-14), § 174-136-130, filed 6/1/81.]

WAC 174-136-140 Selection of resources and services. It is the policy of The Evergreen State College to select for its library the best and most suitable library materials, library equipment and library services. The college expressly rejects any form of selection based on censorship of materials or prejudicial considerations based upon race, religion, sex, national origin or political view point.

[Statutory Authority: RCW 28B.40.120(11), 81-12-019 (Order 81-1, Motion No. 81-14), § 174-136-140, filed 6/1/81.]

SMOKING REGULATIONS

WAC 174-136-160 When smoking is permitted. Smoking is permitted in.

(1) Offices (at discretion of assigned occupants).

(2) Lounges.

(3) Public lavatories.

(4) Designated corridors.

(5) Classrooms at the option of the occupants. (Housekeeping is the responsibility of the smoker.)

Plant operations will furnish and service ash trays in smoking areas, except offices and classrooms. Assigned occupants of offices will furnish and service ash trays therein, when they allow smoking.

[Order 72-8, § 174-136-160, filed 10/27/72.]

WAC 174-136-170 When smoking is not permitted. Smoking is not permitted in.

(1) Carpeted areas unless specifically designated otherwise.

(2) Laboratories and library reading rooms.

(3) Auditoriums.

(4) Storerooms.

(5) Meeting rooms (at the option of the group).

(6) Barns and sheds.

(7) Other fire-hazard areas as indicated by the safety section.

The obligation of compliance with smoking regulations is the responsibility of the individual in charge, enforced by campus security. Where special privileges are desired, they are to be cleared by the responsible individual with plant operations prior to the event.

[Order 72-8, § 174-136-170, filed 10/27/72.]

ON-CAMPUS EMPLOYER INTERVIEWS AND RECRUITING

WAC 174-136-210 Policy. The college policy of open recruiting on campus provides that each employer seeking to recruit on campus attest to his compliance with federal and state laws against discrimination and with the principles of the college placement council by means of an affidavit to be submitted with his request to recruit on campus.

[Order 72-9, § 174-136-210, filed 10/27/72.]

WAC 174-136-220 Hearing board. A hearing board exists to hear cases in which employers have been accused of failure to comply with these laws and principles. The board is selected at the beginning of each year. It is comprised of the directors of cooperative education, financial aid and placement, and counseling services, and three students from the community services list. An accusation of failure to comply may be made by any member of the Evergreen community. If the board determines that there may be grounds for such accusation, a hearing will be called during which the employer would be given the opportunity to present his side of the case. If, as a result of the hearing, the employer is found

to be in violation of his agreement, the board may suspend his right to recruit on campus and set the period of that suspension.

[Order 72-9, § 174-136-220, filed 10/27/72.]

WAC 174-136-230 Discrimination. The college will not discriminate among recruiting agencies.

[Order 72-9, § 174-136-230, filed 10/27/72.]

WAC 174-136-240 Protests. Legitimate protests against recruiting agencies are protected; in this regard, however, the attention of the college community is drawn to the statements in the social contract which are germane to on-campus recruiting, particularly the sections on "the conditions of learning" and "institutional rights and obligations" (WAC 174-124-040 and 174-124-050).

[Order 72-9, § 174-136-240, filed 10/27/72.]

WAC 174-136-250 Requests from employers. The office of financial aid and placement and the office of cooperative education will receive requests from employers for on-campus recruiting and these two offices will coordinate scheduling and other recruiting details.

[Order 72-9, § 174-136-250, filed 10/27/72.]

PET POLICY

WAC 174-136-300 Pet policy--Purpose. This policy and its implementation procedures intend to govern the control and treatment of pets and other animals on and in The Evergreen State College's campus and buildings. This policy expects that pets and other animals must at all times be treated with due care and consideration for their well being. This policy allows for a pet-owner initiated formation of a pet owner's association which could in its charter provide for:

- (1) Complaint resolution about enforcement;
- (2) Support for enforcement activities;
- (3) Fund-raising and advocacy for the renovation/expansion of kennels and/or a large enclosed dog run subject to facilities approval.

[Statutory Authority: RCW 28B.40.120(12). 88-17-071 (Order 88-2, Motion No. 88-26), § 174-136-300, filed 8/18/88.]

WAC 174-136-310 Pet policy--Definitions. (1) "Pets and other pet animals" means any animal other than:

- (a) A human being;
 - (b) A caged bird; and
 - (c) A fish in an aquarium.
- (2) "Physical control" means control by means of a leash, cage, bridle, bowl, or other restraining device held by or leading from the pet animal to the owner or keeper. Voice control or indirect control by, for example, tying a leash to a railing, shall not constitute physical control.
- (3) "Owner or keeper" means the person the pet or other animal is accompanying.

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[Statutory Authority: RCW 28B.40.120(12). 88-17-071 (Order 88-2, Motion No. 88-26), § 174-136-310, filed 8/18/88.]

WAC 174-136-320 Pet policy--Animal control. All persons bringing animals onto college property shall be subject to Thurston County Code 9.10.050 et seq., as amended, relating to the keeping and control of pet animals. Pets and other animals will not be allowed in campus buildings except for: Guide animals accompanying disabled persons; shows or other similar approved events; or research or other study of animals sponsored as part of the instructional program. Pets and other animals may be on campus only when under the physical control of their owners or keepers. No animal shall be permitted to run at large; animals left tied up in the absence of the owner shall not be considered under direct control but, rather, to be running at large. Any pet animal found in a college building, or on campus not under direct physical control is subject to impounding according to provisions of the Thurston County Code, as amended, attached to and made a part of this policy.

[Statutory Authority: RCW 28B.40.120(12). 88-17-071 (Order 88-2, Motion No. 88-26), § 174-136-320, filed 8/18/88.]

WAC 174-136-330 Pet policy--Enforcement. Any pet or other animal in a college building, or on the campus, not under the direct physical control of its owner or keeper, is subject to impounding by the campus police chief or his/her designee. Owners or keepers may be subject to disciplinary action. Although principal responsibility rests with campus security, community support is urged in reminding pet owners of their obligation if a violation is observed by a community member. Impounded animals may be turned over to the Thurston County animal control if left unclaimed, and fines may be imposed by county animal control.

[Statutory Authority: RCW 28B.40.120(12). 88-17-071 (Order 88-2, Motion No. 88-26), § 174-136-330, filed 8/18/88.]

Chapter 174-140 WAC

STATE ENVIRONMENTAL POLICY ACT RULES

WAC

174-140-180	Introduction.
174-140-190	Consultation with environmental advisory committee.
174-140-200	State Environmental Policy Act compliance.
174-140-210	State Environmental Policy Act "responsible official."
174-140-220	Information center and register distribution.
174-140-230	Publication of notice of action.
174-140-240	Emergency procedures.

WAC 174-140-180 Introduction. When the office of facilities or another unit on campus begins to consider taking an action which might affect the environment (e.g., revising the master plan, constructing a new building or recreation facility, adding to an existing facility, landscaping, utilities modification or installation, or adopting or revising grounds maintenance policies), the college shall follow the steps outlined in WAC 174-140-180 through 174-140-240.

[Order 76-6, § 174-140-180, filed 12/20/76.]

WAC 174-140-190 Consultation with environmental advisory committee. When the proposal's scope has been defined but otherwise early in the planning stages and before any commitments are made, the "responsible official," as provided for in WAC 174-140-210, shall have those persons planning the project describe it to the environmental advisory committee provided for in EAC 174-164-060. That committee will review the proposal, may suggest changes or alternatives, and shall advise the responsible official on the steps required by chapter 43.21C RCW, the State Environmental Policy Act (SEPA), and chapter 197-10 WAC, SEPA guidelines. The committee shall also be consulted during the preparation of any documents required by the above regulations, e.g., draft and final environmental impact statements (EIS), environmental checklist, and declaration of significance/nonsignificance.

[Order 76-6, § 174-140-190, filed 12/20/76.]

WAC 174-140-200 State Environmental Policy Act compliance. It is the policy of The Evergreen State College that capital projects proposed to be developed by the college and other similar type activities 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 State Environmental Policy Act implementation.

[Order 76-3, § 174-140-200, filed 7/22/76.]

WAC 174-140-210 State Environmental Policy Act "responsible official." In compliance with chapter 197-10 WAC, the president of The Evergreen State College or an individual designated to act for and on behalf of him shall be the "responsible official" for carrying out this policy.

[Order 76-3, § 174-140-210, filed 7/22/76.]

WAC 174-140-220 Information center and register distribution. The SEPA public information center required by chapter 197-10 WAC, shall be maintained in the office of facilities of The Evergreen State College. Copies or updates of the registers required by WAC 197-10-830(3) shall be sent as required by WAC 197-10-830(4) to the sounding board, the information center, the *Cooper Point Journal*, the office of college relations, members of the environmental advisory committee, and all other individuals and organizations that request them.

[Order 76-6, § 174-140-220, filed 12/20/76.]

WAC 174-140-230 Publication of notice of action. Any action, as defined in WAC 197-10-040, undertaken by The Evergreen State College, shall be publicized as prescribed in RCW 43.21C.080. Notices published under this provision shall also be published in the *Cooper Point Journal*.

[Order 76-6, § 174-140-230, filed 12/20/76.]

WAC 174-140-240 Emergency procedures. If an emergency action is to be undertaken as described in

WAC 197-10-180, the person responsible for the action shall, if at all possible, consult with the chairman of the environmental advisory committee in advance when calling a meeting of the full committee does not appear to be practicable. The chairman may recommend proceeding with the action, recommend alternatives, or recommend delay, pending a meeting of the full committee.

[Order 76-6, § 174-140-240, filed 12/20/76.]

Chapter 174-157 WAC FOOD SERVICE—ALCOHOLIC BEVERAGE BANQUET PERMITS

WAC

174-157-600	Purpose and definition.
174-157-610	Banquet permit policy.
174-157-620	Banquet permit procedures.
174-157-990	Form—Exhibit 1—Request for approval of banquet permit.

WAC 174-157-600 Purpose and definition. The purpose of these sections WAC 174-157-600 through 174-157-620 is to establish the guidelines and procedures for securing a banquet permit for alcoholic beverage service on college property. Banquet permits are licenses to serve alcoholic beverages on a premise not ordinarily licensed to do so. Applications are approved on a one time only, limited invitation, specified date, time and location basis.

[Order 75-1, § 174-157-600, filed 2/6/75.]

WAC 174-157-610 Banquet permit policy. (1) No banquet permit for The Evergreen State College will be applied for or issued without the signature of the president or the dean of student development programs on the application. Such signatory authorization shall be obtained at least two working days prior to the event or at least two working days prior to release of general information regarding the event, whichever is earlier.

(2) The Evergreen State College will not authorize application for banquet permits from the Washington state liquor control board until all of the following conditions are met:

(a) The person who will assume responsibility for the carrying out of the provisions of this policy for securing and use of the banquet permit, hereinafter referred to as the "sponsor," must be an employee of the college or a duly appointed representative of a recognized, registered college organization.

(b) The sponsor must reserve appropriate controlled access facilities for the event under the provisions of WAC 174-136-010 through 174-136-022 in advance.

(c) The sponsor must set a specific date and name both starting and ending times for the event.

(d) Alcoholic beverage service must be complementary to a planned program.

(e) Alcoholic beverages must be purchased, controlled, and the service thereof supervised by the sponsor.

(f) The sponsor must assure that the persons dispensing alcoholic beverages are at least 21 years of age.

(g) The sponsor must assure that no one under 21 years of age is served.

(h) The sponsor must make security arrangements to assure compliance with Washington state law, Washington state liquor control board regulations, and The Evergreen State College's policies, and to protect college property and integrity; such arrangements must have the prior approval of the college's security chief.

[Order 75-1, § 174-157-610, filed 2/6/75.]

WAC 174-157-620 Banquet permit procedures. The sponsor shall:

- (1) Secure the appropriate application form from the office of the dean of student development programs (see Exhibit 1).
- (2) Complete the entire form in the required detail for each question.
- (3) Sign the completed form and secure the required signatory authorization.
- (4) Deliver the completed form with the required application fee to any Washington retail liquor outlet for final application and issuance of the banquet permit.
- (5) Post both the approved college application form and the banquet permit in a conspicuous place at the site of the function.

[Order 75-1, § 174-157-620, filed 2/6/75.]

WAC 174-157-990 Form--Exhibit 1--Request for approval of banquet permit.

EXHIBIT 1

**THE EVERGREEN STATE COLLEGE
REQUEST FOR APPROVAL OF BANQUET PERMIT
To Dispense Alcoholic Beverages on Campus**

Date This application must be approved at least two working days prior to the scheduled function, OR at least two working days prior to general announcement about the function, whichever is earlier.

1. **RESPONSIBLE PERSON FOR EVENT:**

 Address:
 Phone:
 Organization Host:
2. **LOCATION/TIME OF FUNCTION:**
 Building Room
3. **ESTIMATED ATTENDANCE:**
 Total Guests
 Under 21 years of age
4. **REASON FOR FUNCTION; PURPOSE OF SERVING ALCOHOLIC BEVERAGES:**

5. **BEVERAGES WILL BE DISPENSED BY:** Name of person(s)

- SECURITY WILL BE PROVIDED BY:**
- (Approved)
 Director of Security
6. **I ACCEPT RESPONSIBILITY** for compliance with state of Washington law, regulations established by the Washington state liquor control board, and policies of The Evergreen State College.
7. **SIGNATURE OF APPLICANT:**
8. **APPROVAL:**
 Dean of Student Development Programs
 Date:

- Copy 1 - Liquor store
 2 - Liquor store
 3 - To sponsor, to be posted with permit
 4 - Security
 5 - Auxiliary services

INSTRUCTIONS ON APPLICATION FOR BANQUET PERMIT

1. Obtain "Request for approval of banquet permit" from the office of the dean of student development programs.
2. Complete all sections of the application and secure required signature approval two days prior to the scheduled function and at least two days prior to release of general information about the scheduled function, whichever is earlier.

Sec. 1: The responsible person must be an employee of the college or a duly appointed representative of a recognized, registered college organization. This person accepts personal and organizational responsibility for compliance with state law, liquor control board regulations; and college policy.

Sec. 2: The location must be reserved in advance through the scheduling office (Kris Robinson - 6340). This information will also be required by the liquor board before issuing the permit. (Spaces which qualify for issuance of banquet permits must have controlled access, and facilities use request forms will be required.) The date and times must be specific, and both the starting and ending times will be enforced.

Sec. 3: Estimates of attendance should be as accurate as possible. Guests are those attendees who are not members of the sponsoring organization.

Sec. 4: The serving of alcoholic beverages on campus must be complimentary to and a part of a planned program. Beverages must be purchased, controlled, and served by the host organization. "Bring your own bottle" type functions will not be approved.

Sec. 5a: People responsible for dispensing the alcoholic beverages must be 21 years of age or over; will be responsible for seeing that no one under 21 years of age is served; and that adequate control over the inventory precludes distribution to anyone under 21 years of age in any way. (As a guide, plan for a minimum of one bartender for each 100 attendants, to serve and check I.D.)

Sec. 5b: Security arrangements to assure compliance with state law, liquor board policy, college policy, and to protect college property and integrity must be approved by the director of security. (As a guide, will require one security person for the first 50 people and 100 thereafter.)

3. The following state liquor control board regulations apply:
 - a. That liquor will not be sold either for cash, scrip, tickets or in any manner whatever.
 - b. That this permit will be posted in a conspicuous place at the premises.
 - c. That the general public will be excluded, that no advance sale of tickets to the general public will be made, and no advertising will be directed to the general public.
 - d. The service and consumption of liquor will be confined to that specific room(s) or area identified on the application.
4. Secure signature approval of the dean of student development and the director of security no later than two days prior to the scheduled function and at least two days prior to release of general information about the scheduled function, whichever is earlier.
5. In the absence of the dean, contact the director of auxiliary services or the director of recreation and campus activities.
6. Take the approved "request" (copies 1 & 2) along with the required, nonrefundable, \$5.00 fee to any one of the three local liquor stores.

Liquor Store #11, 214 N. Capitol Way, Olympia
 Liquor Store #110, 4130 Market Square, Lacey
 Liquor Store #124, 411 Cleveland Ave., Tumwater

[Order 75-1, Form—Exhibit 1 (codified as WAC 174-157-990), filed 2/6/75.]

Chapter 174-160 WAC ADMISSIONS PROCEDURES

WAC	
174-160-010	Closing date and enrollment limitations.
174-160-020	Procedures.
174-160-030	Notification.
174-160-040	Credentials.

WAC 174-160-010 Closing date and enrollment limitations. The closing date for applications is May 1

(1989 Ed.)

for students seeking admission the following September. Fall enrollment will be limited to the number that can be effectively served within the available resources and facilities. Applicants for subsequent terms during the academic year will be considered as space becomes available.

[Order 72-11, § 174-160-010, filed 10/27/72.]

WAC 174-160-020 Procedures. (1) A \$15 application fee is required (nonrefundable and nonrecurring) in the form of a check or money order. Payment must accompany the uniform application for admission to colleges and universities in the state of Washington.

(2) A student applying directly from high school should request that an official transcript of his record, indicating his rank in his graduating class, be sent to the admissions office by the appropriate school official. Provisional acceptance can be granted on the basis of three years of high school work. Applicants accepted on this basis must submit a transcript showing the complete high school record and date of graduation before their acceptance is final.

(3) A transfer student is requested to present two official transcripts from each college or university attended. Applicants must be in good academic standing at the last institution attended. No action will be taken on a transfer application until all transcripts of previously completed work have been received. Students planning to enroll at Evergreen for the fall quarter who are currently enrolled in another institution must have an official copy of their records sent to the admissions office by June 20.

(4) The supplemental admissions form is an essential part of the admissions procedure. It must be completed by all prospective students in support of the application. The supplemental admissions form will be sent upon receipt of the uniform application for admissions to colleges and universities in the state of Washington.

(5) An admissions decision will not be made on incomplete applications. An application is considered complete when the following items have been submitted to the admissions office:

- (a) Uniform application for admission to colleges and universities in the state of Washington, together with the \$15 application fee,
- (b) Supplemental admissions form,
- (c) Official transcript(s), and
- (d) For those students entering from high school, appropriate test scores.

(6) Upon receipt of a notice of eligibility, the applicant must send an advance deposit in the amount of \$50 within 30 days. A permit to register, showing the date of registration, will then be sent.

(7) The health evaluation form, sent with the permit to register, must be completed by a physician and returned to the admissions office at least 30 days prior to the date of registration.

[Order 72-11, § 174-160-020, filed 10/27/72.]

WAC 174-160-030 Notification. Notification of decisions will be made as soon as possible after a review

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of each completed application. A student must reapply if he fails to register for a particular term. Closing dates for applications are May 1 for fall term, December 1 for winter term, and March 1 for spring term.

[Order 72-11, § 174-160-030, filed 10/27/72.]

WAC 174-160-040 Credentials. Credentials, except original documents, submitted in support of an application become the property of the college. The admissions credentials of students who do not register for the term in which they applied will be held for two years before being discarded.

[Order 72-11, § 174-160-040, filed 10/27/72.]

Chapter 174-162 WAC

STUDENT AFFAIRS--RELEASE OF STUDENT INFORMATION--FINANCIAL OBLIGATION OF STUDENTS

WAC

174-162-010	General policy.
174-162-015	Definitions.
174-162-020	Disclosure to the student.
174-162-025	Requests and appeal procedures.
174-162-030	Release of personally-identifiable records.
174-162-035	College records.
174-162-040	Release of publicity information.
174-162-045	Notice of rights.
174-162-050	Withholding information.
174-162-300	Collection and appeal.
174-162-305	Emergency loans collections policy.
174-162-310	Withholding degrees and transcripts.
174-162-320	Credit balances in student accounts.
174-162-330	Exit interviews.

WAC 174-162-010 General policy. The Evergreen State College must insure that information contained in student records is treated responsibly with due regard for its personal nature, and for the students'[,] college's, and community's needs. The following guidelines implement this general policy and respond to the requirements of Public Law 93-380 (Family Educational Rights and Privacy Act of 1974).

[Order 76-4, § 174-162-010, filed 7/22/76.]

WAC 174-162-015 Definitions. For the purposes of WAC 174-162-010 through 174-162-045, the following terms shall have the definitions shown:

(1) A "student" is any person who is or has been registered at Evergreen, with respect to whom Evergreen maintains educational records or other information personally-identifiable by name, identification number, or other names of recognition.

(2) The term "educational records" means those records, files, documents and other materials maintained by Evergreen which contain information directly related to the individual student.

(3) The term "directory information" means the student's name, address, telephone number, dates of attendance, date and place of birth, major field of study, participation in officially recognized activities and sports, degrees and awards received, and the most recent

previous educational agency or institution attended by the student.

[Order 76-4, § 174-162-015, filed 7/22/76.]

WAC 174-162-020 Disclosure to the student. (1) A student has the right to inspect, and request copies of his or her education records, except that a student is not entitled to access to:

(a) Records of instructional, supervisory and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a person appointed to replace or assume responsibilities of the originator of the records;

(b) Records made and maintained in the normal course of business which relate exclusively to the person's capacity as an employee and are not available for any other purposes;

(c) Records on a student which are created or maintained by a physician, psychiatrist or other officially recognized professional or para-professional acting in his or her professional or para-professional capacity, and which are created, maintained or used only in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment: *Provided, however,* That such records can be personally reviewed by a physician or other appropriate professional of the student's choice;

(d) A parent's confidential financial statement unless the student's parent or guardian has granted permission for access in writing either on the statement or in a separate authorizing letter;

(e) Records or/and documents of the security office which are kept apart from educational records and which are maintained solely for law enforcement purposes and which are not made available to persons other than law enforcement officials of the same jurisdiction, if security office personnel do not have access to educational records under WAC 174-162-020(1).

(2) Recommendations, evaluations or comments concerning a student, whether or not provided in confidence, either expressed or implied, as between the author and the recipient, shall nonetheless be made available to the student, except that:

(a) The student may specifically release his right to review where the information consists only of confidential recommendations respecting admission to any educational institution, or an application for employment, or receipt of an honor or honorary recognition, by submitting the release in writing to the Evergreen individual(s) or office(s) having custody of the particular record;

(b) A student's waiver of his or her right of access to confidential statements shall apply only if the student is, upon request, notified of the names of all persons making confidential statements concerning him or her, the dates of such confidential statements were provided; and such confidential statements are used solely for the purpose for which they were originally intended, and such waivers are not required as a condition for admission to, receipt of financial aid from, or receipt of any other services or benefits from Evergreen;

(c) Recommendations, evaluations or comments concerning a student that have been provided in confidence, either expressed or implied, as between the author and the recipient, prior to January 1, 1975, shall not be subject to release under this subsection: *Provided, however,* That upon request the student is notified of the names of the authors of all such confidential records, the dates appearing on such confidential records and the purpose for which each confidential record was provided. Such records shall remain confidential and shall be released only with the consent of the author. The student will initiate any request for release by direct contact with the author. Confidential information will then only be released to the student upon receipt of written consent of the author. Such records shall be used by the institution only for the purpose for which they were originally intended.

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

(4) Charges for copies of education records shall not exceed \$1.00 per page.

(5) The registrar is the official custodian of academic records and therefore is the only official who may issue a transcript of the student's official academic record or prepare other copies of the student's records on file in the registrar's office.

(6) Student education records may be destroyed in accordance with routine retention schedules. In no case will any record which is requested by a student for review in accordance with WAC 174-162-020 and 174-162-025 be removed or destroyed prior to informing the student and, if requested, providing the student access.

(7) A student's right to inspecting and securing copies of his or her education records passes to the student's heir(s) upon his or her death.

[Order 76-4, § 174-162-020, filed 7/22/76.]

WAC 174-162-025 Requests and appeal procedures.

(1) A request by a student for review of information should be made in writing to the Evergreen individual(s) or office(s) having custody of the particular record. The individual(s) or office(s) having custody of the record requested shall require presentation of proper identification, including validation of identity by way of student's photo I.D. card and/or signatures, from the requesting student.

(2) The individual(s) or office(s) must respond to a request for educational records within a reasonable period of time, but in no case more than 45 days after the request has been made. Those specific cases identified in WAC 174-162-020(1) are exempted from coverage under this section.

(3) After reviewing his or her records, a student may challenge the content of the records if the student believes them to be inaccurate, misleading or otherwise in violation of the privacy or other rights of the student. In such cases the student should contact the appropriate dean or director responsible for custody of the record. If a student has been unable to negotiate correction of or

deletion of inaccurate, misleading or otherwise inappropriate data, he or she may pursue the grievance procedures in chapter 174-108 WAC and may place a written statement of rebuttal in his or her official records.

(4) Request for public records must be submitted in accordance with procedures outlined in chapter 174-108 WAC.

[Order 76-4, § 174-162-025, filed 7/22/76.]

WAC 174-162-030 Release of personally-identifiable records. (1) The college shall not permit access to or the release of education records or personally-identifiable information contained therein, other than "directory information," without the written consent of the student, to any party other than the following:

(a) Evergreen staff, faculty, and student employees when the information is specifically required for a legitimate educational interest within the performance of their assigned responsibilities to the college, with the understanding that its use will be strictly limited to the performance of those assigned responsibilities;

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

(c) Agencies or organizations requesting information specifically required as a part of a student's application for, or receipt of, financial aid, with the understanding that its use will be strictly limited to that purpose;

(d) Organizations conducting studies for or on behalf of the college for purposes of developing, validating or administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students by persons other than representatives of such organizations, and such information will be destroyed when no longer needed for the purpose for which it was provided;

(e) Accrediting organizations in order to carry out their accrediting functions, if such studies are conducted in such a manner as will not permit the personal identification of students by persons other than representatives of such organizations, and such information will be destroyed when no longer needed for the purpose for which it was provided;

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

(g) A collection agency under contract to Evergreen when necessary to collect past due accounts the student owes to Evergreen upon the condition that the student is forwarded a notice at least ten days in advance of the date the account is transferred.

(2) Where the consent of a student is obtained for the issuance of education records, it shall be in writing, signed and dated by the student giving the release, and the names of the parties to whom such records will be released, and may include the reasons for such release, except that transcripts may be issued to other colleges or universities for admission as a result of telephone requests from the student.

(3) In cases where records are made available without student release as permitted by WAC 174-162-030 (1)(b), (c), (d), (e), (f), and (g), the appropriate Evergreen official shall maintain a record, which will be made available to the student upon request kept with the education record, which will indicate the parties which have requested or obtained access to a student's records maintained by the college and which will indicate the legitimate interest of the investigating party. Releases in accordance with WAC 174-162-030 (1)(a) need not be recorded.

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

(5) Students may request that the college not release directory information by written notice to the registrar.

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

(7) Student information in computer files may be released only by the Evergreen individual or office which maintains the respective files.

[Order 76-4, § 174-162-030, filed 7/22/76.]

WAC 174-162-035 College records. (1) All Evergreen individual(s) or office(s) which have custody of education records will develop implementation procedures in accordance with WAC 174-162-010 through 174-162-045.

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

[Order 76-4, § 174-162-035, filed 7/22/76.]

WAC 174-162-040 Release of publicity information. The college relations officer of the college may refer to "directory information" concerning the availability

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of information which may be released generally concerning enrolled students. Students may request that the college not release publicity information by written notice to the college relations office.

[Order 76-4, § 174-162-040, filed 7/22/76.]

WAC 174-162-045 Notice of rights. In accordance with the requirements of the federal statute, the college through the office of the dean of enrollment services will annually notify all enrolled students of their rights under WAC 174-162-010 through 174-162-045 to include:

(1) The types of educational records and information contained therein which are directly related to students and maintained by the institution.

(2) The name and position of the official responsible for the maintenance of each type of record, the persons who have access to those records, and the purposes for which they have access.

[Order 76-4, § 174-162-045, filed 7/22/76.]

WAC 174-162-050 Withholding information. There may be conditions such as unmet financial obligations, violations of non-academic regulations, etc., under which the college will withhold credit reports, transcripts, certifications, or other information about a student.

[Order 76-4, § 174-162-050, filed 7/22/76.]

WAC 174-162-300 Collection and appeal. As an institution of public higher education administering public funds, the college has the responsibility to exercise due diligence in the collection of its outstanding accounts. To this end, the following policy is adopted:

(1) When students register, tuition and fee obligations are incurred unless the students officially withdraw by the fifth day of the quarter. Tuition and fees are payable in full by the fifth day of the quarter. Students who have not paid full tuition and fees prior to the sixth day of the quarter will be assessed a fifteen dollar late payment fee. Students who have not paid the full amount of tuition and fees by the thirtieth calendar day will be disenrolled for nonpayment of fees on the thirty-first calendar day. If the student is reinstated following disenrollment, a fifty dollar reinstatement fee will be assessed in addition to tuition and fees (as well as the late payment fee), and will be due and payable at the time of reinstatement. All other charges presented on accounts receivable statement forms are due and payable on the tenth day of the month following the month that the charges were recorded. Charges that are not paid when due are considered delinquent and as such are subject to interest and penalty charges.

(2) Every student has the right to appeal a decision to assess any fee, fine, charge, debt or other financial obligation to the college as long as the appeal is made within ten days after the written notice of assessment. The appeal must be in writing and directed to the budgetary unit head of the unit assessing the charge(s) in question. The budgetary unit head receiving the appeal must respond to the appeal within ten days of the date of the

appeal. If the appeal is denied and the student has not resolved his or her financial obligation to the college within ten days after the response to the appeal, the college may take the action authorized by WAC 174-162-310. If the student is still in disagreement with the decision, he or she may initiate COG mediation procedures as long as those actions are started within ten days after the response to the appeal.

(3) All student charges will be turned over to student accounts for collection action.

(4) In the event an account becomes sixty days delinquent all facilities on campus will be notified to cancel all credit privileges for the account and the registrar will be advised to withhold the student's transcript and registration privileges.

(5) In the event an account becomes seventy-five days past due it will be turned over to the collection agency for collection and/or legal action if appropriate.

[Statutory Authority: RCW 28B.40.120(11). 83-12-001 (Order 83-2, Motion No. 83-21), § 174-162-300, filed 5/19/83; 80-18-025 (Order 80-3, Resolution 80-43), § 174-162-300, filed 11/26/80; Order 77-4, § 174-162-300, filed 12/16/77; Order 77-1, § 174-162-300, filed 4/26/77.]

WAC 174-162-305 Emergency loans collections policy. Emergency loans are made by the office of financial aid to assist students with short-term financial problems. The success of this program is dependent on timely repayment of those loans because old loans must be collected before new loans can be made.

Emergency loans are generally made so the due date occurs within the same quarter the loan is taken. These loans are made for tuition and fees and a variety of other reasons when students are faced with an emergency situation or a cash flow problem. Each loan, regardless of size, will be charged a \$2.00 service fee. Interest charges will not apply if the loan is repaid within thirty days. Loans not repaid within thirty days will be charged interest at one percent per month on the balance outstanding on the last day of each month.

Students who do not repay their emergency loans within thirty calendar days from their due date will have all credit privileges canceled, and the registrar will be advised to withhold the student's transcript and registration privileges. In the event an account becomes seventy-five days past due, it will be turned over to the collection agency for collection and/or legal action if appropriate.

[Statutory Authority: RCW 28B.40.120(11). 83-12-001 (Order 83-2, Motion No. 83-21), § 174-162-305, filed 5/19/83; 81-15-017 (Order 81-2, Motion No. 81-20), § 174-162-305, filed 7/8/81.]

WAC 174-162-310 Withholding degrees and transcripts. Admission to or registration with the college, conferring of degrees and issuance of academic transcripts will be withheld for failure to meet financial obligations to the college.

[Order 77-1, § 174-162-310, filed 4/26/77.]

WAC 174-162-320 Credit balances in student accounts. Students are expected to pay all accounts promptly when due. Account credit balances resulting from nonrefundable deposits, financial aid awards, and

other overpayments may be offset against any outstanding charges due the college in the order of established priority guidelines.

[Statutory Authority: RCW 28B.40.120(11). 79-06-079 (Order 79-1, Motion 79-30), § 174-162-320, filed 5/31/79.]

WAC 174-162-330 Exit interviews. A student who has a national direct student loan has the responsibility to arrange an exit interview with the accounts receivable office upon graduation, withdrawal, or transfer to on-leave status. The exit interview may be conducted in person or, when necessary, by mail.

The registrar shall withhold the diploma and transcripts for any such student pending receipt of confirmation by the accounts receivable office that the required exit interview has been completed.

[Statutory Authority: RCW 28B.40.120(11). 80-05-067 (Order 80-1, Motion #80-12), § 174-162-330, filed 4/23/80.]