

Title 132I WAC

COMMUNITY COLLEGES--HIGHLINE COMMUNITY COLLEGE

Chapters

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DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 132I-12

UNIFORM PERSONNEL RULES FOR THE CLASSIFIED STAFF SERVICE OF HIGHLINE COMMUNITY COLLEGE

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| <ul style="list-style-type: none"> 132I-12-003 Purpose. [Order 68-B, § 132I-12-003, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-006 Positions covered by the rules. [Order 68-B, § 132I-12-006, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-009 Adoption of rules. [Order 68-B, § 132I-12-009, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-012 Amendment of rules. [Order 68-B, § 132I-12-012, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-015 Definition of terms. [Order 68-B, § 132I-12-015, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-018 Organization. [Order 68-B, § 132I-12-018, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-021 Compensation. [Order 68-B, § 132I-12-021, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-024 Election of officers. [Order 68-B, § 132I-12-024, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-027 Meetings. [Order 68-B, § 132I-12-027, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-030 Powers and duties. [Order 68-B, § 132I-12-030, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-033 Appointment. [Order 68-B, § 132I-12-033, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-036 Powers and duties. [Order 68-B, § 132I-12-036, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-037 The appointing authority. [Order 68-B, § 132I-12-037, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-039 Content. [Order 68-B, § 132I-12-039, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-042 Amendment. [Order 68-B, § 132I-12-042, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-045 Allocation. [Order 68-B, § 132I-12-045, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-048 Interpretation of specifications. [Order 68-B, § 132I-12-048, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-051 Use in allocation. [Order 68-B, § 132I-12-051, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. | <ul style="list-style-type: none"> 132I-12-054 Use in examination. [Order 68-B, § 132I-12-054, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-057 Statements of general qualifications. [Order 68-B, § 132I-12-057, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-060 Authority. [Order 68-B, § 132I-12-060, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-063 Use of class titles. [Order 68-B, § 132I-12-063, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-066 General policies. [Order 68-B, § 132I-12-066, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-069 Content. [Order 68-B, § 132I-12-069, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-072 Amendment. [Order 68-B, § 132I-12-072, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-075 Payroll certification. [Order 68-B, § 132I-12-075, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-078 Hours of work. [Order 68-B, § 132I-12-078, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-084 Rest periods. [Order 68-B, § 132I-12-084, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-087 Holidays. [Order 68-B, § 132I-12-087, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-096 Annual leave. [Order 68-B, § 132I-12-096, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-120 Sick leave. [Order 68-B, § 132I-12-120, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-144 Military training leave with pay. [Order 68-B, § 132I-12-144, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-147 Military leave without pay. [Order 68-B, § 132I-12-147, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-150 Leave for civil duty. [Order 68-B, § 132I-12-150, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-153 Leave of absence without pay. [Order 68-B, § 132I-12-153, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-165 Absence without authorized leave. [Order 68-B, § 132I-12-165, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-168 Selection by examination. [Order 68-B, § 132I-12-168, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-171 Content of announcements. [Order 68-B, § 132I-12-171, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-175 Distribution of announcements. [Order 68-B, § 132I-12-175, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-177 Open competitive examinations. [Order 68-B, § 132I-12-177, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-180 Promotional examinations. [Order 68-B, § 132I-12-180, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-183 Forms of application. [Order 68-B, § 132I-12-183, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. 132I-12-186 Freedom from bias. [Order 68-B, § 132I-12-186, filed 7/19/68.] Repealed by Order 011, filed 10/31/75. |
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- 132I-12-189 Admission to examination. [Order 68-B, § 132I-12-189, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-192 Disqualification of applicants. [Order 68-B, § 132I-12-192, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-195 Original examination. [Order 68-B, § 132I-12-195, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-198 Promotional examinations. [Order 68-B, § 132I-12-198, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-201 Noncompetitive examinations. [Order 68-B, § 132I-12-201, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-204 Open-continuous examinations. [Order 68-B, § 132I-12-204, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-207 Conduct of examinations. [Order 68-B, § 132I-12-207, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-210 Anonymity of applicants. [Order 68-B, § 132I-12-210, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-212 Merit lists. [Order 68-B, § 132I-12-212, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-215 Layoff lists. [Order 68-B, § 132I-12-215, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-228 Unranked lists. [Order 68-B, § 132I-12-228, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-231 Duration of eligible lists. [Order 68-B, § 132I-12-231, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-261 Removal of names from eligible lists. [Order 68-B, § 132I-12-261, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-264 Comparable lists. [Order 68-B, § 132I-12-264, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-267 Availability of eligibles. [Order 68-B, § 132I-12-267, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-270 Request for employees. [Order 68-B, § 132I-12-270, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-273 Method of certification. [Order 68-B, § 132I-12-273, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-276 Ranked lists. [Order 68-B, § 132I-12-276, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-279 Related lists. [Order 68-B, § 132I-12-279, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-281 Selection. [Order 68-B, § 132I-12-281, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-284 Probationary appointments. [Order 68-B, § 132I-12-284, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-287 Provisional appointments. [Order 68-B, § 132I-12-287, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-288 In-training appointments. [Order 68-B, § 132I-12-288, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-290 Transfer. [Order 68-B, § 132I-12-290, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-293 Demotion. [Order 68-B, § 132I-12-293, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-296 Purpose. [Order 68-B, § 132I-12-296, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-299 Duration. [Order 68-B, § 132I-12-299, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-302 Removal during probationary period. [Order 68-B, § 132I-12-302, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-305 Demotion during probationary period. [Order 68-B, § 132I-12-305, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-306 Trial service—General provisions—Status on reversions. [Order 68-B, § 132I-12-306, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-308 Separation. [Order 68-B, § 132I-12-308, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-311 Resignation. [Order 68-B, § 132I-12-311, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-314 Reduction in force—Layoff. [Order 68-B, § 132I-12-314, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-320 Abandonment of position. [Order 68-B, § 132I-12-320, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-323 Disciplinary action. [Order 68-B, § 132I-12-323, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-326 Suspension. [Order 68-B, § 132I-12-326, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-329 Demotion. [Order 68-B, § 132I-12-329, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-332 Who may appeal. [Order 68-B, § 132I-12-332, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-335 Procedures for hearing appeals. [Order 68-B, § 132I-12-335, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-338 Agreements between agencies and employing organizations. [Order 68-B, § 132I-12-338, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-341 Notice of intent by bargaining unit. [Order 68-B, § 132I-12-341, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-344 Determination of bargaining unit. [Order 68-B, § 132I-12-344, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-347 Bargaining factors. [Order 68-B, § 132I-12-347, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-350 Certification by director—Notice of petition. [Order 68-B, § 132I-12-350, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-353 Election of representative organization—Notice. [Order 68-B, § 132I-12-353, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-356 Election rules—Ballots. [Order 68-B, § 132I-12-356, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-359 Majority of votes required. [Order 68-B, § 132I-12-359, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-362 Representation upon certification. [Order 68-B, § 132I-12-362, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-365 Decertification. [Order 68-B, § 132I-12-365, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-368 Personnel matters. [Order 68-B, § 132I-12-368, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-371 Grievance procedure. [Order 68-B, § 132I-12-371, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-374 Payroll deduction. [Order 68-B, § 132I-12-374, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-377 One year duration. [Order 68-B, § 132I-12-377, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-380 Filing—Conflict with Civil Service Act. [Order 68-B, § 132I-12-380, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-383 Conferences on disputes. [Order 68-B, § 132I-12-383, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-386 Hearing on disputes. [Order 68-B, § 132I-12-386, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-389 Service ratings. [Order 68-B, § 132I-12-389, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.

- 132I-12-392 Education and training. [Order 68-B, § 132I-12-392, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-395 Outside course work. [Order 68-B, § 132I-12-395, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-398 Classes during working hours—Compensation—Authorization. [Order 68-B, § 132I-12-398, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-401 Special training programs. [Order 68-B, § 132I-12-401, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-404 Political activity. [Order 68-B, § 132I-12-404, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-407 Outside employment. [Order 68-B, § 132I-12-407, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-408 Employment of more than one member of a family. [Order 68-B, § 132I-12-408, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-410 False statements—Fraud. [Order 68-B, § 132I-12-410, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-413 Bribery. [Order 68-B, § 132I-12-413, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-416 Interference by officials. [Order 68-B, § 132I-12-416, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-419 Penalties. [Order 68-B, § 132I-12-419, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-422 Discrimination. [Order 68-B, § 132I-12-422, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-425 Personnel records. [Order 68-B, § 132I-12-425, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-428 Roster. [Order 68-B, § 132I-12-428, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-431 Report to the personnel director. [Order 68-B, § 132I-12-431, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-12-434 Public records. [Order 68-B, § 132I-12-434, filed 7/19/68.] Repealed by Order 011, filed 10/31/75.
- 132I-14-100 Right to be interviewed. [Order, § 132I-14-100, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-110 Right of privacy of records. [Order, § 132I-14-110, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-120 Authority and responsibility for discipline. [Order, § 132I-14-120, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-130 Violations. [Order, § 132I-14-130, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-140 Definition of disciplinary action. [Order, § 132I-14-140, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-150 Authority to request identification. [Order, § 132I-14-150, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-160 Disciplinary procedure. [Order, § 132I-14-160, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-170 Discipline committee. [Order, § 132I-14-170, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-180 Procedure of the disciplinary committee. [Order, § 132I-14-180, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-190 Readmission after dismissal. [Order, § 132I-14-190, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-200 Method of review and revision, membership of the review committee. [Order, § 132I-14-200, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-210 Function of the review committee. [Order, § 132I-14-210, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.

Chapter 132I-14

STUDENT RIGHTS AND RESPONSIBILITIES CODE

- 132I-14-010 Statement of purpose. [Order, § 132I-14-010, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-020 General policies. [Order, § 132I-14-020, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-030 Definitions. [Order, § 132I-14-030, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-040 Right of academic freedom. [Order, § 132I-14-040, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-050 Right of access to college facilities. [Order, § 132I-14-050, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-060 Right of assembly. [Order, § 132I-14-060, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-070 Right to invite outside speakers. [Order, § 132I-14-070, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-080 Right of publication. [Order, § 132I-14-080, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.
- 132I-14-090 Right of sale and distribution of material and right to conduct fund raising activities. [Order, § 132I-14-090, filed 4/22/71.] Repealed by 88-07-119 (Order 021), filed 3/23/88. Statutory Authority: RCW 28B.50.140.

Reviser's note: Later promulgation, see chapter 132I-120 WAC.

Chapter 132I-20

RULES AND REGULATIONS FOR THE IMPLEMENTATION OF TENURE

- 132I-20-010 Preamble. [Order, § 132I-20-010, filed 10/1/70.] Repealed by Order 007A, filed 6/11/76.
- 132I-20-020 Definition and terms of implementation. [Order, § 132I-20-020, filed 10/1/70.] Repealed by Order 007A, filed 6/11/76.
- 132I-20-030 Procedures for the granting of tenure. [Order, § 132I-20-030, filed 10/1/70.] Repealed by Order 007A, filed 6/11/76.
- 132I-20-040 Standing criteria committee—Composition. [Order, § 132I-20-040, filed 10/1/70.] Repealed by Order 007A, filed 6/11/76.
- 132I-20-050 Standing criteria committee—Formation. [Order, § 132I-20-050, filed 10/1/70.] Repealed by Order 007A, filed 6/11/76.
- 132I-20-060 Standing criteria committee—Functions. [Order, § 132I-20-060, filed 10/1/70.] Repealed by Order 007A, filed 6/11/76.
- 132I-20-070 Working committees. [Order, § 132I-20-070, filed 10/1/70.] Repealed by Order 007A, filed 6/11/76.
- 132I-20-080 Working committees—Composition. [Order, § 132I-20-080, filed 10/1/70.] Repealed by Order 007A, filed 6/11/76.
- 132I-20-090 Working committees—Formation. [Order, § 132I-20-090, filed 10/1/70.] Repealed by Order 007A, filed 6/11/76.

- 132I-20-100 Working committees—Functions. [Order, § 132I-20-100, filed 10/1/70.] Repealed by Order 007A, filed 6/11/76.
- 132I-20-110 Review committee—Composition. [Order, § 132I-20-110, filed 10/1/70.] Repealed by Order 009, filed 5/14/75.
- 132I-20-120 Review committee—Formation. [Order, § 132I-20-120, filed 10/1/70.] Repealed by Order 009, filed 5/14/75.
- 132I-20-130 Review committee—Functions. [Order, § 132I-20-130, filed 10/1/70.] Repealed by Order 009, filed 5/14/75.
- 132I-20-140 Review committee—Formal proceedings. [Order, § 132I-20-140, filed 10/1/70.] Repealed by Order 009, filed 5/14/75.
- 132I-20-150 Presentation of case. [Order, § 132I-20-150, filed 10/1/70.] Repealed by Order 009, filed 5/14/75.
- 132I-20-160 Closed hearing. [Order, § 132I-20-160, filed 10/1/70.] Repealed by Order 009, filed 5/14/75.
- 132I-20-170 Consideration by board of trustees. [Order, § 132I-20-170, filed 10/1/70.] Repealed by Order 009, filed 5/14/75.
- 132I-20-180 Publicity. [Order, § 132I-20-180, filed 10/1/70.] Repealed by Order 009, filed 5/14/75.
- 132I-20-190 Appeal from the decision of the hearing committee and the board of trustees. [Order, § 132I-20-190, filed 10/1/70.] Repealed by Order 009, filed 5/14/75.
- 132I-20-200 Appointing authority—Functions. [Order, § 132I-20-200, filed 10/1/70.] Repealed by Order 009, filed 5/14/75.

Chapter 132I-104 WAC

BYLAWS OF THE BOARD OF TRUSTEES

WAC

- 132I-104-010 Purpose.
- 132I-104-020 Seal and name of the college district.
- 132I-104-030 Officers of the board.
- 132I-104-040 Restrictions of individual authority.
- 132I-104-050 Offices of the board of trustees.
- 132I-104-060 Meetings of the board of trustees.
- 132I-104-070 Parliamentary procedure.
- 132I-104-080 Information for board members.
- 132I-104-090 Order of business.
- 132I-104-100 Records of board action.
- 132I-104-110 Changes to bylaws of the board of trustees.

WAC 132I-104-010 Purpose. The board of trustees, under law, is charged with the responsibility and authority to govern Community College District 9. Both the responsibility and the authority are vested in the board, not in its individual board members. To assist the board in carrying out its responsibilities, as directed by law, it employs a president of the college district and delegates to him the responsibility for administering the district under policies approved by the board.

Policies of the board of trustees are found in the records of board action. The bylaws which follow contain the rules adopted by the board which are in force and which relate to the organization and powers of the board and its method of conducting business.

[Order 005, § 132I-104-010, filed 2/27/74.]

WAC 132I-104-020 Seal and name of the college district. The board of trustees shall maintain an official seal for use upon any or all official documents of the

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board. The seal shall have inscribed upon it: Highline College, Community College District 9.

[Order 005, § 132I-104-020, filed 2/27/74.]

WAC 132I-104-030 Officers of the board. At the first regular meeting of the board each fiscal year, the board shall elect, from its membership, a chairman and vice chairman to serve for the ensuing year. In addition, the president of Community College District 9 shall serve as secretary to the board of trustees as specified by state law. The secretary may, at his discretion, appoint an appropriate college staff member to act as recording secretary for all regular and special meetings of the board.

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

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

(3) The secretary of the board shall be the president of Community College District 9 and shall serve as chairman, without privilege of vote, in any official meeting of the board conducted in the absence of the chairman and vice chairman. In addition to any duties imposed by rules and regulations of the state board for community college education, he shall keep the official seal of the board and maintain all records of meetings and other official actions of the board. The secretary shall also be responsible for board correspondence, compiling the agenda for meetings, and distributing the minutes of the meetings and related reports. The secretary, or his designee, must attend all regular and special meetings of the board, and official minutes must be kept of all such meetings excepting study and executive sessions.

[Order 005, § 132I-104-030, filed 2/27/74.]

WAC 132I-104-040 Restrictions of individual authority. Legal authority is vested in the board of trustees and may be exercised only by formal action of the board, taken in regular or special meetings. No individual member of the board may act on behalf of the board unless specifically instructed by action of the board.

[Order 005, § 132I-104-040, filed 2/27/74.]

WAC 132I-104-050 Offices of the board of trustees. The board of trustees shall maintain headquarters at Highline Community College, South 240th and Pacific Highway South, Midway, Washington 98031, where all regular and special meetings shall be held, unless the place of meeting shall be changed as provided herein, and all records, minutes, and the official seal shall be kept. This office shall be open during all normal business

hours to any resident taxpayer of the state of Washington.

[Order 005, § 132I-104-050, filed 2/27/74.]

WAC 132I-104-060 Meetings of the board of trustees. Normally the board of trustees shall hold one regular meeting each month except during the month of August.

(1) Regular meetings: The regular monthly meeting shall be held on the second Thursday of each month, commencing at 8:00 a.m. with a study session. The action session will commence at 10:00 a.m.

The study session shall be held in the conference room of the administration building. The action session and other meetings, both regular and special, shall be held in the board room of the library.

The time and place of the meeting may be changed as the chairman may direct provided 24 hours written notice of the changes shall be given to each member of the board.

Regular meetings may be cancelled with consent of the majority of the board.

(2) Special meetings: Special meetings of the board may be convened by the chairman, provided written notice of such meeting is given to each individual trustee at least 24 hours prior to a special meeting unless notice be waived in writing or by actual attendance at the meeting. Such notice shall specify the date, time, and place of the special meeting and the business to be transacted.

(3) Executive sessions: The board may convene executive sessions whenever it is deemed necessary in the interest of the college for the purpose of discussing matters or items for which executive sessions are authorized in chapter 42.30 RCW as it now exists or amended hereafter.

[Statutory Authority: RCW 28B.50.140. 81-20-051 (Order 019), § 132I-104-060, filed 10/2/81; Order 005, § 132I-104-060, filed 2/27/74.]

WAC 132I-104-070 Parliamentary procedure. Three members of the board of trustees shall constitute a quorum, and no action shall be taken by less than a majority of the board members. Normally, voting shall be viva voce. However, a roll call vote may be requested by any member of the board for purposes of the record.

In questions of parliamentary procedure, the actions of the board shall be conducted according to *Robert's Rules of Order*, newly revised (1970), unless specified otherwise by state law, regulations of the state board for community college education, or by these bylaws.

[Order 005, § 132I-104-070, filed 2/27/74.]

WAC 132I-104-080 Information for board members. Any matters of correspondence must be received by the secretary of the board by 12:00 noon ten days before the meeting in order to be included on the agenda. The chairman or secretary may, however, present a matter of business received too late for inclusion on the agenda if in his judgment the expedient consideration of the matter would be beneficial to the college.

[Order 005, § 132I-104-080, filed 2/27/74.]

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WAC 132I-104-090 Order of business. (1) The order of business governing all regular meetings of the board of trustees shall be as follows:

- (a) Roll call
- (b) Approval of previous minutes
- (c) Correspondence
- (d) Standing reports
- (e) Recommendations for action
- (f) Reports
- (g) Discussion
- (h) Unscheduled business
- (i) New business
- (j) Adjournment

(2) The order of business may be changed by the chairman with the consent of the board members present. The chairman may announce at the beginning of each meeting that members of the audience may speak to any item on the agenda at the time of its presentation to the board. The chairman shall have the right to limit the length of time used by a speaker for the discussion of a subject.

(3) Proposed new policies and/or changes in policy will be presented first to the board of trustees as a report. Board action will be taken normally at a subsequent meeting. If expedient action on the matter would be clearly beneficial to the college, the board may consider, by casting not less than four affirmative votes, taking action at the time the policy is first presented to the board.

[Order 010, § 132I-104-090, filed 10/31/75; Order 008, § 132I-104-090, filed 11/27/74; Order 005, § 132I-104-090, filed 2/27/74.]

WAC 132I-104-100 Records of board action. All business transacted in official board meetings shall be recorded in minutes and filed for reference. Records are kept in the office of the secretary of the board.

[Order 005, § 132I-104-100, filed 2/27/74.]

WAC 132I-104-110 Changes to bylaws of the board of trustees. Bylaws of the board may be revised by majority vote of the board provided such changes are proposed at least one regular meeting prior to the meeting at which the vote is taken. Bylaws may be revised by unanimous vote of the board at the same meeting at which the revision is originally proposed.

[Order 005, § 132I-104-110, filed 2/27/74.]

Chapter 132I-112 WAC ELECTION RULES

WAC

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|--------------|---|
| 132I-112-010 | Purpose—Elections and recognition. |
| 132I-112-020 | Definitions. |
| 132I-112-030 | Request for election—Canvass of faculty employees by independent and neutral person or association. |
| 132I-112-040 | Notice of election—Organization to be included on ballot—Time for filing. |
| 132I-112-050 | Contents of notice of election—Designation of chief election officer—Duties. |
| 132I-112-060 | Lists of faculty employees—Posting of lists. |
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- 132I-112-080 Ballots.
- 132I-112-090 Record of vote—Signature—Challenge.
- 132I-112-100 Incorrectly marked ballot.
- 132I-112-110 Privacy for voter—Equipment.
- 132I-112-120 Folding ballot—Ballot box.
- 132I-112-130 Challenged ballot—Procedure.
- 132I-112-140 Employees present entitled to vote—Sealing ballot box—Unused ballots.
- 132I-112-150 Election inspectors duties after voting has terminated.
- 132I-112-160 Disposition of challenged ballots—Tally sheets—Investigation by chief election officer.
- 132I-112-170 Counting of ballots—Procedure—Certification of results of election—Retention of ballots—Signed voting lists.
- 132I-112-180 Electioneering within the polls forbidden.
- 132I-112-190 Contest of election—Time for filing objections—Investigation of objections.
- 132I-112-200 Persons eligible to vote.
- 132I-112-210 Election determined by majority of valid votes cast calculated on a weighted basis—Run-off election.
- 132I-112-220 Inclusion of those holding administrative appointments except chief executive officer.
- 132I-112-230 Time lapse for new election.
- 132I-112-240 Certification of academic employees' representative.

WAC 132I-112-010 Purpose—Elections and recognition. The board of trustees of Community College District No. 9 proposes the adoption of policies for the administration of chapter 28B.52 RCW which has as its purpose the strengthening of methods of communication between faculty employees and the community college district by which they are employed. Therefore, the board of trustees of Community College District No. 9 adopts reasonable rules and regulations for the administration of employer-employee relations under this chapter.

[Order 006, § 132I-112-010, filed 7/29/74.]

WAC 132I-112-020 Definitions. (1) "Employee organization" means any organization which includes as members the faculty employees of Community College District No. 9 and which has as one of its purposes the representation of the employees in their employment relations with the community college district.

(2) "Faculty employee" means any teacher, counselor, librarian, or division head, who is employed by Community College District No. 9, with the exception of those holding administrative appointments as defined by the board of trustees unless included as specified in WAC 132I-112-220 and those employed exclusively in community service courses.

(3) "Full-time appointment" shall be one in which the academic employee receives a full-time contract and works a full-time load for any three complete quarters in one academic year.

(4) "Part-time appointment" shall mean employment in a quarterly teaching agreement with specifically assigned duties usually based on contact hours for two of the last four college quarters.

[Order 006, § 132I-112-020, filed 7/29/74.]

WAC 132I-112-030 Request for election—Canvass of faculty employees by independent and neutral person or association. Any organization, which includes as

members faculty employees of Community College District No. 9, desiring to be recognized as the majority organization representing such employees pursuant to chapter 28B.52 RCW shall request in writing to the board of trustees of Community College District No. 9 that an election be held to determine whether a majority of such employees desire to designate it as their representative for the purposes of the act. Upon the receipt of such a request the board of trustees of Community College District No. 9 will request some independent and neutral person or association to determine whether thirty percent or more, calculated on a weighted basis as specified in WAC 132I-112-060 and 132I-112-210, of the faculty employees of Community College District No. 9 have indicated that they desire to be represented by that organization for such purposes and inform the executive board of the faculty senate of the independent and neutral person or association who will make this determination. If the faculty senate executive board objects, in writing, to the independent and neutral person or association as named by the board, the board shall, within 3 days of receiving notice, appoint a different independent and neutral person or association. The independent and neutral person or association shall make such determination upon the basis of records of dues, paying membership, signed authorizations to represent, or other reliable probative evidence.

[Order 006, § 132I-112-030, filed 7/29/74.]

WAC 132I-112-040 Notice of election—Organization to be included on ballot—Time for filing. If the independent and neutral person or association determines that thirty percent or more of the faculty employees of Community College District No. 9 have indicated that they desire to be represented by that organization for such purposes, the board of trustees of Community College District No. 9 will publish a notice that it will hold an election as soon as practical, during the regular academic year, to determine whether the faculty employees of Community College District 9 desire the requesting organization or any other organization to represent them for the purposes of chapter 28B.52 RCW. Any other organization of faculty employees desiring to be designated as the majority organization representing such employees shall, within seven days after publication of such notice by the board of trustees of Community College District No. 9, file with the board of trustees a request in writing that its name be included on the ballot in the election to be held. No organization shall be permitted to have its name placed on the ballot used in the election unless such a request has been received within seven days after the publication of the notice that an election will be held. Such organization must accompany the request for placement on the ballot by written proof of at least ten percent representation, calculated on a weighted basis as specified in WAC 132I-112-060 and 132I-112-210, of the faculty employees within the district.

[Order 006, § 132I-112-040, filed 7/29/74.]

WAC 132I-112-050 Contents of notice of election--Designation of chief election officer--Duties. The notice published by the board of trustees of Community College District No. 9 pursuant to WAC 132I-112-040 shall state the date, hours, and polling places for the election. The notice shall also designate a chief election officer of the election and charge him with the duty of preparing the ballots and promulgating instructions concerning the details of the election to be conducted pursuant to these rules.

[Order 006, § 132I-112-050, filed 7/29/74.]

WAC 132I-112-060 Lists of faculty employees--Posting of lists. In any election conducted pursuant to these rules, three lists of faculty employees eligible to vote shall be prepared by the board of trustees for each voting place. List one shall contain the names of faculty employees on full-time appointments and names of academic employees on part-time appointments whose assignment is equal to or greater than a full load. Faculty employees on list one shall be given the election ballot titled full vote as described in WAC 132I-112-080. List two shall contain the names of faculty employees on part-time appointments whose assignments are two-thirds of a full load or greater but less than full time. Faculty employees on list two shall be given the election ballot titled two-thirds vote as described in WAC 132I-112-080. List three shall contain the names of faculty employees on part-time appointments whose assignments are one-third or greater but less than two-thirds of a full load. Faculty employees on list three shall be given the election ballot titled one-third vote as described in WAC 132I-112-080. Such lists shall be posted at least 24 hours before the election. Such lists shall be for informational purposes and shall not be conclusive as to the right of a faculty employee to vote in the election.

[Order 006, § 132I-112-060, filed 7/29/74.]

WAC 132I-112-070 Election inspectors--Duties--Right to challenge voter--Improper conduct. The election officer shall designate at least one inspector for each polling place to observe the conduct of the election. Any organization whose name shall appear on the ballot in the election shall also be entitled to have one inspector present at each polling place to observe the conduct of the election. Each organization shall also be entitled to have an inspector present at the college district office for the counting of the ballots cast. Such inspectors must refrain from electioneering during the election. They may challenge the eligibility of any person to vote in the election, and, upon such challenge the ballot of the person shall be treated as provided in these rules. Any faculty employee may challenge his/her placement on the election lists by so indicating to the appropriate election inspector at the time of voting, and upon such challenge the ballot of that person shall be treated as provided in these rules. Inspectors shall also report in writing to the chief election officer any conduct which they observe in

the course of balloting which they believe may have improperly affected the result of the voting at the polling place at which they serve as observers.

[Order 006, § 132I-112-070, filed 7/29/74.]

WAC 132I-112-080 Ballots. The ballots used in any election held pursuant to this part shall be in the following forms listing all eligible organizations along with a means of indicating no organization.

(1) Full vote ballot

FULL VOTE

To select for representation purposes pursuant to chapter 196, Laws of 1971 1st ex. sess., a majority organization to represent faculty employees of Community College District No. 9.

Vote for one

- ORGANIZATION X
- ORGANIZATION Y
- NO ORGANIZATION

Do not sign your name or put other identifying marks on this ballot. Should you incorrectly mark your ballot you may obtain a new ballot by returning the incorrectly marked ballot to the election inspector.

(2) Two-thirds vote ballot

TWO-THIRDS VOTE

To select for representation purposes pursuant to chapter 196, Laws of 1971 1st ex. sess., a majority organization to represent faculty employees of Community College District No. 9.

Vote for one

- ORGANIZATION X
- ORGANIZATION Y
- NO ORGANIZATION

Do not sign your name or put other identifying marks on this ballot. Should you incorrectly mark your ballot you may obtain a new ballot by returning the incorrectly marked ballot to the election inspector.

(3) One-third vote ballot

ONE-THIRD VOTE

To select for representation purposes pursuant to chapter 196, Laws of 1971 1st ex. sess., a majority organization to represent faculty employees of Community College District No. 9.

Vote for one

ORGANIZATION X
 ORGANIZATION Y
 NO ORGANIZATION

Do not sign your name or put other identifying marks on this ballot. Should you incorrectly mark your ballot you may obtain a new ballot by returning the incorrectly marked ballot to the election inspector.

(4) The above ballots will be color coded by being prepared on the following paper: Blue for full vote, green for two-thirds vote, and white for one-third vote.

[Order 006, § 132I-112-080, filed 7/29/74.]

WAC 132I-112-090 Record of vote--Signature--Challenge. At the time of the election the name of each employee voting shall be recorded by his signature written beside his name on the voting lists for the polling place at which he votes. Each faculty employee may cast only one ballot in any election held pursuant to these rules, and the presence of a signature beside the name of an employee desiring to vote shall automatically constitute grounds for challenge of his right to cast a ballot in an election.

[Order 006, § 132I-112-090, filed 7/29/74.]

WAC 132I-112-100 Incorrectly marked ballot. Any voter who incorrectly marks his ballot may obtain a new ballot by returning the incorrectly marked ballot to the chief election officer's inspector. Such incorrectly marked ballot shall be marked void in the presence of the inspectors of organizations participating in the election before the new ballot is delivered to the voter.

[Order 006, § 132I-112-100, filed 7/29/74.]

WAC 132I-112-110 Privacy for voter--Equipment. Voters shall be provided with tables or desks so arranged that a voter may mark his ballot without making it possible for other persons to observe the manner in which he has marked it.

[Order 006, § 132I-112-110, filed 7/29/74.]

WAC 132I-112-120 Folding ballot--Ballot box. Each voter shall fold his ballot so that the manner in which he has marked it cannot be observed and shall then place it in the locked box provided at the designated voting place.

[Order 006, § 132I-112-120, filed 7/29/74.]

WAC 132I-112-130 Challenged ballot--Procedure. A challenged ballot shall be placed in an envelope bearing no identifying marks. It shall then be placed in another envelope upon which shall be written the name of the employee desiring to cast the ballot, the reasons for which the ballot was challenged, by whom it was challenged, and the polling place at which it was challenged,

and the envelope shall be sealed and initialed by the election inspectors.

[Order 006, § 132I-112-130, filed 7/29/74.]

WAC 132I-112-140 Employees present entitled to vote--Sealing ballot box--Unused ballots. At the time for closing the polls, all employees present and waiting at the polling place shall be entitled to vote. The ballot box shall then be sealed. All unused ballots shall then be counted in the presence of election inspectors.

[Order 006, § 132I-112-140, filed 7/29/74.]

WAC 132I-112-150 Election inspectors duties after voting has terminated. When all voting has terminated at a polling place, the election inspectors will bring to the chief election officer at the community college district office the following: (1) Signed voting list of eligible faculty employees, (2) all unused ballots, (3) all challenged ballots, and (4) the sealed ballot box containing all ballots cast.

[Order 006, § 132I-112-150, filed 7/29/74.]

WAC 132I-112-160 Disposition of challenged ballots--Tally sheets--Investigation by chief election officer. The challenged ballots previously placed in separate envelopes shall be placed in a sealed envelope marked "challenged ballots" and sent along with the tally sheet to the chief election officer. The challenged ballots shall not be opened or counted unless the counting of such ballots might affect the results of the election. If the challenged ballots might affect the results of the election, the chief election officer shall conduct an investigation into, or if necessary a formal hearing on, the validity of the challenges made. If he concludes that the eligibility challenge was properly made, that ballot shall be excluded from the count. If he concludes that the listing error challenge was properly made, that ballot shall be counted in the appropriate category. Otherwise, such ballots shall be counted as cast.

[Order 006, § 132I-112-160, filed 7/29/74.]

WAC 132I-112-170 Counting of ballots--Procedure--Certification of results of election--Retention of ballots--Signed voting lists. When ballot boxes from all voting places have been received by the chief election officer's inspector, he shall open them and thoroughly mix all ballots cast so that it is impossible to identify the polling place from which any particular ballot came. The ballots case shall be separated into the categories as they have been cast for organizations participating in the election, for no organization, and void ballots which are unintelligible or for an organization not participating in the election. The ballots in these categories shall be counted by the chief election officer with the assistance of such of his election inspectors as shall be necessary in the presence of the inspectors for the organizations participating in the election. After the ballots have been so counted the inspector designated by the organizations to serve at the community college district office shall indicate by his signature upon the tally sheet that he agrees

with the count made, or in case of disagreement, he shall write a short statement of his grounds for disagreement with the count. The chief election officer shall certify to the board of trustees the results of the election within forty-eight hours after the polls have been closed. The used ballots, the unused ballots, the challenged ballots, and the signed voting lists of eligible faculty employees shall be kept by the chief election officer or some person designated by him for one year after the election.

[Order 006, § 132I-112-170, filed 7/29/74.]

WAC 132I-112-180 Electioneering within the polls forbidden. No election signs, banners, or buttons shall be permitted in the room in which the balloting takes place, nor shall any person in that room discuss the advantages or disadvantages of representation by an organization whether on the ballot or otherwise, nor shall any person in that room engage in any other form of electioneering.

[Order 006, § 132I-112-180, filed 7/29/74.]

WAC 132I-112-190 Contest of election--Time for filing objections--Investigation of objections. Any organization, the name of which appears on the ballot, or any faculty employee may within five days after the certification of the results of an election under the provisions of this part, file objections to the conduct of the election with the chief election officer designated by the board of trustees pursuant to WAC 132I-112-050 of this part. The election officer shall investigate such objections and, if necessary, hold formal hearings thereon. He shall report thereon to the board of trustees. If the board of trustees shall conclude that the conduct objected to may have improperly affected the results of the election, it shall order a new election. Otherwise, it shall overrule the objections and the results of the election shall be considered final. If the objection(s) of the organization or employee(s) concerns the placement of faculty employee(s) on appropriate voting lists, the Board shall review the report of the election officer and shall order a new election only if they disagree with the resolution implemented by the election officer and find that the method used may have improperly affected the results of the election. Objections to the conduct of the election which are not filed in accordance with the provisions of this section shall be waived and of no effect.

[Order 006, § 132I-112-190, filed 7/29/74.]

WAC 132I-112-200 Persons eligible to vote. For the purposes of eligibility to vote, the term "faculty employee" means any full-time teacher, counselor, librarian, or division head, who is currently employed by Community College District No. 9 with the exception of those holding administrative appointments as defined by the board of trustees unless included as specified in WAC 132I-112-220. "Faculty employee" shall also mean any teacher, counselor, librarian, or division head who has been employed by the college for one-third of a normal working load for two of the past four quarters except those employed exclusively for community service courses.

(1990 Ed.)

[Order 006, § 132I-112-200, filed 7/29/74.]

WAC 132I-112-210 Election determined by majority of valid votes cast calculated on a weighted basis--Run-off election. An organization of faculty employees which receives a majority of the valid votes cast, calculated on a weighted basis, in any election held in accordance with the rules of this part shall be recognized as representing the faculty employees of Community College District No. 9 pursuant to chapter 28B.52 RCW. If more than one organization of faculty employees has participated in an election and a majority of the valid votes cast, calculated on a weighted basis, has not been either for representation by one of the organizations or for no representation, a run-off election shall be held. In such a run-off, only those two choices receiving the highest weighted number of valid votes cast in the election shall appear on the ballot.

[Order 006, § 132I-112-210, filed 7/29/74.]

WAC 132I-112-220 Inclusion of those holding administrative appointments except chief executive officer. Any three persons holding an administrative appointment as defined by the board of trustees of Community College District No. 9 desiring to be included in the faculty employee organization shall request in writing to the board of trustees of Community College District No. 9 that a two-stage election process be held to determine if a majority of those holding administrative appointments as defined by the board of trustees of Community College District No. 9, except the chief executive officer, desire to designate the faculty employee organization as their representative for the purpose of the act. Upon the receipt of such a request the board of trustees of Community College District No. 9 will request some independent and neutral person or association to determine whether thirty percent or more, calculated on a weighted basis as specified in WAC 132I-112-060 and 132I-112-210, of those holding administrative appointments have indicated they desire to be represented by the faculty employee organization for such purposes. The independent and neutral person or association shall make such determination upon the basis of records of dues, paying membership, signed authorizations to represent, or other reliable and probative evidence.

If the independent and neutral person or association determines that thirty percent of those holding administrative appointments, as determined by the board of trustees of Community College District No. 9 have indicated that they desire to be represented by the faculty employee organization for such purposes, the board of trustees of Community College District No. 9 will publish notice of the election, and conduct the election as specified in sections WAC 132I-112-040, through 132I-112-210 of these rules.

If the majority of those holding administrative appointments, calculated on a weighted basis as specified in WAC 132I-112-060 and 132I-112-210, desire to be represented by the faculty employee organization, the board of trustees of Community College District No. 9

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will publish notice of the election to determine if a majority of all members of the faculty employee organization favor the inclusion of those holding administrative appointments in their organization. The board of trustees of Community College No. 9 shall conduct the election as specified in sections WAC 132I-112-040 through 132I-112-210 of these rules.

[Order 006, § 132I-112-220, filed 7/29/74.]

WAC 132I-112-230 Time lapse for new election. If no organization of faculty employees is selected as representative in an election held pursuant to these rules, another election shall not be held until the lapse of one year from the date of the certification of the results of the earlier election. If an organization of faculty employees is selected as the recognized employee organization in an election held pursuant to these rules, another election shall not be held until the lapse of one year from the date of the certification of the results of the earlier election.

[Order 006, § 132I-112-230, filed 7/29/74.]

WAC 132I-112-240 Certification of academic employees' representative. The employee organization which receives the majority of all votes cast in any election held pursuant to WAC 132I-112-010 through 132I-112-240 shall be certified as the representative of all academic employees as of the expiration or nonrenewal, whichever is sooner, of any collective bargaining agreement between the district and a certified academic employees' representative. In the absence of any such collective bargaining agreement, certification of the prevailing organization shall be effective concurrently with certification of the election results as provided in WAC 132I-112-170.

[Order 006, § 132I-112-240, filed 7/29/74.]

Chapter 132I-116 WAC

PARKING AND TRAFFIC REGULATIONS

WAC

132I-116-010	Purpose.
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132I-116-210	Pedestrian's right of way.
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132I-116-260	Issuance of traffic citations.
132I-116-270	Fines and penalties.
132I-116-280	Parking fees.
132I-116-290	Liability of college.
132I-116-300	Appeal of fines and penalties.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132I-116-060	Registration of student vehicles. [Order 003, § 132I-116-060, filed 9/27/73.] Repealed by 84-14-020 (Order 020), filed 6/26/84. Statutory Authority: RCW 28B.50.140.
132I-116-080	Valid permit. [Order 015, § 132I-116-080, filed 8/19/76; Order 003, § 132I-116-080, filed 9/27/73.] Repealed by 84-14-020 (Order 020), filed 6/26/84. Statutory Authority: RCW 28B.50.140.
132I-116-120	Right to refuse permit. [Order 003, § 132I-116-120, filed 9/27/73.] Repealed by 84-14-020 (Order 020), filed 6/26/84. Statutory Authority: RCW 28B.50.140.
132I-116-180	Parking in prohibited places. [Order 003, § 132I-116-180, filed 9/27/73.] Repealed by 84-14-020 (Order 020), filed 6/26/84. Statutory Authority: RCW 28B.50.140.
132I-116-220	Two-wheeled motorbikes or bicycles. [Order 003, § 132I-116-220, filed 9/27/73.] Repealed by 84-14-020 (Order 020), filed 6/26/84. Statutory Authority: RCW 28B.50.140.

WAC 132I-116-010 Purpose. Pursuant to RCW 28B.50.140(10), the board of trustees of Highline Community College District 9 is granted authority to make rules and regulations for pedestrian and vehicular traffic over property owned, operated, or maintained by the college district. The purposes of parking and traffic rules and regulations are:

- (1) To protect and control pedestrian and vehicular traffic.
- (2) To assure access at all times for emergency equipment.
- (3) To minimize traffic disturbances during class hours.
- (4) To facilitate the operation of the community college of the district by assuring access for vehicles and to regulate the use of parking spaces.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-010, filed 6/26/84; Order 003, § 132I-116-010, filed 9/27/73.]

WAC 132I-116-020 Definitions. As used in this document, the following words shall mean:

- (1) **College:** Highline Community College, or any additional community college hereafter established with Community College District 9, state of Washington, and collectively, those responsible for its control and operations.
- (2) **College community:** Trustees, students, employees, and guests on college owned or controlled facilities.
- (3) **College facilities:** Includes any or all property controlled or operated by the college.
- (4) **Student:** Includes all persons enrolled at the college, both full time and part time.
- (5) **Campus police chief:** An employee of Highline Community College District 9, state of Washington, who is responsible to the vice president for campus security, safety, parking, and traffic control.

(6) **Vehicle:** An automobile, truck, motor-driven cycle, scooter, or any vehicle powered by an engine. Also included will be bicycles and other nonengine vehicles.

(7) **Visitor:** Any person(s) who comes on to the campus as guest(s) or to visit the campus for meetings and/or other purposes.

(8) **School year:** Unless otherwise designated, the time period commencing with the summer quarter of the community college calendar year and extending through the subsequent fall, winter, and spring quarters.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-020, filed 6/26/84; Order 015, § 132I-116-020, filed 8/19/76; Order 014, § 132I-116-020, filed 1/6/76; Order 003, § 132I-116-020, filed 9/27/73.]

WAC 132I-116-030 Applicable parking and traffic rules and regulations--Areas affected. The following rules and regulations apply upon lands devoted to educational and recreational activities of Highline Community College.

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

(2) The municipal traffic code of the city of Des Moines, state of Washington. This code applies upon all lands located within the city of Des Moines.

(3) The Highline Community College parking and traffic regulations. These shall be applicable to all lands which are or may hereafter be devoted to the educational, recreational, or parking activities of Highline Community College. In case of conflict with the state or municipal motor vehicle laws, those laws shall govern and take precedence over the college rules.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-030, filed 6/26/84; Order 003, § 132I-116-030, filed 9/27/73.]

WAC 132I-116-040 Parking and traffic responsibility. The vice president is responsible for parking and traffic management on campus. In general, the responsibility is delegated to the campus police chief who is to coordinate with the dean of students. Likewise, duly appointed campus security officers and other security employees of Highline Community College shall be delegated the authority to enforce all college parking and traffic regulations.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-040, filed 6/26/84; Order 014, § 132I-116-040, filed 1/6/76; Order 003, § 132I-116-040, filed 9/27/73.]

WAC 132I-116-050 Permits required for vehicles on campus. No person shall park or leave any vehicle, whether attended or unattended, upon the campus of Highline Community College without a permit issued by the campus security office. All persons parking on the campus will be given a reasonable time to secure a temporary or permanent permit from the campus security office.

(1) A valid permit is:

(a) A current Highline Community College vehicle permit displayed in accordance with instructions.

(b) A temporary or guest permit authorized by the campus security office and displayed in accordance with instructions.

(2) Parking permits are not transferable, except as provided in WAC 132I-116-100.

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

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-050, filed 6/26/84; Order 003, § 132I-116-050, filed 9/27/73.]

WAC 132I-116-070 Authorization for issuance of permits. The campus security office is authorized to issue parking permits to students, faculty, and staff members of the college pursuant to the following regulations:

(1) Students may be issued a parking permit upon the registration of his vehicle with the campus security office at the beginning of each academic period.

(2) Faculty and staff members may be issued a parking permit upon the registration of their vehicles at the time they begin their employment at the college.

(3) Full-time faculty and staff personnel may be issued a second car permit for another personally owned vehicle. A condition of issuance is that at no time will more than one vehicle be parked on campus.

(4) Car pool permits may be purchased by faculty, staff, and students. A car pool is defined as being from two to five persons. One transferable permit will be issued by the campus security office for each car pool. This permit is transferable only among the registered members of the car pool. This permit will be displayed in accordance with the instructions provided with the permit. A condition of issuance is that at no time will more than one vehicle owned by members of the pool be parked on campus.

(5) Campus security may issue temporary and special parking permits when such permits are necessary to enhance the business or operation of the college.

(6) Any permit-holder may obtain temporary parking permits at the campus security office without charge for an unregistered vehicle when necessary due to the non-availability of his registered vehicle.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-070, filed 6/26/84; Order 015, § 132I-116-070, filed 8/19/76; Order 014, § 132I-116-070, filed 1/6/76; Order 003, § 132I-116-070, filed 9/27/73.]

WAC 132I-116-090 Display of permit. The parking permit issued by the college shall be permanently affixed on the inside of the rear window on the lower left corner directly behind the driver. If the vehicle is a convertible or a truck camper, or has no permanently fixed rear window, the permit shall be displayed on the front windshield. Permits not displayed in accordance with the provisions of this section shall not be valid and vehicles displaying the improperly placed permit shall be subject to citation. Permits shall be displayed on the front fender of a motorcycle.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-090, filed 6/26/84; Order 003, § 132I-116-090, filed 9/27/73.]

WAC 132I-116-100 Transfer of permits. Parking permits are not transferable. If a vehicle is sold or traded, a new permit will be issued to the permit holder at no additional cost if the permit holder does the following:

- (1) Records invalid permit number;
- (2) Removes invalid permit;
- (3) Brings invalid permit or remnant thereof and permit number to the campus security office. This office shall then issue the permit holder a new parking permit. Subject vehicle will then be registered under the new number.

(4) Permits may be reissued as authorized by the campus police chief.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-100, filed 6/26/84; Order 014, § 132I-116-100, filed 1/6/76; Order 003, § 132I-116-100, filed 9/27/73.]

WAC 132I-116-110 Permit revocation. Parking 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; or
- (2) When a permit is used for an unregistered vehicle or by an unauthorized individual; or
- (3) Falsification of a parking permit application; or
- (4) Continued violation of parking rules and regulations; or
- (5) Counterfeiting or altering of a parking permit; or
- (6) Failure to comply with a final decision of the citation review committee or institutional hearing officer.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-110, filed 6/26/84; Order 003, § 132I-116-110, filed 9/27/73.]

WAC 132I-116-130 Responsibility of person to whom permit issued. The person to whom a permit is issued is responsible for all violations of the parking and traffic rules and regulations involving the vehicle for which the permit was issued and to which it was affixed: *Provided, however,* That such responsibility shall not relieve other persons who violate these rules and regulations. In the event that a vehicle in violation is not registered with the college, the current registered owner will be responsible for the violation(s) of the campus regulations.

[Order 003, § 132I-116-130, filed 9/27/73.]

WAC 132I-116-140 Designation of parking spaces. The parking spaces available on campus shall be designated and allocated in such a manner as will best achieve the objective of the rules and regulations contained in this document.

- (1) Faculty and staff spaces shall be designated.
- (2) Student spaces shall be designated for their use; provided physically handicapped students may be granted special permits to park in proximity to the classrooms used by such students.
- (3) Parking spaces shall be designated for use of visitors on campus.

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(4) Parking spaces shall be designated for motorcycles, motorized bicycles, and scooters.

(5) Parking spaces may be designated for other purposes as deemed necessary.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-140, filed 6/26/84; Order 003, § 132I-116-140, filed 9/27/73.]

WAC 132I-116-150 Parking within designated spaces. (1) Any person parking a vehicle on Highline Community College property shall park his vehicle in designated parking areas only. These areas are marked by a curb, white lines, or signs. Parking on or over a line constitutes a violation.

(2) No vehicle may be parked any place where official signs prohibit parking, or within ten feet of a fire hydrant; on any area which has been landscaped or designed for landscaping; or any cement walkway or unpaved pathway designated for pedestrian use, except for the purposes of maintenance by an appropriate Highline Community College employee or by an agent from an outside firm employed by Highline Community College, or in the case of emergency vehicles.

(3) No motorcycles, motorized bicycles, scooters, or bicycles shall be parked inside a building, near a building, or on a path or sidewalk. Bicycles must be secured to racks as provided.

(4) Vehicles which have been parked in excess of 72 hours and which appear to be inoperative or abandoned may be impounded and stored at the expense of either or both owner and operator thereof.

(5) Personnel who require parking longer than normal parking hours may apply through the security office for permission.

(6) All vehicles shall follow traffic arrows and other markings established for the purposes of directing traffic on campus.

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

(8) Designated parking areas on campus for student use will be open from 6:30 a.m. to 10:45 p.m., Monday through Friday. In addition, the Midway Drive-in Theater parking lot (when designated), is available for student parking between 7:30 a.m. and 5:00 p.m., Monday through Friday.

(9) No vehicle shall be parked on the campus except in those areas set aside and designated pursuant to WAC 132I-116-140.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-150, filed 6/26/84; Order 003, § 132I-116-150, filed 9/27/73.]

WAC 132I-116-160 Day parking. The rules and regulations pertaining to the use of certain parking permits in specified areas as contained in WAC 132I-116-

140 shall be in force during the hours of 7:00 a.m. to 4:00 p.m.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-160, filed 6/26/84; Order 003, § 132I-116-160, filed 9/27/73.]

WAC 132I-116-170 Night parking. Students, faculty, and staff may park in any area A or B spaces on a first-come first-serve basis between the hours of 4:00 p.m. and 10:45 p.m.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-170, filed 6/26/84; Order 003, § 132I-116-170, filed 9/27/73.]

WAC 132I-116-190 Regulatory signs and directions. The campus police chief is authorized to erect signs, barricades, and other structures and to paint marks or other directions upon the entry ways and streets on campus and upon the various parking lots owned or operated by the college. Such signs, barricades, structures, markings, and directions shall be so made and placed as to best effectuate the objectives of these rules and regulations, in the opinion of the vice president or his designee. Drivers of vehicles shall observe and obey the signs, barricades, structures, markings, and directions erected pursuant to this section. Drivers shall also comply with the directions given them by the campus security officer or other campus security personnel in the control and regulation of traffic.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-190, filed 6/26/84; Order 014, § 132I-116-190, filed 1/6/76; Order 003, § 132I-116-190, filed 9/27/73.]

WAC 132I-116-200 Speed limit. No vehicle shall be operated on the campus at a speed in excess of ten miles per hour or as posted. No vehicle of any type shall at any time use the campus parking lots for testing, racing, or other unauthorized activities.

[Order 003, § 132I-116-200, filed 9/27/73.]

WAC 132I-116-210 Pedestrian's right of way. (1) The operator of a vehicle shall yield right of way, slowing down or stopping, if need be, to so yield to any pedestrian, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible or unsafe for the driver to yield.

(2) Whenever any vehicle slows or stops so as to yield to pedestrian traffic, the operator of any other vehicle approaching from the rear shall not overtake and pass such a vehicle which has slowed or stopped to yield to pedestrian traffic.

(3) Where a sidewalk is provided, pedestrian shall proceed upon such a sidewalk.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-210, filed 6/26/84; Order 003, § 132I-116-210, filed 9/27/73.]

WAC 132I-116-222 Impounding of vehicles. Any vehicle parked upon lands devoted to the educational, recreational, or parking activities of Highline Community College in violation of these regulations, including

the motor vehicle and other traffic laws of the state of Washington and the traffic code of the city of Des Moines as incorporated in WAC 132I-116-030, may be impounded and taken to such place for storage as the campus police chief selects. The expense of such impounding and storage shall be charged to the owner or operator of the vehicle and paid by him prior to its release. The college and its employees shall not be liable for loss or damage of any kind resulting from such immobilization, impounding, and/or storage.

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

- (1) Blocking roadway which blocks the flow of traffic;
- (2) Blocking walkway which impedes the flow of pedestrian traffic;
- (3) Blocking a fire hydrant or fire-land;
- (4) Creating a safety hazard in the opinion of the campus police chief or his designee;
- (5) Blocking another legally parked car;
- (6) Parking in a marked "tow-away" zone;
- (7) Having an accumulation of four outstanding parking/traffic violations.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-222, filed 6/26/84.]

WAC 132I-116-230 Report of accident. The operator of any vehicle involved in an accident on campus resulting in injury to or death of any person or total or claimed damage to either or both vehicles of any amount, shall within 24 hours report such accident to the campus police chief. This does not relieve any person so involved in an accident from his responsibility to file a state of Washington motor vehicle accident report within 24 hours after such accident.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-230, filed 6/26/84; Order 014, § 132I-116-230, filed 1/6/76; Order 003, § 132I-116-230, filed 9/27/73.]

WAC 132I-116-240 Specific traffic and parking regulations and restrictions authorized. Upon special occasions or during emergencies, the campus police chief is authorized to impose additional traffic and parking regulations and restrictions consistent with the objectives specified in WAC 132I-116-010.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-240, filed 6/26/84; Order 014, § 132I-116-240, filed 1/6/76; Order 003, § 132I-116-240, filed 9/27/73.]

WAC 132I-116-250 Enforcement. Parking rules and regulations will be enforced throughout the calendar year. Parking and traffic rules and regulations are enforced on a 24 hour daily basis.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-250, filed 6/26/84; Order 014, § 132I-116-250, filed 1/6/76; Order 003, § 132I-116-250, filed 9/27/73.]

WAC 132I-116-260 Issuance of traffic citations. Upon the violation(s) of any of the rules and regulations contained in this document the campus police chief or subordinates are authorized to issue traffic citations, setting forth the date, the approximate time, permit

number, license number, name of permit holder, infraction, officer, and schedule of fines. Such traffic citations may be served by attaching or affixing a copy thereof in some prominent place outside such vehicle or by personally serving the operator. Violation(s) of the college parking and traffic rules and regulations refers to:

(1) No parking permit displayed. Highline Community College parking decal is necessary when parking in any area on campus. The permit must be prominently displayed.

(2) Failure to stop at stop-sign/signals. The failure to bring a vehicle to a complete stop at properly erected and identified stop signs/signals.

(3) Failure to yield right of way. The fact of depriving another vehicle or pedestrian of the right of way at an intersection or crosswalk.

(4) Improper parking. Parking a vehicle in areas that are intended for purposes more than parking, i.e., fire-lanes, driveways, sidewalks, lawns, or taking more than one parking stall.

(5) Parking in the wrong area. Parking in faculty/staff areas, disabled persons area, or visitor area and/or any other area differing from the locations indicated on the issued permit.

(6) Negligent/reckless driving. The operation of a vehicle in such a manner as to place person(s) or property in danger of injury or grievous harm.

(7) Speeding. The operation of a vehicle in such a manner as to exceed the posted speed limits.

(8) Wrong way on one-way-roads. Upon a roadway so designated for one-way traffic, a vehicle shall be driven only in the direction designated at all or such times as shall be indicated by official traffic control devices.

(9) Permits not displayed pursuant to the provisions of this chapter shall not be valid.

(10) Other violations. Clearly indicated and an actual violation of the law or traffic ordinances. The violation must be recorded in the space provided on HCC parking/traffic citation.

[Statutory Authority: RCW 28B.50.140, 84-14-020 (Order 020), § 132I-116-260, filed 6/26/84; Order 014, § 132I-116-260, filed 1/6/76; Order 003, § 132I-116-260, filed 9/27/73.]

WAC 132I-116-270 Fines and penalties. (1) Fines may be levied for all violations of the rules and regulations contained in WAC 132I-116-260.

In addition to a fine imposed under these regulations, illegally parked vehicle(s) may be taken to a place for storage as the campus police chief selects. The expenses of such impoundings and storage shall be the responsibility of the registered owner or driver of the vehicle. The college shall not be liable for loss or damage of any kind resulting from such impounding and storage.

(2) Parking and traffic fines and penalties schedule shall be adopted by the board of trustees. This schedule shall be published and made available for public review in the campus security office.

(3) An accumulation of traffic violations by a student shall be cause for disciplinary action, and the dean of

students may initiate disciplinary proceedings against such students.

(4) An accumulation of traffic violations by faculty or staff members shall be turned over to the controller for the collection of fines not received by the vice president, or his designee.

(5) Parking and traffic violations will be processed by the college. Parking and traffic fines are to be paid to the campus security office.

(6) The schedule of fines shall be reviewed by a parking advisory committee appointed by the student affairs council as requested by the dean of students or the vice president.

(7) Parking and traffic fines shall be charged for offenses as indicated in a separate document.

(8) In the event a student fails or refuses to pay a fine, the following may result:

(a) Student may not be eligible to register;

(b) Student may not be able to obtain a transcript or his grades or credits;

(c) Student may not receive a degree until all fines are paid;

(d) Student may be denied future parking privileges;

(e) Vehicle may be impounded.

[Statutory Authority: RCW 28B.50.140, 84-14-020 (Order 020), § 132I-116-270, filed 6/26/84; Order 014, § 132I-116-270, filed 1/6/76; Order 003, § 132I-116-270, filed 9/27/73.]

WAC 132I-116-280 Parking fees. Parking fees shall be adopted by the board of trustees, specifying the charge per year and quarter. The fee schedule shall be published and made available for public review in the campus security office.

[Statutory Authority: RCW 28B.50.140, 84-14-020 (Order 020), § 132I-116-280, filed 6/26/84; Order 015, § 132I-116-280, filed 8/19/76; Order 003, § 132I-116-280, filed 9/27/73.]

WAC 132I-116-290 Liability of college. The college assumes no liability under any circumstances for vehicles on campus.

[Order 003, § 132I-116-290, filed 9/27/73.]

WAC 132I-116-300 Appeal of fines and penalties. Any fines and penalties levied against a violator of the rules and regulations set forth herein, may be appealed. The appeal must be made in writing, within five college days from the date of the citation, to the campus police chief, who will:

(1) Review the appeal to determine whether a satisfactory solution, to all parties, can be reached without further administrative action.

(2) If the appellant is not satisfied with the decision of the campus police chief, an appeal may be made, in writing, to the college's vice president within seven working days of the appellant's receipt of the decision. Within twenty working days from the receipt of any such appeal, the college's vice president shall render a written decision.

(3) If the appellant is not satisfied with the decision of the college's vice president, an appeal may be made to

the college's president within seven days of the receipt of the vice president's decision.

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

(5) In the event that the appeal involves an impounded vehicle, the owner of such vehicle shall have the right to a hearing within 48 hours of a request for such. The owner of the vehicle shall also be entitled to a release of his vehicle upon payment of a bond in the amount of the sum of the impoundment costs and the total of all fines due and owing. If at the hearing it is shown that the vehicle was improperly impounded, the owner of the vehicle shall be entitled to a refund of the costs of impoundment.

(6) In all appeals under this section, the appellant carries the burden of proof, which shall be a preponderance of the evidence.

[Statutory Authority: RCW 28B.50.140. 84-14-020 (Order 020), § 132I-116-300, filed 6/26/84; Order 014, § 132I-116-300, filed 1/6/76; Order 003, § 132I-116-300, filed 9/27/73.]

Chapter 132I-120 WAC

STUDENT RIGHTS AND RESPONSIBILITIES

(Formerly chapter 132I-14 WAC)

WAC

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WAC 132I-120-010 Purpose. Community College District 9 serves its community and the general public by providing continuing educational opportunities for all persons who are eligible to attend. To fulfill this purpose, the college provides students with broad, comprehensive programs of general education, including university-parallel transfer courses, developmental-remedial programs, and vocational-technical curricula. The college also provides cultural, recreational, and community service activities. The college provides

health, guidance, and counseling services which every student is encouraged to make use of on a voluntary basis. The confidentiality of counseling, health, and adviser services will be strictly maintained except as called for by legal requirement.

As members of the college community, students are encouraged through free inquiry and free expression, to develop their capacity for critical judgment and to engage in sustained and independent search for knowledge. It is the responsibility of the student to observe and help maintain appropriate conditions in the classroom, on campus, and in the larger community.

Highline Community College may take appropriate disciplinary action when student conduct unreasonably interferes with the college's educational responsibilities, its subsidiary responsibilities, or to protect the health and safety of persons on or in college facilities, to maintain and protect college property or private property on college facilities, to protect college records, to provide college services, and/or to sponsor non-classroom activities such as lectures, concerts, athletic events, and social functions.

The purpose of these rules is to prescribe standards of conduct for students of Community College District No. 9, the violations which may constitute sufficient cause for disciplinary action as described in and in accordance with the procedures established in WAC 132I-120-010 through 132I-120-520.

A student's registration constitutes acceptance of the responsibility to comply with the general policies and regulations established by the college.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-010, filed 3/23/88.]

WAC 132I-120-020 General policies. (1) Highline Community College is an agency of the state of Washington and adheres to all local, state, and federal laws. The college is obligated to demonstrate respect for laws by cooperating in their enforcement.

(2) Highline Community College cannot and will not establish regulations which would abridge constitutional rights.

(3) Proper procedures are established to maintain conditions conducive to the effective performance of the function of the college, to protect individual students from unfair imposition of penalties, and to assure due process. Highline Community College is granted the right by law to adopt such rules as are deemed necessary to govern its operations.

(4) If these rules are broken, the college has the right and the obligation to take that action which is in the best interest of the entire college and which is commensurate with the constitutional rights of the individual.

(5) If a student is charged with an off-campus violation of the law, the matter shall be of no disciplinary concern to the college unless the student is incarcerated and unable to comply with academic requirements. If the violation of law occurs on campus and is also a violation of a published college regulation, the college may institute its own proceedings against the offender or may refer the violation to the appropriate civilian authorities

for disposition. The college shall not proceed with a disciplinary action that in fact or appearance duplicates punishment for the same offense unless the interests of the college are implicated in some separate way by violation of law.

(6) The Highline College Student Union will have the right to participate in the formulation and reviewing of all policies and rules pertaining to student conduct and in the enforcement of all such rules as provided by these rules.

(7) Rules of conduct and procedures of enforcement shall be printed and made available to all students.

(8) All rules herein adopted concerning student conduct shall apply to every student attending the college in any college facility.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-020, filed 3/23/88.]

WAC 132I-120-030 Definitions. (1) As used in these rules, the following words and phrases shall mean:

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

(b) "College" means Highline Community College, or any additional community college hereafter established with Community College District 9, state of Washington, and collectively, those responsible for its control and operation.

(c) "College community" means trustees, students, employees, and guests on college owned or controlled facilities.

(d) "College facilities" means and includes any or all property controlled and/or operated by the college.

(e) "Day" means a calendar day except the effective day of any provision of these rules shall be the day following a Saturday, Sunday or holiday.

(f) "HCSU" refers to Highline College Student Union, the official student government association.

(g) "President" means the chief executive officer of the college appointed by the board of trustees, and for the purposes of these rules includes "acting president" or the delegated authority in the absence of the president.

(h) "Board of trustees" means the board members appointed by the governor of the state of Washington who have final authority for the governance of Highline Community College.

(i) "Student" means and includes all persons enrolled at the college, both full time and part time.

(j) "Student group" means a number of students who have not complied with the formal requirements of becoming officially recognized as student organization.

(k) "Student organization" means a number of students who have complied with the formal requirements of college recognition as provided by the HCSU.

(2) All other terms have their natural meaning unless the context dictates otherwise.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-030, filed 3/23/88.]

WAC 132I-120-100 Student responsibilities. (1) Students who choose to attend Highline Community College also choose to participate actively in the adult learning process offered by the college. As a process, learning is not a product or commodity which is bought and sold, but rather, is a relationship between teachers who are willing and competent to teach and learners who are willing and competent to learn. Therefore, the responsibility for learning is shared equally between students and staff.

(2) The college is responsible for providing its students and educational environment rich in the high quality resources needed by students to attain their individual educational goals. In return, students are responsible for making themselves aware of the full breadth of the resources available, for the timely choosing and appropriate use of those resources, and for the specific behavioral tasks necessary for attaining desired learning outcomes. Examples of specific student responsibilities are:

(a) To become knowledgeable of and adhere to the college's policies, practices, and procedures;

(b) To participate actively in the learning process, both in and out of the classroom;

(c) To seek timely assistance in meeting educational goals;

(d) To attend all class sessions;

(e) To adequately prepare to participate fully in class activities;

(f) To participate actively in the advising system,

(g) To develop skills required for learning, e.g., basic skills, time management, motivation, study skills, and openness to the educational process;

(h) To assume final authority for the selection of appropriate educational goals;

(i) To select courses appropriate for meeting chosen educational goals;

(j) To evaluate the quality and quantity of resources available to students; and

(k) To contribute towards improving the college.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-100, filed 3/23/88.]

WAC 132I-120-300 Right of academic freedom. (1) Freedom of discussion and expression of views must be encouraged and protected. Instructors have the responsibility to maintain order and to keep classroom discussion relevant to the course, but their authority must not be used to suppress the expression of views contrary to their own.

(2) Academic evaluation of student performance shall not be prejudicial or capricious. Students have a right to be informed in writing of grading policy and course content at the beginning of each course.

(3) Information about student views, beliefs, and political associations acquired by professors in the course of their work as instructors, advisors, and counselors is confidential and is not to be disclosed to others unless under legal compulsion or with permission of the student.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-300, filed 3/23/88.]

WAC 132I-120-305 Right of equal protection. (1) It is the policy of Highline Community College to provide equal opportunity for all applicants and students to obtain college services and admission to classes and programs without regard to race, creed, color, age, sex, national origin, religious preference, sexual orientation, disability status, Vietnam Era and/or disabled veteran status.

(2) It is the policy of Highline Community College that no student shall be subject to sexual harassment by an employee of the college or by another student. Sexual harassment takes place when an individual subjects another person to unwanted sexual attention (either verbal or physical), coerces her/him into sexual relations and/or punishes her/him for refusal. Sexual harassment may occur when a person is in a position of authority, or is able to control or affect another person's academic career, grade, job, or emotional well being.

(3) It is the policy of Highline Community College to grant equal opportunity to handicapped students in accordance with section 504 of the Rehabilitation Act of 1973.

(4) If a student believes his or her rights have been violated, whether such rights have been expressly stated in these rules or not, the student should attempt to solve the problem at the lowest practical level with the instructor or, if the student determines the problem may be handled more appropriately at a higher level of involvement, the complaint may be initiated at the next higher step.

Step 1 – instructor

Step 2 – department or program coordinator

Step 3 – division chairperson

Step 4 – associate dean of instruction

Step 5 – dean of instruction

Step 6 – faculty professional rights and responsibilities committee

Step 7 – college president

(5) Students may seek the assistance of any faculty member, for example, any instructor, faculty adviser, counselor, librarian, health services coordinator, or student programs coordinator, in receiving information, support, and/or advocacy in using the appeals process.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-305, filed 3/23/88.]

WAC 132I-120-310 Right of access to college facilities. (1) Students have the right of access to college facilities subject to ordinary schedules and regulations governing each particular facility. When using these facilities, the student has the responsibility to respect these regulations and to comply with the spirit and content of these rules to facilitate the educational purposes of the college.

(2) The president of the college, personally or acting through the dean of students or another person designated by the president, shall have power and authority to invoke the actions described in this section whenever an

event, in the sole opinion of the president or designee, appears to be disruptive, to impede the movement of persons or vehicles, or to disrupt or threatens to disrupt the ingress or egress of persons from college facilities. The president may:

(a) Prohibit the entry of a person or persons or withdraw the license or privilege of a person or persons or any group of persons to enter onto or remain upon any portion of a college facility; or

(b) Give notice against trespass in accordance with the Washington state statutes to any person, persons or group of persons against whom the license or privilege has been withdrawn or who have been prohibited from entering onto or remaining upon all or any portion of a college facility; or

(c) Order any person, persons or group of persons to leave or vacate all or any portion of a college facility.

(3) Any student who shall disobey a lawful order given by the president or his/her designee pursuant to the requirements of WAC 132I-120-310 (1) and (2) shall be subject to disciplinary action.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-310, filed 3/23/88.]

WAC 132I-120-315 Right of assembly. (1) Students have the right to conduct or may participate in any assembly as defined in WAC 132I-120-030(1) on facilities that are generally available to the public provided that such assemblies:

(a) Are conducted in an orderly manner;

(b) Do not unreasonably interfere with classes, scheduled meetings or ceremonies, or regular functions of the college;

(c) Do not unreasonably interfere with pedestrian or vehicular traffic; or

(d) Do not cause destruction or damage to college property, including library materials, or private property on college facilities.

(2) Any student group or student organization which wishes to schedule an assembly must reserve the college facilities in the office of the coordinator of student activities.

(3) Assemblies which violate these rules may be ordered to disperse by the college in accordance with Washington state statutes.

(4) A non-student who violates any provision of the rule will be referred to civilian authorities for criminal prosecution.

[Statutory Authority: RCW 28B.50.140. 89-08-016 (Order 023), § 132I-120-315, filed 3/27/89; 88-07-120 (Order 022), § 132I-120-315, filed 3/23/88.]

WAC 132I-120-320 Right to invite outside speakers. It is the policy of Highline Community College to maintain an atmosphere in which a spirit of free inquiry and expression may exist. In accordance with this basic principle, the college makes this specific statement of policy with respect to the appearance of campus speakers:

(1) Any speaker invited by any student organization or student group may speak on the campus, subject to

the procedures outlined in WAC 132I-120-320 (3), (4), (5).

(2) The appearance of speakers on campus does not involve an endorsement either implicit or explicit, of their views by this college, its students, its faculty, its administrators, or its board of trustees.

(3) The college may specify reasonable regulations with regard to time, place, and manner of a proposed speaker's appearance.

(a) Any student group or organization must notify the student government office, the coordinator of student activities, and the dean of students through the proper form (available in the coordinator of student activities office) at least three days prior to the event. It is recognized that contingencies may necessitate waiver of the three-day limit. When sponsorship is by a student organization, notification must be through an authorized member of the organization with the approval of that organization and with the knowledge of the organization's adviser.

(b) A student group may invite an outside speaker by: (i) seeking the sponsorship of a student organization or, (ii) by requesting the student government to sponsor the speaker.

(4) Appearances shall be coordinated with the master activities calendar maintained in the office of the dean of students and reservations for room facilities made through the coordinator of student activities office. Placement on the master activities calendar establishes a priority for the event over other requests for that date and time.

(5) In order to insure open-minded, objective evaluation of divergent points of view, the dean of students shall require a special planning session with the coordinator of student activities and the student government when any of the four may deem it advisable. The planning session will include sponsoring group members and the adviser who is responsible for conducting the meeting.

(6) Groups renting college facilities are subject to the regulations governing rentals adopted by the board of trustees in place of the procedures contained in WAC 132I-120-320.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-320, filed 3/23/88.]

WAC 132I-120-325 Right of publication. (1) Publications by students which operate on the same basis as other private enterprises are subject only to the same control as those, respecting reasonableness of time, place and manner of distribution, as defined in WAC 132I-120-335. Editors, managers, and other writers shall not be subject to discipline because of student, faculty, administration, or community disapproval of editorial policy or content. This editorial freedom entails a corollary obligation under the canons of responsible journalism and applicable regulations of state and/or federal law regarding libel and obscenity.

(2) The Thunderword and other college-subsidized publications are subject to review by an adviser or instructor as a reasonable precaution against the publication of matter which would constitute illegal publication. Censorship of any publication may not take place unless substantial danger of liability or illegality can be demonstrated.

(3) All student communications shall explicitly state that the opinions expressed are not necessarily those of the college or its student body.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-325, filed 3/23/88.]

WAC 132I-120-330 Right of ownership of works. It shall be the policy of Highline Community College that employees of the college shall not use students' published and unpublished works for personal gain without written consent of the student.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-330, filed 3/23/88.]

WAC 132I-120-335 Right of sale and distribution of material and right to conduct fund raising activities.

(1) Students have the right to engage in incidental sales of personal property in a private transaction provided college facilities are not explicitly used for this purpose.

(2) The use of college grounds or facilities for commercial or private gain purposes is prohibited except where commercial activity such as sale of books, instructional supplies, or food contribute to the operation of the instructional program or where limited sale is specifically authorized by the dean of students for the benefit of an approved activity.

(3) All fund raising activities must be approved by the dean of students.

(4) All merchandise, periodicals, magazines and books offered for commercial sale may be sold only through the college bookstore or college food services except when approved pursuant to WAC 132I-120-335.

(5) All free publications not in violation of state and/or federal laws such as books, magazines, newspapers, handbills, leaflets, or similar materials may be distributed on campus. Any person desiring to distribute such publications shall first register with the dean of students so that reasonable areas and times can be assured and the activities of the institution will not be unduly interfered with. All handbills, leaflets, newspapers, and similarly related matter must bear identification as to the publishing agency and distributing organization or individual.

(6) Any person desiring to collect signatures for petitions must first register with the dean of students. Exceptions are students who are collecting signatures on a petition as a class-related activity or concerning college policies and procedures.

(7) All posters and notices to be posted on exterior bulletin boards must first be registered with the student activities office. Posting on interior bulletin boards must have the approval of the building manager.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-335, filed 3/23/88.]

WAC 132I-120-340 Right to be interviewed. (1) Every student has the right to be interviewed on campus by any legal organization desiring to recruit at the college.

(2) Any student, student group, or student organization may assemble in protest against any such organization provided that such protest does not interfere with any other student's right to have such an interview, and provided that such protest is in accordance with WAC 132I-120-315.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-340, filed 3/23/88.]

WAC 132I-120-345 Right to privacy of records. The privacy and confidentiality of all student records shall be preserved consistent with the rules adopted by the college to implement the Family Educational Records Privacy Act of 1972.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-345, filed 3/23/88.]

WAC 132I-120-400 Authority and responsibility for discipline. (1) The board of trustees acting in accordance with Washington state statutes does by written order delegate to the president of the college authority to administer disciplinary action. All disciplinary action in which there is a recommendation that a student be suspended or expelled from the college shall be acted upon by the president as defined in WAC 132I-120-030 (1)(g).

(2) Administration of the disciplinary procedure is the responsibility of the dean of students.

(3) The instructor is responsible for conduct in the classroom and is authorized to take such steps as are necessary when behavior of the student interrupts the normal classroom procedure. When such behavior may be so serious as to result in expulsion from the class, the instructor must report the infraction in writing to the dean of students at the earliest opportunity.

(4) The student has the right to appeal any disciplinary action of an instructor to the dean of students.

(5) Students bringing children on campus are governed by existing state laws concerning their responsibility for the children.

[Statutory Authority: RCW 28B.50.140. 89-08-016 (Order 023), § 132I-120-400, filed 3/27/89; 88-07-120 (Order 022), § 132I-120-400, filed 3/23/88.]

WAC 132I-120-405 Violations. (1) No college disciplinary action shall be imposed on a student except in accordance with these rules.

(2) Student performance reflecting honest and reliable behaviors is necessary in order to make an accurate appraisal of the student's competencies. Any test-taking behavior observed which may be interpreted by the test proctor as a violation of test confidentiality will result in the test being removed from the student; the consequences of such behavior will be determined on an individual basis by the instructor/faculty and can result in

dismissal from the course with a failing grade. Some examples of unacceptable behavior during an exam include but are not limited to:

(a) Talking, whispering or otherwise interacting with another student;

(b) Using notes or books unless authorized by instructor;

(c) Looking at another student's test or test answers.

(3) Written assignments and/or electronic media assignments need to reflect original and appropriately referenced content. Electronic media includes, but is not limited to, computers, word processors and audio-visual equipment. Any falsification of the student's work is viewed seriously by the college. The consequences of such behavior will be determined on an individual basis by the instructor/faculty and can result in dismissal from the course with a failing grade.

(4) Disciplinary action may result from the commission or from the aiding or abetting of violations on college facilities or of the commission or omission in violation of civil or criminal law on college facilities such as:

(a) All forms of dishonesty including, but not limited to, knowingly furnishing false information to the college, and forging, altering or using college documents or instruments of identification with intent to defraud.

(b) Verbal or physical abuse of any person or conduct which unlawfully threatens movement or bodily harm or endangers the health or safety of any person.

(c) Destruction, damage, or misuse of college property or private property including library materials.

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

(e) Unauthorized use or access to college computers and other electronic media.

(f) Conduct which unreasonably disrupts the educational process of the college as defined in Washington state statutes.

(g) Lewd or indecent conduct as defined by Washington state statute.

(h) Disorderly conduct.

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

(j) Interference by force or violence, or by threat of force or violence, with any administrator, faculty member, or student of the college who is in the peaceful discharge or conduct of his or her duties or studies.

(k) Possession, consumption, or furnishing of alcoholic beverages.

(l) Possession, consumption, or furnishing of any narcotic drug or dangerous drug as defined by law except when use or possession is prescribed by an authorized medical doctor or dentist.

(m) Disobedience to the notice against trespass as defined in accordance with Washington state statute.

(n) Failure to comply with the following regulations governing firearms and weapons:

(i) It shall be the policy of the college that carrying, exhibiting, displaying, or drawing any weapon, such as a dagger, sword, knife, or any other cutting or stabbing

instrument or club or any other weapons apparently capable of producing bodily harm and/or property damage is prohibited on or in college facilities.

(ii) Explosives, incendiary devices, or any weapon facsimile are prohibited on or in college facilities.

(iii) It shall be the policy of the college that carrying of firearms on college facilities is prohibited except and unless the firearm is registered with the campus security for a specific period of time that the firearm is carried on campus.

(iv) The above regulations shall not apply to equipment or material owned, used, or maintained, by the college; nor will they apply to law enforcement officers.

(o) Violation of published college regulations including those related to entry and use of college facilities, the rules in these rules, and any other regulations which may be enacted with these rules.

(5) All rules hereinafter approved by the board pursuant to preceding Washington state statutes shall be in writing and shall be published, or posted in such a manner as to furnish adequate notice of their contents to students affected by such rules.

[Statutory Authority: RCW 28B.50.140. 89-08-016 (Order 023), § 132I-120-405, filed 3/27/89; 88-07-120 (Order 022), § 132I-120-405, filed 3/23/88.]

WAC 132I-120-410 Definition of disciplinary action. The following disciplinary action may be imposed upon students according to the procedure outlined in WAC 132I-120-420.

(1) Admonition: An oral statement to a student that there is a violation and that continued violation may be cause for further disciplinary action.

(2) Warning: Notice in writing that continuation or repetition of conduct deemed wrongful, within a period of time stated in the warning, may be cause for more severe disciplinary action.

(3) Disciplinary probation: Formal action placing specific conditions upon the student's continued attendance and warning the student that further misconduct may subject him/her to dismissal.

(4) Restitution: Reimbursement for damage to or misappropriation of property. This may take the form of appropriate service or other compensation.

(5) Administrative withdrawal: Exclusion from classes and other privileges or activities in accordance with WAC 132I-120-430.

(6) Interim emergency withdrawal: Exclusion from classes and other privileges or activities in accordance with WAC 132I-120-425.

(7) Suspension: Exclusion from classes and other privileges or activities as set forth in the notice for a definite period of time.

(8) Dismissal: Termination of student status for an indefinite period of time. Conditions of reinstatement, if any, shall be stated in the order of dismissal.

[Statutory Authority: RCW 28B.50.140. 89-08-016 (Order 023), § 132I-120-410, filed 3/27/89; 88-07-120 (Order 022), § 132I-120-410, filed 3/23/88.]

WAC 132I-120-415 Authority to request identification. In situations of apparent misconduct or apparent unauthorized presence in a college facility, it may be necessary for properly identified college personnel to ask a person to produce evidence of being a currently enrolled student at the college. Failure to comply with a legitimate request for identification from a properly identified college personnel may result in a disciplinary action if the person is found to be a student. In emergency situations, cases of serious misconduct or where there is a substantial danger to the college community or college property, failure to produce identification as a student may result in the assumption by college personnel that the person questioned is not a student and may result in direct civil or criminal action.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-415, filed 3/23/88.]

WAC 132I-120-420 Disciplinary procedure. (1) Disciplinary proceedings will be initiated by the dean of students or a designate.

(2) After considering the evidence and interviewing the student, the dean may take any of the following actions:

(a) Terminate the proceedings, exonerating the student or students.

(b) Dismiss the case after advisement.

(c) Impose minor sanctions which as admonition, warning, disciplinary probation or restitutions subject to the student's right of appeal. The student will be notified in writing of the charges if a warning, disciplinary probation or restitution is to be imposed.

(d) Refer the matter to the college discipline committee for a recommendation to the president of the college. The student shall be notified in writing that the matter has been referred to the committee.

(e) Recommend to the president that a student be subject to an interim emergency withdrawal in accordance with WAC 132I-120-425.

(f) Recommend to the president that the student be suspended for a specified time or dismissed subject to the student's right to appeal to the college discipline committee, subject to WAC 132I-120-020(4). The student shall be notified in writing that the matter has been referred to the president.

(3) In all cases the student shall be advised of rights by reference to these rules.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-420, filed 3/23/88.]

WAC 132I-120-425 Emergency withdrawal. (1) An interim emergency withdrawal may be implemented immediately by the president, upon recommendation of the dean of students, if the dean of students determines that a student's behavior poses an imminent danger of:

(a) Causing serious physical harm to the student or others; or,

(b) Causing significant property damage, or directly and substantially impeding the lawful activities of others.

(2) A student subject to an interim emergency withdrawal shall be given written notice of the suspension either by personal delivery or by certified mail, to include a copy of these standards and procedures. An interim emergency withdrawal shall specify the length of term of the withdrawal and/or the conditions for reinstatement. The student shall have the right of appeal to the discipline committee in accordance with WAC 132I-120-435 or in the case of a mental disorder or suspected mental disorder may initiate administrative withdrawal procedures in accordance with WAC 132I-120-430.

(3) Any student subject to an interim emergency withdrawal shall be given an opportunity to appeal personally before the dean of students, or designee, within two days from the effective date of the interim emergency withdrawal, in order to review the following issues only:

(a) The reliability of the information concerning the student's behavior;

(b) Whether or not the student's behavior poses a danger of causing imminent, serious physical harm to the student or others, causing significant property damage, or directly and substantially impeding the lawful activities of others.

(4) As a result of the meeting between the dean of students and the student, the dean of students may:

(a) Recommend to the president either continuation or termination of the interim emergency withdrawal;

(b) Initiate disciplinary procedures in accordance with WAC 132I-120-420 or;

(c) Initiate administrative withdrawal procedures in accordance with WAC 132I-120-430.

[Statutory Authority: RCW 28B.50.140. 89-08-016 (Order 023), § 132I-120-425, filed 3/27/89; 88-07-120 (Order 022), § 132I-120-425, filed 3/23/88.]

WAC 132I-120-430 Administrative withdrawal. (1) A student may be subject to administrative withdrawal from Highline Community College if it is determined that the student is suffering from a mental disorder, and, as a result of the mental disorder:

(a) Engages, or threatens to engage, in behavior which poses a danger of causing physical harm to self or others; or

(b) Engages, or threatens to engage, in behavior which would cause significant property damage, or directly and unreasonably impede the lawful activities of others.

(2) These standards do not preclude disciplinary action in accordance with provisions of other portions of these rules.

(3) A student accused of violating college disciplinary regulations may be diverted from the standard disciplinary process and withdrawn in accordance with the provisions of WAC 132I-120-430, if the student voluntarily introduces or wishes to introduce relevant evidence of any mental disorder and, as a result of mental disorder:

(a) Lacks the capacity to respond to pending disciplinary charges; or

(b) Did not know the nature or wrongfulness of the conduct at the time of the offense.

(4) Students subject to disciplinary charges who wish to voluntarily introduce relevant evidence of any mental disorder must so inform the dean of students in writing at least two days prior to any disciplinary hearing. If the dean determines that the evidence may have merit, the case shall be resolved in accordance with the standards and procedures specified in WAC 132I-120-430. Thereafter, if it is determined that the student does not meet the criteria set forth in WAC 132I-120-430(3), the case will be returned to the standard disciplinary process. Evidence of any mental disorder may not be admitted into evidence or considered by the dean of students or the college discipline committee in any disciplinary proceeding.

(5) The dean of students may recommend that a student receive a mental health evaluation by any competent mental health professional, if the dean reasonably believes that the student may meet the criteria set forth in WAC 132I-120-430(1), or if a student subject to disciplinary charges wishes to introduce relevant evidence of any mental disorder.

(6) Students wishing to introduce evidence of a mental disorder shall be given five days to complete the mental health evaluation, unless an extension is granted by the dean in writing. Days shall be counted from either the date on which the dean recommended an evaluation or from the date on which the student requested to introduce evidence of a mental disorder.

(7) Any pending disciplinary action may be withheld until the evaluation is completed, in the discretion of the dean of students.

(8) An informal hearing, as provided in WAC 132I-120-430(9), will be held within ten days after either the student has been evaluated by the appropriate mental health professional or the student has requested such a hearing. Students who have been withdrawn on an interim emergency withdrawal will remain withdrawn on an interim basis pending completion of the informal hearing, but will be allowed to enter upon the campus to attend the hearing, or for other necessary purposes, as authorized in writing by the dean of students.

(9) Students subject to an administrative withdrawal shall be accorded an informal hearing before the dean of students, or a designee. The following guidelines will be applicable:

(a) Students will be informed of the time, date, and location of the informal hearing, in writing, either by personal delivery or certified mail, at least two days in advance.

(b) The entire case file, including an evaluation prepared pursuant to WAC 132I-120-430(5), and the names of prospective witnesses, will be available for inspection by the student in the dean of student's office during normal business hours. The file, which should be available at least two days before the informal hearing, need not include the personal and confidential notes of any institutional official or participant in the evaluation process.

(c) The informal hearing shall be conversational and non-adversarial. Formal rules of evidence will not apply. The dean of students or designee shall exercise active

control over the proceedings to avoid needless consumption of time and to achieve the orderly completion of the hearing. Any person who disrupts the hearing may be excluded.

(d) The student may choose to be assisted by a family member and a competent mental health professional, or, in lieu of a mental health professional, by a member of the faculty or staff of the institution. Furthermore, the student may be accompanied by legal counsel, although the role of counsel will be limited to providing legal advice to the student.

(e) Those assisting the student, except for legal counsel, will be given reasonable time to ask relevant questions of any individual appearing at the informal hearing, as well as to present relevant evidence.

(f) Whenever possible, the student will be expected to respond to questions asked by the dean or designee. Students who refuse to answer on the grounds of the Fifth Amendment privilege may be informed that the dean or designee could draw a negative inference from their refusal which might result in their dismissal from the institution, in accordance with these standards and procedures.

(g) The informal hearing may be conducted in the absence of a student who fails to appear after proper notice.

(h) The mental health professional who prepared the evaluation pursuant to WAC 132I-120-430(5) procedures may appear at the informal hearing, and respond to relevant questions, upon request of any party, if the dean or designee determines that such participation is essential to the resolution of an issue in the case.

(i) The dean or designee may permit a college official, and the mental health professional who prepared the evaluation, to appear at the informal hearing and to present evidence in support of any withdrawal recommendation. Such evidence will not be presented by legal counsel for the college.

(j) The informal hearing shall be tape recorded by the dean or designee. The tape(s) shall be kept with the pertinent case file for as long as the case file is maintained by the institution.

(k) A written recommendation to the president shall be rendered by the dean or designee within five days after completion of the informal hearing. The president shall have five working days to make a final decision. The president's written decision, which should be mailed or personally delivered to the student, should contain a statement of reasons for any determination leading to administrative withdrawal and the length of time of the administrative withdrawal as determined by the president, upon the advice of mental health professionals. The student should also be advised as to when a petition for reinstatement would be considered, along with any conditions for reinstatement.

(l) All decisions under these proceedings are subject to the same rights and appeals as other informal decisions.

(10) Reasonable deviations from these procedures will not invalidate a decision or proceeding unless significant prejudice to a student may result.

[Statutory Authority: RCW 28B.50.140. 89-08-016 (Order 023), § 132I-120-430, filed 3/27/89; 88-07-120 (Order 022), § 132I-120-430, filed 3/23/88.]

WAC 132I-120-435 Discipline committee. The college discipline committee will hear and make recommendations on all disciplinary cases referred to it by the dean of students or appealed to it by students who have been disciplined by the dean.

(1) The college discipline committee will be composed of the following members:

(a) A chairperson will be designated by the president of the college for a period of one year. The chairperson will be non-voting. It is the responsibility of the chairperson to ensure that all procedural guidelines specified in WAC 132I-120-440 are followed, to take whatever steps are necessary during the hearing itself to ensure that the hearing is conducted in a safe and orderly manner, to advise the members of the committee concerning precedents and guidelines affecting the individual case, and to inform the student in writing of the action taken by the college discipline committee following the hearing.

(b) Two faculty members recommended by the faculty senate and appointed by the president. Two alternates shall be recommended and appointed to serve in the event that appointees are unable to serve or complete their term. The committee members shall serve for one year terms.

(c) Two full-time student representatives shall be chosen by the HCSU in such manner as the members thereof shall determine. For the purposes of these rules a full-time student shall be defined as currently enrolled in twelve or more credit hours. Two alternates shall be appointed to serve in the event that members are unable to serve or complete their term.

(2) The committee shall be formed as early as possible in the fall quarter and shall be convened by the dean of students during the first four weeks of fall quarter to discuss these rules. Other meetings may be held as determined by the chairperson or requested by the committee members.

(3) Faculty or student members may be excused from service for the entire year, for a particular period of time, or after a particular case. Replacement of excused members shall be made from respective panels.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-435, filed 3/23/88.]

WAC 132I-120-440 Procedure of the college discipline committee. (1) At least ten days prior to the proceeding the student shall be given written notice indicating the nature and basis of the charge and the penalties which may attach thereto.

(2) The student may request that the student members of the college discipline committee be excused from the committee in hearing the case.

(3) No member of the college discipline committee shall participate in any case in which he/she is the subject, complainant, or witness, in which he/she has direct or personal interest, or in which he/she has acted previously in an advisory capacity. A committee member's

eligibility to participate in the case may be challenged by parties to the case or by other committee members, but decisions in this regard shall be made by the appropriate panel, or by presidential appointment in the case of the chairperson.

(4) The dean of students or the dean's designee shall present the facts supporting the charges of student misconduct.

(5) The student appearing before the committee has the right to be accompanied and represented by a peer, a faculty member or a legal advisor of his/her choice during all stages of the proceeding. Should the student have legal aid appearing on his/her behalf, he/she shall notify the committee of his/her intentions at least three days prior to the scheduled hearing.

(6) During the proceeding, the student shall be given an opportunity to testify and present evidence and witnesses relevant to the charge or possible penalty involved. Subject to the other provisions of these rules, all relevant evidence is admissible which, in the opinion of the chairperson, is the best evidence reasonable obtainable, having due regard for its necessity, availability, and trustworthiness. In passing upon the admissibility of evidence, the chairperson may give consideration to, but shall not be bound to follow, the rules of evidence governing civil proceedings, in matters not involving trial by jury in the Superior Court of the state of Washington.

(7) The student or the student's representative shall be given an opportunity to question witnesses. No statements or depositions shall be considered by the committee unless the student has had an opportunity to rebut unfavorable inferences which might otherwise be drawn.

(8) A record of the proceeding shall be made. This may be a tape recording. The student shall be guaranteed access to a copy of this record.

(9) Proceedings will be open to members of the college community. The session may be closed upon request of the student or the college discipline committee. The chairperson of the committee may exclude from the hearing those guests who are disruptive of the proceedings. (In addition, to preserve the objectivity of the evidence and testimony, the chairperson of the committee may exclude from the session, except during their actual testimony, those people scheduled to present testimony or evidence.)

(10) The student will be provided with a copy of the findings and with the conclusions and recommendations that the committee makes to the president. The student will also be advised of the right to present, within seven days, a written statement to the president of the college before action is taken on the recommendation.

(11) The college president shall review the record of the case and any statement made by the student as provided in WAC 132I-120-440(10) and shall indicate action taken to the college discipline committee which heard the case, the dean of students, and the student. Notice of dismissal or suspension will be signed by the president.

(12) The discipline committee may establish general rules of procedure consistent with the foregoing safeguards. A copy of these shall be given the student in advance of the hearing.

(13) Records of disciplinary cases shall be filed in the office of the dean of students. No record of proceedings wherein the student is exonerated, other than the fact of exoneration, shall be maintained.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-440, filed 3/23/88.]

WAC 132I-120-445 Readmission after dismissal. A student dismissed from the college may be readmitted only on written petition to the president of the college. Petitions must indicate how specific conditions have been met and reasons which support a reconsideration. The president may use whatever review procedures are at his/her disposal in consideration of readmission. The president shall convey a decision in writing to the student.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-445, filed 3/23/88.]

WAC 132I-120-500 Review of rules. These rules will be reviewed annually by the dean of students. A review committee shall convene upon the request of the dean of students.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-500, filed 3/23/88.]

WAC 132I-120-510 Membership of review committee. (1) The review committee shall be composed of eight members. Four of these members shall be students appointed by the HCSU chairperson. Four members shall be appointed by the dean of students. Each member shall have one vote. The dean of students shall serve as a non-voting chairperson.

(2) The term of office shall be for one academic year starting at the beginning of fall quarter.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-510, filed 3/23/88.]

WAC 132I-120-520 Function of the review committee. (1) The review committee will establish procedures for review and possible revision of these rules.

(2) All proposed amendments shall be submitted to the dean of students, who will send copies of each proposal to members of the review committee for their consideration. The review committee will hear and consider all proposed amendments and publish proposed recommendations for review by the college community.

(3) Recommendations for revision of these rules shall be made to the board of trustees.

(4) These rules shall be published and made available to the college community.

[Statutory Authority: RCW 28B.50.140. 88-07-120 (Order 022), § 132I-120-520, filed 3/23/88.]

Chapter 132I-128 WAC
PERSONNEL RULES

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132I-128-010	Preamble. [Order 007, § 132I-128-010, filed 1/1/74.] Repealed by Order 018, filed 8/5/77.
132I-128-020	Definition and terms of implementation. [Order 009, § 132I-128-020, filed 5/14/75; Order 007, § 132I-128-020, filed 1/1/74.] Repealed by Order 018, filed 8/5/77.
132I-128-030	Procedures for the granting of tenure. [Order 007, § 132I-128-030, filed 1/1/74.] Repealed by Order 018, filed 8/5/77.
132I-128-040	Standing criteria committee—Composition. [Order 007, § 132I-128-040, filed 1/1/74.] Repealed by Order 018, filed 8/5/77.
132I-128-050	Standing criteria committee—Functions. [Order 007, § 132I-128-050, filed 1/1/74.] Repealed by Order 018, filed 8/5/77.
132I-128-060	Tenure review committee. [Order 007, § 132I-128-060, filed 1/1/74.] Repealed by Order 018, filed 8/5/77.
132I-128-070	Tenure review committees—Composition. [Order 007, § 132I-128-070, filed 1/1/74.] Repealed by Order 018, filed 8/5/77.
132I-128-080	Tenure review committees—Formation. [Order 007, § 132I-128-080, filed 1/1/74.] Repealed by Order 018, filed 8/5/77.
132I-128-090	Tenure review committees—Functions. [Order 007, § 132I-128-090, filed 1/1/74.] Repealed by Order 018, filed 8/5/77.
132I-128-100	Consideration of tenure review committee recommendations by the appointing authority (board of trustees). [Order 007, § 132I-128-100, filed 1/1/74.] Repealed by Order 018, filed 8/5/77.

WAC 132I-128-011 Preamble. (1) A half century of practice has defined and sanctioned the concept of awarding tenure in higher education, not for the sake of the particular teacher or institution, but to further the common good by protecting free inquiry and its exposition from intolerant bias and dogmatic resistance to change. Academic freedom is essential and its teaching aspect is fundamental for the protection of the rights of the instructor to freedom in teaching and of the student to freedom in learning. It carries with it responsibilities as well as rights. The 1969 state legislature has recognized the importance of these concepts in its establishment of a system of tenure in the community college system.

(2) Tenure is a means to certain ends: Freedom of teaching and research, freedom of extramural activities, and sufficient degree of economic security to make the profession attractive to instructors of ability.

(3) Tenure must in no case be an automatic grant but rather the selective outcome of professional evaluation from the initial choice in hiring through a probationary period. Tenure shall be granted to the candidate who, in addition to competence in his discipline, has clearly demonstrated a fitness to educate and a skill to teach. Tenure, once granted, may not be withdrawn except for adequate cause and by due process as set forth in these rules adopted by Community College District 9 and statutes RCW 28B.50.869 of the state of Washington, and as amended.

[Order 018, § 132I-128-011, filed 8/5/77.]

WAC 132I-128-021 Definitions. (1) **Tenure** shall mean a faculty appointment for an indefinite period of time which may be revoked only for adequate cause and by due process. Tenure shall be retained upon transfer within Community College District 9, but tenure granted in another community college district shall not be retained upon transfer into Community College District 9. If a tenured faculty member terminates employment with Community College District 9, he concurrently loses his tenure.

(2) **Faculty appointment** shall mean full-time employment on a contract as a teacher, counselor, librarian or other positions for which the training, experience, and responsibilities are comparable as determined by the appointing authority, except administrative appointments. Faculty appointment shall also mean department heads, division heads, and administrators to the extent that such department heads, division heads, or administrators have status as a teacher, counselor or librarian.

(3) **Probationary faculty appointment** shall mean an annual faculty appointment for a designated period of time which may be terminated without cause upon expiration of the probationer's term of employment. A probationary faculty appointment shall not be terminated prior to the expiration of the written terms of the appointment except by due process for adequate cause.

(4) **Probationer** shall mean an individual holding a probationary faculty appointment.

(5) **Tenure review committee** shall mean a committee of representatives of the administration, the faculty, and

the student body created pursuant to RCW 28B.50.869 for the purpose of assisting probationary faculty appointees in improving their appointment effectiveness and evaluating probationers for the purpose of recommending to the appointing authority whether or not tenure should be granted.

(6) **Working committee** shall mean a committee of representatives of the faculty and the administration established for each probationary faculty appointee. A representative of the student body may be involved. They will gather information regarding the probationer's performance and assist the probationary appointee in improving his or her effectiveness with regard to his or her appointment. They will carry out the directives of the tenure review committee.

(7) **Appeals review committee** shall mean a committee of representatives of the faculty, administration and students which hears appeals of dismissed tenured faculty members and recommends action to the appointing authority.

(8) **An administrative appointment** shall mean employment on a specific administrative position as determined by the appointing authority. Administrative appointees shall be subject to contracts other than those covered by this policy. A faculty member who accepts an administrative appointment subsequent to attaining tenured status under this policy shall retain tenured status for only that faculty position while employed as an administrator.

(9) **Appointing authority** shall mean the board of trustees of Community College District 9.

(10) **Instructional unit** shall mean a multi-disciplinary group of faculty members under the leadership of one of their members below or at the rank of associate dean. Such instructional units shall be comparable to divisions constituted at this college. For the purposes of this policy, the instructional units shall include, but not be limited to: Fine and performing arts, health and physical education, humanities, behavioral science, social science, mathematics, natural science, health occupations, engineering and technology, service occupations, business, and student services.

[Order 018, § 132I-128-021, filed 8/5/77.]

WAC 132I-128-031 Committee composition. (1) The tenure review committee shall be composed of:

(a) The dean of instruction or chief instructional administrator;

(b) Four tenured faculty members, each from a different instructional unit, elected by the faculty as a whole, prior to the last week in spring quarter to serve the following year. A fifth tenured faculty member from the probationer's instructional unit will be added to the committee when the probationer is being considered. The fifth member (see WAC 132I-128-031 (2)(a)) shall serve as a tenure review committee member only with regard to that probationer.

(c) One administrator or faculty member appointed by the president; and

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(d) One student member, who shall be a full-time student, chosen by the student association in such manner as the members thereof shall determine. For the purpose of this policy, a full-time student shall be defined as currently enrolled for twelve or more credits.

If a member becomes unable to serve, the replacement shall be elected to complete the term by the appropriate division from those eligible to serve.

(2) A working committee shall be formed for each probationer and shall consist of the following:

(a) One tenured member from the probationer's instructional unit elected by the faculty as a whole during faculty orientation. This member shall become a tenure review committee member with regard to this probationer only (see WAC 132I-128-031 (1)(b)).

(b) One tenured member from the probationer's discipline, if extant; if not extant, then from the instructional unit elected by the faculty in that unit;

(c) One tenured faculty member from outside the unit elected by the faculty as a whole during faculty orientation;

(d) One member from the administration or faculty to be appointed by the president; and

(e) At the request of the student body, one student member, who shall be a full-time student, chosen by the student association in such manner as the members thereof shall determine. For the purpose of this policy, a full-time student shall be defined as currently enrolled for twelve or more credits.

[Order 018, § 132I-128-031, filed 8/5/77.]

WAC 132I-128-041 Tenure review committee functions--Establishing criteria. (1) The tenure review committee shall establish general guidelines to be used by the instructional unit in formulating their criteria for the granting of tenure. The instructional unit shall then formulate the unit's criteria and send these to the tenure review committee.

(2) The tenure review committee, using the instructional unit's criteria shall give final formulation to the criteria.

(3) The tenure review committee shall develop the form(s) for receiving reports from the working committees.

[Order 018, § 132I-128-041, filed 8/5/77.]

WAC 132I-128-051 Tenure review committee functions--Ongoing responsibilities. (1) The tenure review committee will review all criteria annually.

(2) The tenure review committee will make periodic checks to ascertain whether the working committees are using the prescribed criteria in evaluating their probationers.

(3) The tenure review committee shall, before the end of the first four weeks of employment of the probationer, transmit this document and the current criteria to the probationer and the working committees that are to function during the academic year.

(4) The tenure review committee will be available for consultation with the working committees.

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(5) The tenure review committee chairman or his designee shall contact all probationers in their first four weeks of employment to determine if the probationer has received a copy of this document, has met with the appropriate working committee, and to clarify any questions or concerns the probationer may have about the rules and regulations for the implementation of tenure.

(6) The tenure review committee shall meet prior to the last week of spring quarter to elect a chairperson for the following year.

[Order 018, § 132I-128-051, filed 8/5/77.]

WAC 132I-128-061 Tenure review committee functions--Probationer complaints. The tenure review committee shall investigate any complaint by a probationer concerning activities of his working committee through the following procedures.

(1) Upon receipt of a written complaint from a probationer, the chairperson of the tenure review committee shall call a meeting of the committee to select three of its members to serve as a special study committee.

(2) The special study committee shall consist of the following five members:

(a) Three selected from the tenure review committee;

(b) The chairperson of the probationer's working committee;

(c) One member selected by the probationer filing the complaint.

(3) The special study committee shall meet with the probationer, his working committee, and any other person(s) as appropriate.

(4) After a thorough review of the probationer's complaint and within fifteen days after being formed, the special study committee shall send in writing its findings and recommendations to the chairperson of the tenure review committee, with copies to the probationer.

(5) Within seven days after receiving the report of the special study committee, the tenure review committee shall meet and consider the report. The tenure review committee may take corrective action including but not limited to: Changing the composition of the working committee, replacing member(s) of the working committee, directing the working committee to make changes in its procedures, or direct the working committee to take other action. The tenure review committee's response and any action related to the complaint shall be communicated to the probationer and to the chairperson of his working committee.

[Order 018, § 132I-128-061, filed 8/5/77.]

WAC 132I-128-071 Working committees--Functions. (1) The working committee shall select from among its members a chairperson who should then secure the necessary forms and criteria from the tenure review committee.

(2) The working committee shall gather information appropriate to the evaluative criteria for the probationer. To this end the committee shall meet with the probationer at least once each quarter for three quarters per year to discuss his or her performance and the evaluative

criteria. A written report of these meetings will be provided to the probationer and will include the names of committee members present and the substantive conclusion of such meetings. The probationer shall acknowledge receipt in writing of such communications. Such information shall be treated as confidential and kept under security by the chairperson of the working committee who will coordinate the process and maintain records pertaining to the probationer.

(3) The working committee must secure each year from the instructional unit chairperson a minimum of one written evaluation of the probationer. This evaluation should address each criterion being used by the working committee.

(4) The working committee shall forward to the tenure review committee periodic reports on the progress of the probationer as requested by the tenure review committee. Normally the working committee would not make less than one report during the first year of probation, two reports during the second year of probation, and one report during fall quarter of the third year of probation. These reports shall include information and data required by the tenure review committee for evaluating the probationer.

(5) Upon a final decision of the board of trustees to grant tenure or not to renew a probationer's appointment, each working committee shall forward all its records to the tenure review committee for disposition as described under WAC 132I-128-081(4).

[Order 018, § 132I-128-071, filed 8/5/77.]

WAC 132I-128-081 Tenure review committee--Tenure recommendation. (1) During each year of probation the tenure review committee shall receive from each working committee a report(s) of the working committee's activities as described in WAC 132I-128-071. When considering the working committee's reports, or at any other time, the tenure review committee may request additional information of a working committee.

(2) The tenure review committee shall meet and consider reports from the working committees. A written report of these meetings will be provided to the probationer and will include the names of committee members present, the substantive conclusions of the meeting, and any suggestions the committee may have on how the probationer may improve his or her appointment effectiveness. The probationer shall acknowledge receipt in writing of such communications. During each year of probation, the tenure review committee shall recommend tenure, or continuation of probation or nonrenewal of the probationer's contract to the board of trustees. These recommendations, based upon appropriate evaluative criteria, shall include a summary of the evidence considered by the committee as well as the specific recommendation. Copies of these recommendations shall be transmitted to the probationer, to the instructional unit chairperson and to the appointing authority through its designee.

(3) The tenure review committee recommendations, as specified in WAC 132I-128-081(2) shall be transmitted

to the board of trustees before the January meeting of the board.

(4) Upon a final decision of the board of trustees to grant tenure or not to renew a probationer's appointment, the tenure review committee shall make the following disposition of its records regarding the probationer:

(a) Nonrenewal: Maintenance with the security for a period corresponding to statutory limitations followed by destruction of all records.

(b) Tenure: Destruction of records.

(5) In no case during the period of probation shall the records of the tenure review committee or of any working committee be used for any purpose other than evaluation of probation for tenure qualification, unless it is at the written request of the probationer and with the written permission of the writer.

[Order 018, § 132I-128-081, filed 8/5/77.]

WAC 132I-128-091 Consideration of tenure review committee recommendations by the appointing authority.

(1) The appointing authority through its designee shall receive all recommendations from the tenure review committee, shall give reasonable consideration to these recommendations, and shall accept or reject such recommendations at its earliest possible convenience, normally the February board meeting.

(2) If the recommendation of the tenure review committee is to deny tenure, the probationer shall be so informed before the appointing authority is notified. The probationer shall have the right to submit written materials to the appointing authority stating his position regarding the recommendation.

(3) In a case where the appointing authority disagrees with the recommendations of a tenure review committee, the following procedure shall be followed:

(a) The appointing authority shall request the tenure review committee to review further its recommendations. The appointing authority shall then direct its designee to convene a meeting with the tenure review committee to discuss the board's concern.

(b) After the tenure review committee completes its reviews and considers any suggestions from the appointing authority, the committee may request a meeting with the appointing authority in executive session. The tenure review committee will send a second recommendation to the appointing authority not later than ten days after the appointing authority's request for further review or the executive session, whichever is later.

(c) The appointing authority will then make the final decision.

[Order 018, § 132I-128-091, filed 8/5/77.]

WAC 132I-128-101 Procedures for granting tenure—Additional provisions. In addition to the procedures described above, the following shall apply:

(1) All candidates for tenure must be reviewed by the tenure review committee. The recommendations of the tenure review committee shall be considered by the appointing authority before tenure may be granted.

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(2) The tenure review committee chairperson shall convene the first meeting of the tenure review committee each year during fall orientation. The committee shall take whatever action is necessary to form a working committee for each new probationer and to get the process of evaluation started by the fourth week of fall quarter.

(3) To provide for an effective transition, all tenure review committees that were established under the former rules shall become working committees under these rules except those tenure review committees for probationers in their third year of probation.

[Order 018, § 132I-128-101, filed 8/5/77.]

WAC 132I-128-110 Appeals review committee—Composition. The appeals review committee shall consist of five members and four alternates:

(1) One member and one alternate shall be administrators.

(2) Three members and two alternates shall be tenured teaching faculty.

(3) One student and one student alternate shall be full-time students.

[Order 009, § 132I-128-110, filed 5/14/75.]

WAC 132I-128-120 Appeals review committee—Formation. (1) The appeals review committee shall be formed at the first faculty meeting after the adoption of these rules.

(a) The president shall appoint one administrator as member and one as alternate, both to serve three-year terms.

(b) The teaching faculty and instructional unit chairmen or heads acting as a unit shall elect three tenured faculty members and two alternates from a list of nominees, one from each instructional unit as defined in WAC 132I-128-030. Alternates shall be selected in order of plurality and shall become members of the committee in that order in case a member becomes unable to serve. In the initial formation of the committee, one of three teaching faculty shall be chosen by lot to serve three years, one shall serve two years, and one shall serve one year. The terms of elected faculty members, after the initial formation, shall be three years.

(c) The student representative and a student alternate shall be full-time students and shall be chosen by the student association in such manner as the members thereof shall determine. For the purposes of this policy a full-time student shall be defined as currently enrolled in twelve or more credit hours.

(2) If the committee is actively reviewing a case under the procedure of this policy at the time the terms would expire, members shall continue in office until that case is concluded.

(3) The appeals review committee shall elect a chairperson at its first meeting.

[Order 009, § 132I-128-120, filed 5/14/75.]

WAC 132I-128-130 Appeals review committee—Functions. (1) A tenured faculty member shall not be

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dismissed from his appointment except for sufficient cause, nor shall a faculty member who holds a probationary faculty appointment be dismissed prior to the written terms of the appointment except for sufficient cause. The appeals review committee shall, upon written request of the faculty member(s) involved, review the evidence including testimony from all interested parties and shall prepare recommendations on the proposed action and submit such recommendations to the appointing authority prior to the appointing authority's final action.

(2) Termination for cause of a tenured faculty member, or the dismissal for cause of a probationer prior to the expiration of his term of appointment, shall be considered both by the appeals review committee and the appointing authority if such reviews are requested by the faculty member(s) involved.

(3) Prior to the dismissal of a tenured faculty member or a faculty member holding an unexpired probationary faculty appointment, and upon a written request for a hearing, the case shall first be reviewed by the appeals review committee. The review shall include testimony from all interested parties including, but not limited to, other faculty members and students. The faculty member whose case is being reviewed shall be afforded the right of cross-examination and the opportunity to defend himself.

[Order 009, § 132I-128-130, filed 5/14/75.]

WAC 132I-128-140 Notice of dismissal. If the president concludes that there are grounds for terminating a tenured faculty member's employment, or for terminating a probationer's contract before its expiration, the following procedures shall apply:

(1) The president shall notify the faculty member in writing of the proposed action and shall provide him/her with a summary of the charges which led to the notice. Any concurrent notice of suspension of the faculty member shall not be considered contractual termination, which is a matter only to be accomplished through due process. Suspension shall be with pay. This notice shall be sent, by registered mail, to the faculty member by the president and shall specify the date written request for a hearing is due as listed in WAC 132I-128-140(2).

(2) After notification of the proposed termination, the affected faculty member has fifteen days to submit his written request to the president for a hearing. If the president does not receive this written request within fifteen days, the faculty member's right to a hearing will be deemed waived.

(3) If the president receives a written request for a hearing, he shall immediately notify the appeals review committee and provide them with a copy of the notice given to the affected faculty member.

(4) When the appeals review committee receives notice of a request for a hearing, within ten days of such notice and after consultation with both the president, or his designee, and the affected faculty member, the appeals review committee, in consultation with the hearing officer, shall establish a hearing schedule to receive testimony from all interested parties.

[Order 009, § 132I-128-140, filed 5/14/75.]

WAC 132I-128-150 Appeals review committee—Formal proceedings. (1) A short and plain written statement, in reasonable particularity of the ground for dismissal shall be formulated by the president. This notice shall be sent, by registered mail, to the faculty member by the president.

(2) In addition, this notice shall contain:

(a) A statement of the time and place of the hearing which shall be after not less than twenty days notice.

(b) A statement of the legal authority and jurisdiction under which the hearing is to be held.

(c) Reference to any particular statutes or rules involved.

(3) The faculty member concerned shall be accorded the following procedural rights:

(a) The right by one peremptory challenge to remove up to two members of the appeals review committee prior to the commencement of the hearing proceedings.

(b) The right to confront and cross-examine adverse witnesses, provided that, when a witness cannot appear and compelling reasons therefore exist, the identity of the witness and a copy of the statement of the witness reduced to writing shall be disclosed to the faculty member at least ten days prior to hearing on the matter towards which the testimony of the witness is considered material.

(c) The right to be free from compulsion to divulge information which he could not be compelled to divulge in a court of law.

(d) The right to be heard in his own defense and to present witnesses, testimony and evidence on all issues involved.

(e) The right to the assistance of the appeals review committee in securing witness and evidence.

(f) The right to counsel of his choosing who may appear and act on his behalf at the hearing.

(4) The chairman of the board of trustees (appointing authority) shall select a legally trained hearing officer and shall inform the appeals review committee of his selection. If the appeals review committee objects, in writing, to the hearing officer, the chairman of the appeals review committee shall so inform the chairman of the board of trustees (appointing authority) within five days and shall suggest a different legally trained hearing officer. If the chairman of the board of trustees (appointing authority) objects to the hearing officer suggested by the appeals review committee, he shall so inform the chairman of the appeals review committee within five days and shall suggest a second legally trained hearing officer. This process shall continue until a mutually acceptable hearing officer is selected or until each has named three hearing officers after which the appointing authority shall select the hearing officer. The hearing officer shall preside over the hearing and be reimbursed by the appointing authority.

(5) The hearing officer shall determine the ordering of proof, admissibility of evidence, and make any other rulings necessary in the course of the hearing.

(6) The hearing officer shall prepare a record of the hearing before the appeals review committee with a copy

to the appointing authority, to the appeals review committee, and to the faculty member whose case is being heard which shall include:

- (a) All pleadings, motions, and rulings,
- (b) All evidence received or considered,
- (c) A statement of any matters officially noticed,
- (d) All questions and offers of proof, objections, and ruling thereon,
- (e) Proposed findings and exceptions,
- (f) A copy of appeals review committee's recommendation or report.

(7) The committee should reach its decision in conference, on the basis of the hearing, within ten days after the conclusion of the hearing. Before doing so, it should give opportunity to the faculty member or his counsel(s) and the representative(s) designated by the president to argue orally before it. If written briefs would be helpful, the committee may request them. The committee may proceed to decision promptly, without having the record of the hearing transcribed, if it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing if its decision would be aided thereby. It should make explicit findings, through a majority vote when necessary, with respect to each of the grounds of removal presented which shall be based exclusively on the evidence and matters presented. The president and the faculty member shall be notified of the recommendation in writing and shall be given a copy of the record of the hearing. The committee shall recommend as follows:

- (a) Sufficient cause for dismissal exists, or
- (b) Sufficient cause for dismissal does not exist.

[Order 009, § 132I-128-150, filed 5/14/75.]

WAC 132I-128-160 Presentation of case. The president may present the case against the faculty member or may designate a representative of his choosing.

[Order 009, § 132I-128-160, filed 5/14/75.]

WAC 132I-128-170 Closed hearing. Unless otherwise requested by the faculty member whose case is being reviewed the hearing shall be closed. However, interested parties, including students, shall be given an opportunity to present evidence.

[Order 009, § 132I-128-170, filed 5/14/75.]

WAC 132I-128-180 Consideration by board of trustees. The appeals review committee shall transmit to the appointing authority a full report stating its recommendation. Review by the appointing authority shall be based on the record of the appeals review committee hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing and/or their representatives. Only after study of the committee's recommendation should the appointing authority make a final decision. The appointing authority shall, within ten days following the conclusion of such a review, send written notice, by registered mail, of its final decision to the faculty member(s) involved. This notice of final decision shall specify the findings of facts

and conclusions of law supporting the decision by the appointing authority. A copy of this notice shall be sent to the chairman of the appeals review committee. Any decision to dismiss shall be based solely upon the original charges as brought to the appointing authority and established by a preponderance of evidence at the hearing to be sufficient cause or causes for dismissal.

[Order 009, § 132I-128-180, filed 5/14/75.]

WAC 132I-128-190 Publicity. Except for such simple announcements as may be required, covering the time of the hearing and similar matters, no public statements about the case by either the faculty member, appeals review committee or administrative officers shall be made until all college proceedings have been completed. Any announcement of the final decision shall include a statement of the appeals review committee's recommendation.

[Order 009, § 132I-128-190, filed 5/14/75.]

WAC 132I-128-200 Appeal from the decision of the appeals review committee and the appointing authority. Any faculty member dismissed shall have the right to appeal the final decision of the appointing authority, in accordance with Higher Education Administrative Procedure Act, chapter 28B.19 RCW, as now or thereafter amended, within thirty days of receipt of the notice.

[Order 009, § 132I-128-200, filed 5/14/75.]

WAC 132I-128-310 Faculty grievance procedures-- Purpose. Faculty employees should have clear and open channels wherein they can take action to bring their grievances to the attention of the college's administration. The purpose of the following procedures is to provide an orderly system for such actions.

[Order 017, § 132I-128-310, filed 8/12/76.]

WAC 132I-128-320 Definitions. (1) "Employee association" means the faculty organization recognized as the majority organization representing faculty employees pursuant to chapter 28B.52 RCW.

(2) "Faculty employee" means any teacher, counselor, librarian, or division head, who is employed by Community College District No. 9, with the exception of those holding administrative appointments as defined by the board of trustees.

(3) "Grievance" means an alleged violation of a specific section of a policy or policies negotiated between the board of trustees and the professional organization, certified pursuant to chapter 28B.52 RCW, or procedures which have not been negotiated but directly affect the working conditions of faculty employees, such as rules of faculty assignment.

(4) "Days" shall mean workdays (Monday through Friday) excluding holidays as published in the official Highline college calendar.

[Order 017, § 132I-128-320, filed 8/12/76.]

WAC 132I-128-330 Procedures. (1) Prior to filing a written grievance, a faculty employee who has a grievance regarding the implementation of a negotiated policy is encouraged to orally present such grievance to his division chairman or appropriate supervisor in hopes that an acceptable solution may be found. Any decision to continue with the grievance procedure beyond this stage shall rest with the individual lodging the grievance or by an individual grievant who is part of an aggrieved group.

(2) Step one:

(a) Within ten days after an alleged grievance or within ten days after the faculty employee, through the use of reasonable diligence, should have known of the alleged grievance, a faculty employee who wishes to commence the grievance procedure shall present his written statement to the appropriate administrator as listed: Assistant dean, academic programs; assistant dean, vocational programs; assistant dean, continuing education; director of counseling; or the director of library. The statement shall be specific as to the alleged violation, shall identify all provisions of negotiated policies alleged to be violated, shall list the facts of the particular case, and shall be signed by the aggrieved employee. Copies shall be mailed simultaneously to the dean of students, or the vice president, as appropriate, to the college president, and to the president of the employee association.

(b) Within ten days after receiving the grievance, the assistant dean or director shall communicate his response or remedy and its rationale in writing to the grievant and the president of the employee association.

(3) Step two:

(a) If the grievance is not satisfactorily resolved at step one, the grievant, or the employee association if requested by the employee, may appeal, within ten days after receiving the response from step one, to the dean of students or vice president as appropriate. Such appeal shall be in writing and shall state why the response or remedy at step one is unsatisfactory.

(b) Within ten days after receiving the grievance, the dean of students or vice president shall communicate his response or remedy and its rationale in writing to the grievant and to the president of the employee association.

(4) Step three:

(a) If the grievance is not satisfactorily resolved at step two, the grievant or the employee association on behalf of the grievant may, within fifteen days after receiving this response, appeal to the president. Such appeal shall be in writing and shall state why the response or remedy at step two is unsatisfactory.

(b) Within fifteen days after receiving this appeal, the president shall hold a hearing on the grievance to include the grievant, the employee association president or representative, and those as appropriate.

(c) Within ten days after this hearing, the president shall send his written response to the grievant and to the president of the employee association. This response shall be considered the final position of the employer.

(5) Step four: If no satisfactory settlement is reached at step three, the employee association, within ten days

of the receipt of the step three decision, may appeal the final decision of the employer to the American Arbitration Association for arbitration under the voluntary rules. The arbitrator shall hold a hearing within twenty days of his appointment. Seven days notice shall be given to both parties of the time and place of the hearing. The arbitrator will issue his decision within twenty days from the date final written briefs have been submitted or if waived by both parties, twenty days after the completion of the hearing. The arbitrator's decision will be in writing and will set forth his findings of fact, reasoning and conclusions on the issues submitted to him. The decision of the arbitrator shall be final and binding upon the employer, the employee association and the affected employee(s). The fees and expenses of the arbitrator shall be equally shared by the employee association and the college.

[Order 017, § 132I-128-330, filed 8/12/76.]

WAC 132I-128-340 Additional provisions. (1) **Claims for back pay:** All grievances must be filed in writing within ten days from the time the alleged violation was to have occurred, or within ten days after the faculty employee through the use of reasonable diligence should have known of the alleged violation. The college shall not be required to pay back wages more than ten days prior to the date a written grievance is filed.

(a) All claims for back wages shall be limited to the amount of wages that the employee would otherwise have earned, less any unemployment or other compensation that he may have received from any source during the period of back pay except compensation he received that could have been earned while fulfilling his normal contractual obligations with the college.

(b) No decision in any one case shall require a retroactive wage adjustment in any other case.

(2) **Time limits:** Failure at any step of this procedure to communicate the decision on a grievance within the specified time limits shall permit the grievant to proceed to the next step. Any grievance not advanced to the next step by the grievant within the time limit in that step, or if no time limit is specified within ten days, shall be deemed resolved. All time limits within this grievance procedure may be extended in writing by mutual agreement between the parties.

(3) **Mailing:** Wherever grievances, answers or appeals are required to be served upon the appropriate dean, the college president or the grievant, certified mail to the dean at his campus address, or to the president at his campus address, or to the grievant at his/her campus address shall meet all service requirements hereof, except that personal service, duly receipted, shall also be adequate service.

(4) **Conferences:** Hearings and conferences held under these procedures shall be conducted at a time and place which will afford a fair and reasonable opportunity for all persons entitled to be present to attend. Such hearings shall be scheduled so as not to interfere with the programs and services of the college and no faculty employee shall suffer loss of salary when attending as requested. Unless otherwise requested by the faculty

employee whose grievance is being reviewed and agreed by the college president, all hearings and conferences, including the arbitration hearings, if any, shall be closed.

(5) **Retroactive settlement:** Adjustment, judgment or settlement awarded as a result of the application of the grievance procedure may be retroactive to the time of the filing of the grievance. Wage and salary settlements shall be retroactive subject to the limits set forth in WAC 132I-128-340 (1)(b).

(6) **Record availability:** All data, records, and information necessary to the processing of a grievance shall be made available to the grievant and the grievant's counsel in a timely and expeditious manner. All documents, communications and records of the grievance shall be filed separately from the personnel file of the grievant. Subsequent to completion of the grievance, records will be available only to the chairperson of the HCEA grievance committee, the grievant and the president of the college. All other copies of records will be forwarded to the president within 30 days. These records shall be kept secure and confidential.

(7) **Reprisals:** No reprisals of any kind shall be taken against any faculty member or counsel for participating in any grievance.

(8) **Withdrawal:** A grievant may withdraw a grievance at any level by making a written statement to the college president. A copy shall be sent to the president of the employee association.

(9) **Appeals by the employee association:** The employee association may appeal a grievance on behalf of an employee(s) provided that the employee(s) has (have) requested, in writing, the employee association to represent him or them as a group and provided the employee(s) has (have) not withdrawn the grievance.

(10) **Tenure:** Decisions regarding tenure, dismissal, or nonrenewal shall not be grievable but shall be considered under procedures set forth in chapter 132I-128 WAC rules and regulations for the implementation of tenure as adopted by Community College District 9 and statutes RCW 28B.50.850 - 28B.50.869 of the state of Washington as now adopted or hereafter amended.

(11) **Multiple grievance:** If two or more faculty employees file the same or closely related grievances, the college may consolidate them into a single grievance to ensure equal treatment and efficient processing. The employee association shall represent all employees in a consolidated grievance and shall be considered the grievant, subject to the restrictions in WAC 132I-128-340(9) above, for the purposes of communications.

[Order 017, § 132I-128-340, filed 8/12/76.]

WAC 132I-128-350 Jurisdiction of the arbitrator.

(1) The arbitrator shall have no authority to render a decision or award which modifies, adds to, or subtracts from the provisions or conditions of any policy or policies negotiated between the board of trustees and the employee association.

(1990 Ed.)

(2) Upon request of either party, the merits of a grievance and the substantive and procedural arbitrability issues arising in connection with that grievance shall be consolidated for hearing before an arbitrator.

(3) The arbitrator shall have authority to base his decision or award only on the evidence and matters presented by both parties in the presence of each other and the matters presented in the written briefs of the parties. His powers shall be limited to deciding whether the college has violated the express articles or sections of a negotiated policy. He shall not extend a negotiated policy, or nonnegotiated procedure, as defined in WAC 132I-128-320(4), beyond what is expressly written nor shall he imply conditions binding upon the college from negotiated policies, it being understood that any matters not specifically set forth in a policy remain within the college's rights.

[Order 017, § 132I-128-350, filed 8/12/76.]

WAC 132I-128-360 Appeal of arbitration. Petition by either party to a court of competent jurisdiction on any arbitration decision or award shall be based on the following:

(1) The arbitrator exceeded his jurisdiction or authority under this grievance policy.

(2) The arbitrator's decision or award is based on an error of law.

[Order 017, § 132I-128-360, filed 8/12/76.]

WAC 132I-128-800 Retirement plan membership. Every professional staff member employed full time is required to become a member of teachers insurance and annuity association college retirement equities fund unless he is already a member of Washington state teachers retirement system or public employees retirement system as provided by RCW 28B.50.575.

[Order 004, § 132I-128-800, filed 2/27/74.]

WAC 132I-128-810 OASI deductions. All professional staff members will contribute through payroll deduction to OASI (Social Security).

[Order 004, § 132I-128-810, filed 2/27/74.]

WAC 132I-128-820 Retirement age. (1) Retirement of professional staff members normally shall occur at the completion of the college year in which the age of 65 is reached. However, when officially approved by the board of trustees, extensions of service beyond the normal retirement age may be made for definite periods of time not to exceed one year each, but no such extensions shall postpone retirement beyond the end of the academic year in which age 70 is attained.

(2) For the purpose of this section only, the college year shall begin on September first and end on the thirty-first day of the August next following. The college should make every effort to notify any professional staff member who is to be retired at the end of the college year by October 1 of that college year.

[Order 004, § 132I-128-820, filed 2/27/74.]

**Chapter 132I-136 WAC
USE OF FACILITIES**

WAC

132I-136-100	Purpose.
132I-136-110	Right to deny use of facilities.
132I-136-120	Basis of fee assessment.
132I-136-130	Application procedures.
132I-136-140	Supervision during activity.
132I-136-150	Care and maintenance of facilities and equipment.
132I-136-160	Athletic facilities.
132I-136-170	Liability for damage.

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

132I-136-010	Basis of policy and procedures. [Order 016, § 132I-136-010, filed 6/4/76.] Repealed by 89-11-091 (Order 024), filed 5/24/89. Statutory Authority: RCW 28B.50.140.
132I-136-020	Nonpublic use of facilities. [Order 016, § 132I-136-020, filed 6/4/76.] Repealed by 89-11-091 (Order 024), filed 5/24/89. Statutory Authority: RCW 28B.50.140.
132I-136-030	Basis of fee assessment. [Order 016, § 132I-136-030, filed 6/4/76.] Repealed by 89-11-091 (Order 024), filed 5/24/89. Statutory Authority: RCW 28B.50.140.
132I-136-040	Application procedures. [Order 016, § 132I-136-040, filed 6/4/76.] Repealed by 89-11-091 (Order 024), filed 5/24/89. Statutory Authority: RCW 28B.50.140.
132I-136-050	Supervision. [Order 016, § 132I-136-050, filed 6/4/76.] Repealed by 89-11-091 (Order 024), filed 5/24/89. Statutory Authority: RCW 28B.50.140.
132I-136-060	Care and maintenance. [Order 016, § 132I-136-060, filed 6/4/76.] Repealed by 89-11-091 (Order 024), filed 5/24/89. Statutory Authority: RCW 28B.50.140.
132I-136-070	Athletic facilities. [Order 016, § 132I-136-070, filed 6/4/76.] Repealed by 89-11-091 (Order 024), filed 5/24/89. Statutory Authority: RCW 28B.50.140.
132I-136-080	Unpermitted usage. [Order 016, § 132I-136-080, filed 6/4/76.] Repealed by 89-11-091 (Order 024), filed 5/24/89. Statutory Authority: RCW 28B.50.140.

WAC 132I-136-100 Purpose. The trustees of Highline Community College believe that educational and community service opportunities are extended to the community when the college's buildings, grounds, and facilities are made available for use by the students, faculty, administration, staff, and the community. This use shall not interfere with regular college activities and shall be in accordance with the public interest, welfare, laws of the state of Washington, and in the best interest of the college as interpreted by the administration of Highline Community College and/or the board of trustees.

Intended or actual use in conflict with these policies or construed to be in any way detrimental to the college's best interests and/or original intent for that facility are strictly prohibited.

[Statutory Authority: RCW 28B.50.140. 89-11-091 (Order 024), § 132I-136-100, filed 5/24/89.]

WAC 132I-136-110 Right to deny use of facilities. (1) The trustees reserve the right to deny facility use to individuals or groups of a private nature whose activities, be they secret or otherwise, are inconsistent with the

open and public nature of Highline Community College and where such use would conflict with the purpose of state and federal laws against discrimination.

(2) If at any time actual use of college facilities by the individual or group constitutes an unreasonable disruption of the normal operation of the college, such use shall immediately terminate, all persons engaged in such use shall immediately vacate the premises, and leave the college property upon command of the appropriate college official.

(3) Any individual or group granted permission to use college facilities shall agree in advance to abide by all college rules and regulations. The college reserves the right to deny use of college facilities to any individual or group whose past conduct indicates a likelihood that college rules and regulations will not be obeyed.

(4) No single group shall be allowed use of facilities on a regular or continuing basis.

[Statutory Authority: RCW 28B.50.140. 89-11-091 (Order 024), § 132I-136-110, filed 5/24/89.]

WAC 132I-136-120 Basis of fee assessment. (1) The basis for establishing and charging use fees reflects the college's assessment of the present market, the cost of operations, and an evaluation of the intended purpose and its relationship to the purposes of this college. The board of trustees feels that groups or organizations affiliated with the college should be permitted access to facilities at the lowest charge on the fee schedule which may include complimentary use. A current fee schedule is available to interested persons from the office of continuing education.

(2) The college does not wish to compete with private enterprise. Therefore, the college reserves the right to deny applications for facility use when the administration and/or the board of trustees feels a commercial facility can be patronized. At no time shall facility use be granted for a commercial activity at a rental rate, or upon terms, less than the full and fair rental value of premises used.

[Statutory Authority: RCW 28B.50.140. 89-11-091 (Order 024), § 132I-136-120, filed 5/24/89.]

WAC 132I-136-130 Application procedures. (1) At least seven college working days prior to date of intended use of any college facility, an authorized representative of the requesting organization must submit proper and complete written application of a use of facility form which may be obtained through the college's office of community services. A single application may be sufficient for a series of meetings by an organization unless those meetings vary significantly in some substantive way; then separate applications will be required.

(2) Upon approval of the application, an authorized representative of the using organization shall sign the rental agreement. By affixing a signature as representing the using organization, the signatory specifies he or she has authority to enter into agreement on behalf of the organization and if the organization fails to pay the amount due, the signatory becomes responsible for all charges which may include interest payment for overdue

accounts as specified on the rental form but not less than one percent per month.

(3) Large events, events requiring expenditures on the part of the college, or where significant areas are blocked out for the renter, a minimum of up to fifty percent advance deposit may be required at the time of application.

(4) The college reserves the right to make pricing changes without prior written notice.

(5) Use of a facility is limited to the facilities specified on the agreement.

(6) The priorities for facility use place primary emphasis on regular college events and activities. The board of trustees reserve the right to cancel any permit and refund any payments for use of college facilities and equipment when they deem such actions advisable and in the college's best interests.

(7) In the event of a cancellation of a facility use permit by the applicant, that organization is liable for all college costs and expenses in preparing the facility for their use.

(8) The decision to issue permits is based on the assumption that any admission charges are to be specified and approved by the college.

(9) Organizations using Highline Community College's facilities shall conduct all activities in accordance with all applicable local, state, and federal laws including the rules and regulations adopted by Community College District 9.

[Statutory Authority: RCW 28B.50.140. 89-11-091 (Order 024), § 132I-136-130, filed 5/24/89.]

WAC 132I-136-140 Supervision during activity. (1) Signatories of the rental agreement as well as adult organization leaders are responsible for group conduct and are expected to remain with their group during activities. When the use of special facilities makes it necessary that supervision be provided, the trustees reserve the right to require a staff member represent the college at any activity on Highline Community College facilities. Such service shall be paid at the current rate, by the organization requesting use of the facility (see WAC 132I-136-160), and does not relieve the organization from safeguarding the college's property.

(2) The security staff or some other authority of the college will open and lock all rented facilities. Keys to buildings or facilities will not be issued or loaned on any occasion to any using organization with the exception of keys to designated off-campus locations.

[Statutory Authority: RCW 28B.50.140. 89-11-091 (Order 024), § 132I-136-140, filed 5/24/89.]

WAC 132I-136-150 Care and maintenance of facilities and equipment. (1) College-owned equipment shall not be removed from college facilities for loan or rental. Organizations wishing to use equipment in connection with a rental should make arrangements through the office of continuing education at the time of application. Further rental and operational restrictions may be outlined when the application is approved.

(2) Appropriate equipment is expected when using facilities where the absence of such special equipment may be detrimental to that facility (e.g. tennis shoes must be worn on gymnasium floors).

(3) Organizations allowed use of facilities are required to leave premises in as good condition as when the organization was admitted to its use. After facility use, organizations are required to arrange for proper disposal of decorations and other refuse when restoring the facility to its original condition for resumption of college use.

(4) Custodial and other services beyond those regularly scheduled to support normal college activities may be required for specific activities by outside groups, based on the size of group, the complexities of the event, or the facilities being used. Needed custodial services beyond that normally scheduled will result in that organization being charged at the established rate. All extra custodial time required as a result of the organization's use of the facility will be charged to the organization, including those receiving complimentary usage.

(5) The security staff should be contacted for problems with facilities. The security staff will be alert to any permit violations.

(6) All moving of college equipment for facility use will be under permission and supervision of the college.

(7) Any decoration or use of facility that may result in permanent damage or injury to the facility is strictly prohibited.

[Statutory Authority: RCW 28B.50.140. 89-11-091 (Order 024), § 132I-136-150, filed 5/24/89.]

WAC 132I-136-160 Athletic facilities. (1) Highline Community College playing fields may be used by community members and groups provided such use does not interfere with regular college activities and that proper permits for use of college grounds have been secured for activities other than unorganized casual use.

(2) Highline Community College allows only highly restricted use in scheduling swimming pool. Permitted users shall comply with all pool regulations, as determined by the college. Such regulations may vary based on the anticipated use. Applications should be made on a use of facility form obtained through the college's office of continuing education. A condition of rental is the college's right to stipulate the number of guards and to select and hire these guards on its own criteria. Cost of usage will include these employee's salaries and other personnel expenses.

(3) The pavilion may be used by community organizations subject to the same restrictions and regulations governing the use of other facilities. Because of the size of the facility, most users will be required to have college personnel on site during usage. Cost of usage will include these employee's salaries and other personnel expenses.

[Statutory Authority: RCW 28B.50.140. 89-11-091 (Order 024), § 132I-136-160, filed 5/24/89.]

WAC 132I-136-170 Liability for damage. The lessee of college facilities, including agreement signatories and individual organization leaders, shall be liable for any damage to college property occurring or having apparently occurred during the time the facility was being used by the organization. The lessee also agrees to hold harmless and indemnify Highline Community College, its agents, employees, officers, trustees, students and/or attorneys for any claim made against the college as a result of the lessee's use of college facilities. The college reserves the right to require using organizations to purchase insurance, naming the college as the insured, and may specify the amount of that insurance.

[Statutory Authority: RCW 28B.50.140. 89-11-091 (Order 024), § 132I-136-170, filed 5/24/89.]

Chapter 132I-160 WAC

ADMISSIONS AND REGISTRATION PROCEDURES

WAC

132I-160-010	Purpose.
132I-160-020	Definitions.
132I-160-030	Basic policy of admissions.
132I-160-040	Nonmatriculant policy of admissions.
132I-160-050	Additional admissions procedures for special programs.
132I-160-060	Residency.
132I-160-070	Appointments to register.
132I-160-080	Registration.
132I-160-090	Changes in registration.
132I-160-100	Fees.
132I-160-110	Refunds.

WAC 132I-160-010 Purpose. Highline Community College is chartered under the laws of the state of Washington (chapter 28B.50 RCW) to provide ". . . comprehensive education training and service programs to meet the needs of both the communities and students served by combining, with equal emphasis, high standards of excellence in academic transfer courses; realistic and practical courses in occupational education, both graded and ungraded; and community services of an educational, cultural, and recreational nature; and adult education." As an assurance that the greatest number of citizens benefit from this commitment, the board of trustees of Highline Community College is dedicated to an "open door" policy of admission. Admission and registration materials and information, including specific eligibility requirements, deadlines, and fees are available to all inquirers through the Office of Admissions and/or the Registrar's Office, Highline Community College, South 240th and Pacific Highway South, Midway, Washington 98031 (206-878-3710, extensions 361 and 242).

[Order 013, § 132I-160-010, filed 1/6/76.]

WAC 132I-160-020 Definitions. These incorporated definitions reflect the minimum admissions standards outlined by Highline Community College's office of admissions. All definitions, policies and procedures stated herein are in alignment with appropriate sections

of the Revised Code of Washington statutes and Highline Community College policies and procedures, as duly adopted by the Community College District No. Nine board of trustees.

(1) **Applicant:** Any person seeking admission to Highline Community College and who meets the minimum standards for community college admission as stated in WAC 132I-160-030.

(2) **Matriculated student:** Persons granted admission to Highline Community College, according to the procedures stated herein, are defined as "matriculated students."

(3) **Veteran:** Matriculated students, as defined by WAC 132I-160-020(2) and who were documented veterans of any branch of the United States Armed Forces are defined as "veterans."

(4) **Vietnam veterans:** Matriculated students as defined by WAC 132I-160-020(2) and who are also veterans, as defined by WAC 132I-160-020(3), having documented service in Cambodia, Laos, Thailand, or Vietnam during the period of August 5, 1964 to April 11, 1975.

(5) **Foreign students:** Persons applying or having applied for matriculation to Highline Community College, who are non-United States citizens, having satisfied all United States immigration requirements and completed all forms required by the United States immigration service, having satisfactorily completed the test of English as a foreign language (TOEFL) or Highline Community College English proficiency test, or equivalent, and having met the requirements stated on all Highline Community College foreign student forms (available through the office of admissions and registration) are defined as "foreign students."

(6) **Former students:** Students who formerly matriculated, as defined by WAC 132I-160-020(2), and who ceased course work at Highline for at least one quarter and are seeking readmission, are defined as "former students."

(7) **Continuing students:** Matriculated students, as defined by WAC 132I-160-020(2), wishing to register for the next quarter following the one in which they are presently enrolled are defined as "continuing students."

(8) **Special students:** Persons meeting the admission requirements of the Washington State Community College Act, but have not made formal application for admission to the college or any specific occupational program. These students may register for classes on a space available basis after "matriculated" students have completed the registration schedule.

(9) **G.E.D.:** The general educational development test is generally for the person 19 years old or older. Successful completion of the G.E.D. test means that a person has learned enough through experience, job training, and other informal educational experiences to have an education equivalent to a high school diploma.

(10) **Resident student:** A person who can provide documented evidence of being domiciled in the state of Washington, as specified in chapter 28B.15 RCW, for one year prior to the beginning of the term for which he

registered, is defined as a resident. Exceptions are briefly described under WAC 132I-160-060.

(11) **Nonresident student:** Is any person who isn't considered a resident student as defined under WAC 132I-160-020(10).

(12) **Student's file:** A special file for each applicant and admitted student is maintained by the office of admissions and contains all of the documents pertaining to admission to Highline Community College (WAC 132I-160-030), and all official transcripts as submitted by other colleges and institutions. These materials are also available for later use by the counseling staff.

(13) **Cumulative advising folder:** A file similar to that maintained by the counseling center will be prepared and presented to each new matriculated student upon admission with the understanding that the student will maintain and update the information within that file as an aid for program planning in subsequent quarters.

[Order 013, § 132I-160-020, filed 1/6/76.]

WAC 132I-160-030 Basic policy of admissions.

Any person of at least 18 years of age and/or a high school graduate is eligible for admission to Highline Community College. Those persons unable to comply with these minimum requirements may be admitted only after a favorable review of a written request exempting them from these requirements (WAC 132I-160-030, 132I-160-060) submitted to the director of admissions, Highline Community College. Persons granted admission are considered matriculated students, as defined by WAC 132I-160-020(2), upon receipt of written notification of admission as a result of their complying with the special procedures defined as follows:

(1) Submit page one of a state of Washington uniform community college admission form accompanied by;

(2) A \$10 application fee to the office of admissions, Highline Community College.

(3) Upon receipt of this form and fee the applicant's name will be placed on the admissions list and an acknowledgement of such receipt will be sent to the applicant.

(4) All official transcripts from high school(s) and all other institutions of higher learning attended previously must also be submitted.

(5) Students will be admitted in numerical order as applications are received (WAC 132I-160-040), except to those occupational programs having special admissions criteria as filed with the office of admissions. When maximum enrollment has been reached, remaining students will be notified that their admission must be deferred.

(6) Placement in specific classes may be determined by counseling staff in consultation with the new student using the results of the Washington precollege test or an alternative battery of tests taken at the college. While the results of these tests are helpful and desirable, the submission of scores by the applicant is not mandatory for admission to Highline Community College.

(7) Prior to registration, a health information card and proof of chest x-ray or tuberculin skin test is required. The college reserves the right to request that a complete physical examination by a licensed physician also be conducted.

(8) Payment of a nonrefundable \$10 "registration deposit" is permissible to hold open a space for an applicant in order to allow more time to obtain full tuition fees.

(9) Falsification and/or failure to submit necessary documents for admission may constitute grounds for dismissal from the college and/or refusal of permission to graduate from Highline Community College. Appeals of decisions regarding this clause may be submitted in writing to the office of admissions, Highline Community College. Notification of receipt of said request will be sent by the director of admissions. The director shall review the student's entire file and shall consult the college's attorney. The results of this investigation and the resulting decision will be mailed to the student.

[Order 013, § 132I-160-030, filed 1/6/76.]

WAC 132I-160-040 Nonmatriculant policy of admissions. (1) Highline Community College recognizes that, in general, high schools have responsibility for the education of students under 18 years of age and who have not graduated from high school and the college has responsibility for those 18 years or older. However, there are special circumstances, as described below, where persons under the age 18 may attend Highline Community College.

(a) Persons under 18 years of age must have written approval of the high school principal or designee to attend Highline Community College for the purpose of graduating from that high school or to attend the Highline Community College adult high school completion program.

(b) Persons 17 and 18 years old, who have enlisted in a military service which requires a G.E.D., may satisfy the admission requirements needed for applying to take the G.E.D. test.

(c) Persons wishing to take the G.E.D. but do not meet the age requirements for the G.E.D., as listed above, should inquire about the certificate of educational competence at their local high school. Highline Community College may, upon authorization of the superintendent of schools of each local school district give the G.E.D. test to a 15 to 19 year old person.

(d) Students under 18 years of age who have not earned a high school diploma may be admitted to the Highline Community College high school completion program upon written approval of the appropriate high school district official.

(e) Highline Community College may grant admission to high school students and nonhigh school graduates under 18 if the applicants have either completed high school graduation requirements as certified by the appropriate school official or have a written approved program of study, certified by the appropriate school official, which may allow the student to use specific college classes for high school graduation purposes.

(f) Applicants who reach the age of 18 years while enrolled in high school will be encouraged by the college to complete their graduation requirements at the appropriate high school prior to admission to Highline Community College.

(g) All high school students who want a record of college classes to appear on their high school transcript must make arrangements with and must have the approval of the appropriate high school official prior to registration for the class.

(h) Academic enrichment courses, special vocational courses and any other courses developed by the college for high school students, must have the approval and agreement of the appropriate school district officials during curriculum planning, and students will be admitted to these courses on the basis of these agreements.

(2) General educational development test (G.E.D.): Successful completion of the G.E.D. test means that a person has learned enough through experience, job training, and other informal educational experiences to have an education equivalent to a high school diploma. Interested persons should make an appointment with a counselor to discuss the test and complete the application for G.E.D. testing. A test schedule will be arranged during this pretesting meeting. An 18 year old person who has been out of a formal high school classroom for a period of one year; 18 year old persons who have been in attendance in a high school program during the academic year who have a specific need for the test may be required to have written permission from a high school official.

(3) Adult high school diploma program.

(a) Requirements:

(i) Any person 18 years old or older who has been out of school at least one year or whose regular high school class has graduated.

(ii) A person who has attended high school during the academic year in which he/she turned 18 must have written approval from the high school principal or designee to enter the adult high school completion program.

(iii) High school diplomas will not be issued until the regular high school class has been graduated.

(b) Procedure.

(i) Evaluations may not be completed or programs planned without written authorization from the appropriate high school official when such authorization is required.

(ii) Planning an adult high school diploma program may be done at the counseling center on campus, the Highline Community College continuing education center at Federal Way High School, or with the Highline Community College coordinator at Evergreen High School. Make an appointment at one of these centers.

(iii) Bring a transcript of high school credits already completed so that an evaluation can be completed and a program planned.

(iv) Further information and clarification may be obtained through the office of continuing education and/or the director of the counseling center, Highline Community College.

[Order 013, § 132I-160-040, filed 1/6/76.]

[Title 132I WAC—p 36]

WAC 132I-160-050 Additional admissions procedures for special programs. The following programs have special admissions requirements and/or procedures: Automotive services, data processing, dental assistant, diving technician, flight attendant, respiratory therapy program, industrial technician, legal assistant program, machining, mechanic-sports vehicle, offset printing, registered nurse, and welding. These special requirements/procedures differ with each program and are available through the Highline Community College office of admissions.

[Order 013, § 132I-160-050, filed 1/6/76.]

WAC 132I-160-060 Residency. Tuition/matriculation fees are determined by Washington state resident/nonresident status as outlined by chapter 28B.15 RCW. A resident is defined as a person who can provide evidence of being domiciled in the state of Washington for one year prior to the beginning of the term for which he registered. Regardless of the above criteria, any person employed not less than 20 hours per week at any institution of higher education within the state of Washington and the children and spouses of such persons; federal employees in the state of Washington and their children and spouses; military personnel and their children and spouses residing or stationed in the state of Washington (unless stationed on a temporary basis for the purpose of reassignment or discharge processing) and all veteran residents whose first permanent duty option was in Washington state and who are receiving federal vocational or educational benefits as a result of military service, are eligible for resident tuition status.

A minor's domicile is that of his parents. Determination of resident or nonresident status rests with the office of the registrar. Appeals of this determination may be made by submitting a written request of appeal to the office of the registrar. Written notification of receipt of such a request will be mailed to the requesting student and the materials will be reviewed by the registrar with advice from the office of the attorney general of the state of Washington. The results of the decision based upon this review shall be sent to the requesting student.

[Order 013, § 132I-160-060, filed 1/6/76.]

WAC 132I-160-070 Appointments to register. The schedule of appointments to register for persons meeting the requirements stated in WAC 132I-160-030 reflects the following priorities (in sequential order).

- (1) Continuing students
- (2) Former students
- (3) New matriculated students
- (4) All specially categorized students (WAC 132I-160-040)
- (5) All late registrants

The specific dates and times for each of these priority appointments is printed in each quarter's schedule of classes and are available through the office of admissions and/or the office of the registrar.

[Order 013, § 132I-160-070, filed 1/6/76.]

WAC 132I-160-080 Registration. (1) An applicant who appears at the registrar's office at the appointed time of registration, whose records are in order, who completes class enrollment forms, pays tuition and other fees, and has these items accepted by the registrar's office is a registered student at Highline Community College.

(2) Late registration is officially defined as registration for classes any time after the last day of regular registration through the first week of each quarter until the closing date for all registration.

(3) Registration dates are listed in the official class schedule for each quarter and are available through the registrar's office.

[Order 013, § 132I-160-080, filed 1/6/76.]

WAC 132I-160-090 Changes in registration. (1) Changes in schedule: Classes or sections may be changed during specific days and times during the first week of the quarter. These dates and times are published in the college calendar, official college schedule, and the daily bulletin. A change is not official until it has been processed through the registrar's office. Approval of an advisor or a counselor or by the instructor, while not required, is recommended.

(2) Dropping a class: A class may be dropped for a good cause. Any class dropped during the first three weeks of a quarter will not be recorded on a student's official transcript. For classes dropped later in the quarter, the student will be given a "W" for passing work or an "E" for failing work as determined by the instructor, based on his or her status in that class at the time the student drops that class. To drop a class and retain good academic standing at Highline or for transfer to another college at a later date, the student must follow the proper procedure as outlined on the "change of schedule request" form available from an adviser, the counseling center, or the office of registrar, which is as follows: During the first week of the quarter only the student's signature is required; student and instructor's signature required thereafter. The instructor of the class being dropped must be consulted. Consultation with an adviser or counselor is also recommended. No course withdrawals are permitted within the last two weeks of a quarter.

(3) Withdrawal from college: Regulations about withdrawal from courses apply to withdrawal from the college. A student who wishes to withdraw from college altogether uses the same procedure as for dropping a class. The first step is to report to an adviser to initiate the withdrawal procedure. An official withdrawal from the college is granted only after all the forms are completed and accepted by the registrar's office. For a complete withdrawal from the college the signature of the instructor of each class, the adviser/counselor and student is required on the "change of schedule request" form at all times. No official withdrawals are permitted within the last two weeks of a quarter. Exceptions in these procedures may be made if withdrawal is requested by the college or is [if] there are extenuating

circumstances. Determination of such exceptions rests with the registrar's office.

(4) A withdrawal or change in registration is *official* when it is filed on the proper form (available through the counseling center and/or the office of admissions and/or the office of the registrar), signed by a counselor or adviser (and course instructor if applicable), and accepted in the registrar's office.

[Order 013, § 132I-160-090, filed 1/6/76.]

WAC 132I-160-100 Fees. (1) A nonrefundable \$10.00 application fee is payable upon application and is mandatory regardless of student status being sought.

(2) All matriculation fees are based on the residency/nonresidency requirements of these policies (WAC 132I-160-060) and upon chapter 28B.15 RCW and 1972 supplement, Title 28B RCW. Payment of a nonrefundable \$10.00 "registration deposit" is permissible to hold open a space for an applicant in order to allow more time to obtain full tuition fees.

(3) Special quarterly fees:

(a) Parking: Students with on-campus parking must pay a parking fee. On-campus parking rates vary according to the number of credit hours. Specific delineation of on-campus parking fees may be found in chapter 132I-116 WAC Parking and traffic rules and regulations, and are normally displayed at the office of registration.

(b) Some courses may have special additional fees as listed in the official class schedule. These fees are established by the board of trustees and are listed on "special instructional fees" which is available through the office of the registrar.

(c) There are various testing services available at Highline Community College each with a fee structure dependent upon the type of testing involved. A list of available tests and their individual costs may be obtained through the counseling center on campus.

(d) Some laboratory courses may assess a breakage fee which is dependent upon the type of equipment/course.

(4) A nonrefundable graduation fee of \$10.00 (or \$15.00 for concurrence degree awards) is due by March 15 of the graduation year. Such fees are transferable if graduation must be postponed.

(5) Processing fees: No processing fee will be charged for registration changes initiated by the college or for students wishing to add credits. Other changes in registration, resulting either in an equal or reduced course load will result in a \$2.00 process charge as will all other noncollege initiated changes after the third week of any quarter.

(6) A complete explanation of the basis of these fees may be obtained under "tuition and fees" section of the general catalog.

[Order 013, § 132I-160-100, filed 1/6/76.]

WAC 132I-160-110 Refunds. (1) Classifications: Fees are refundable under the following contingencies.

(a) Complete withdrawal from all classes prior to the end of the third class week of the quarter.

(b) Change in registration resulting in a reduction of two or more credits below the total credits on which tuition and fees were determined, but no refund after the third class week.

(2) Exceptions: Only three fees are designated as strictly nonrefundable: Application, registration deposit, and graduation fees. (WAC 132I-160-030, 132I-160-100)

(3) Deductions: Refunds are subject to two types of deduction: If the total of tuition and fees paid at registration is \$30.00 or more, a fee of \$10.00 will be deducted; if the total is less than \$30.00, a fee of \$5.00 will be deducted.

After the \$10.00 or \$5.00 is deducted, the remainder of tuition and fees previously paid by the student will be subject to the following schedule of refunds:

Before the start of the first day of the academic quarter - 100% refund.

Before the end of the first week of the academic quarter - 80% refund.

Before the end of the third week of the academic quarter - 50% refund.

After the end of the third class week - no refund.

(4) Military service: Students who are forced to withdraw from all college work by being involuntarily called into military service or a reserve unit being called to active duty, are eligible for a letter issued by the registrar's office which will credit tuition paid for the current quarter to a quarter when the student is able to resume his college work with Highline Community College.

[Order 013, § 132I-160-110, filed 1/6/76.]

Chapter 132I-168 WAC ACCESS TO PUBLIC RECORDS

WAC

132I-168-010	Access to public records.
132I-168-020	Purpose.
132I-168-030	Request for documents—Procedure.
132I-168-040	Appeal.
132I-168-050	Exemptions.
132I-168-060	Copying.
132I-168-070	Protest.
132I-168-080	Office hours.
132I-168-090	Sanctions.
132I-168-100	Public records Form 1.
132I-168-110	Public records Form 2.

WAC 132I-168-010 Access to public records. This chapter shall be known as Highline Community College rules on public records.

[Order 002, § 132I-168-010, filed 4/27/73.]

WAC 132I-168-020 Purpose. The purpose of this chapter shall be to ensure compliance by Highline Community College with the provision of Initiative 276, Disclosure—Campaign finances—Lobbying—Records [chapter 42.17 RCW], while at the same time preserving the orderly operation of the community college district and the privacy of the students and employees of the school.

[Order 002, § 132I-168-020, filed 4/27/73.]

[Title 132I WAC—p 38]

WAC 132I-168-030 Request for documents—Procedure. (1) All documents which are public records as defined in 2(24) of Initiative 276 [RCW 42.17.020(24)], are presumptively available for public access, except as restricted by WAC 132I-168-050. Any person wishing to inspect a public record shall submit Form 1, described in WAC 132I-168-100. Each request must be presented to the records officer, or to his secretary during regular office hours of the school, as defined in WAC 132I-168-080.

(2) The records officer shall, by the close of that business day, if the request is presented before noon, or noon the following business day if the request is presented in the afternoon, (a) make the requested document available, or (b) state that such a document does not exist, or (c) ask for clarification of the document requested, or (d) deny access because the document is exempt from public inspection under WAC 132I-168-050. The action taken shall be marked on Form 1 and returned to the person submitting the form.

(3) The director of admissions and registrar is hereby designated as the records officer.

[Order 002, § 132I-168-030, filed 4/27/73.]

WAC 132I-168-040 Appeal. (1) If access to the record is denied by the officer pursuant to WAC 132I-168-030, the person requesting the document may appeal to the president. The appellant shall file Form 2, together with Form 1, as returned, with the secretary to the president, during the day the appeal is returned if returned prior to 3:00 p.m., or by 11:00 a.m. the following business day if returned after 3:00 p.m. The president shall answer the appeal by returning Form 2 to the person requesting the record before the end of the second business day following the original denial of inspection on Form 1, unless a later time is indicated in the form. If no disposition is made by the end of the second business day following the denial on Form 1, the appeal shall be considered denied.

(2) If an appeal is filed after the time required in WAC 132I-168-040(1), then the return date shall be the end of the second business day following the filing of the appeal.

(3) The filing of a request and the return of Form 1 and Form 2 indicating disposition, is made by leaving the form with the secretary of the officer. The secretary of the officer shall mark the time and date of (a) the receipt of the form, (b) the return of the form with the disposition, and (c) the demand made for return by the person submitting the form. A request shall be deemed denied or an appeal denied only after the person filing the form has made a demand for the return of Form 1, or Form 2 at the appropriate time from the secretary, records officer, or president.

(4) Administrative remedies shall not be considered exhausted until the president has returned the appeal form, or until the close of the second business day following denial of inspection if the appeal form has been properly filed but not returned.

[Order 002, § 132I-168-040, filed 4/27/73.]

WAC 132I-168-050 Exemptions. (1) Public access to documents exempt under section 31(1) of Initiative 276 shall not be granted, unless the officer determines that disclosure would not affect any vital governmental interest. If the interest can be protected by deletion of person references, access shall be granted following deletion of such material, and a reasonable time shall be allowed for deleting the material.

(2) Individual files on students of Highline Community College shall be available for inspection only as described by WAC 132I-14-110. The only information contained in the individual file of an employee shall be the name, status, salary and teaching duties of the employee. The employee, however, shall have full access to his/her personnel file.

[Order 002, § 132I-168-050, filed 4/27/73.]

WAC 132I-168-060 Copying. Persons granted access to public records pursuant to Form 1 shall be allowed to copy such documents as they desire on any available copier of Highline Community College on payment of \$0.10 per copy. Payment shall be made to a cashier of the college who will issue a receipt which must be presented to the person in charge of the copying machine. The charge of \$0.10 per copy is the reasonable cost of paper and copying charges for Highline Community College.

[Order 002, § 132I-168-060, filed 4/27/73.]

WAC 132I-168-070 Protest. Any employee or applicant who believes a document has been or is about to be released, and, who believes his or her right to privacy will be infringed by public inspection of the document may file a protest with the president. Any student may register an appeal or complaint as specified by WAC 132I-14-110. If after consideration of the request for inspection and the protest, the president believes inspection should be denied, he or she should take appropriate action, including, if appropriate, the filing of a Section 33 request for an injunction.

[Order 002, § 132I-168-070, filed 4/27/73.]

WAC 132I-168-080 Office hours. For purposes of this chapter, the regular office hours of Highline Community College shall be considered 9:00 a.m. through 4:00 p.m., Monday through Friday; except for legal holidays for state employees.

[Order 002, § 132I-168-080, filed 4/27/73.]

WAC 132I-168-090 Sanctions. If a person granted access to public records pursuant to this chapter destroys, mutilates or fails to return such documents, or who returns the documents in an unreasonably disorganized fashion, a campus president may order that that person be denied further access to documents by the community college district. Any person wishing to contest such an order may request a hearing before the president or his designee concerning the charges, and

such a hearing shall be considered a conjected [contested] case for purposes of chapter 28B.19 RCW.

If a student or employee of the district willfully destroys or mutilates records of the district, he may be subject to disciplinary proceedings pursuant to the student code of rights and responsibilities, or the relevant rules and regulations of the district pertaining to faculty and classified staff.

[Order 002, § 132I-168-090, filed 4/27/73.]

WAC 132I-168-100 Public records Form 1.

COMMUNITY COLLEGE DISTRICT IX
Public Records Form 1

To:

The applicant requests inspection of the following documents:

- 1.
- 2.
- 3.

The applicant agrees to return the documents unharmed and in an orderly fashion.

Signed

Address

This form must be presented to the Records Officer or his secretary.

Disposition:

- The requested document is available for inspection.
- The College is not in possession of such a document.
- Please clarify precisely what documents are being requested as it cannot be determined from your application what documents are desired.
- The request is denied because the document is:
 - (a) Personal information in a file maintained for a student of this institution.
 - (b) Personal information in a file maintained for an employee of the District disclosure of which would violate the employee's right to privacy.
 - (c) A preliminary draft, note, recommendation or intro-agency memorandum in which opinions are expressed or policies formulated or recommended, which document has not been publicly cited by this agency in connection with an agency action.
 - (d) A record which is relevant to a controversy to which this agency is a party which record would not be available to another party under the rules of pretrial discovery.
 - (e) The document contains personal information which, when deleted, can be released, and such deletions will be completed by

Chapter 132I-168A WAC
USE OF THE LIBRARY

(f) Other

Signed
Title

A refusal to make a record available for inspection may be appealed to the President. If the request is denied prior to 3:00 p.m., the appeal should be filed by the close of the business day. If the request is denied after 3:00 p.m. the appeal should be filed by 11:00 a.m. of the next business day.

Received:
Returned:
Demand:

[Order 002, § 132I-168-100, filed 4/27/73.]

WAC 132I-168-110 Public records Form 2.

COMMUNITY COLLEGE DISTRICT IX
Public Records Form 2

To:

The applicant has been denied inspection of a document which is possessed by Community College District IX. The denial was made following submission of Form 1 (attached hereto).

The applicant appeals the disposition made on Form 1 and requests you to review this denial prior to the close of the second business day following the denial of the request.

Signed
Address

This form must be presented to the secretary of the President.

The appellant understands the President is not available until, and agrees to an extension of the return time until

Signed

Disposition:

- Inspection of the documents is granted.
Inspection will be granted following deletion of personal material in the requested documents.
Inspection of the documents is denied because

Signed
Title

Received:
Returned:
Demand:

[Order 002, § 132I-168-110, filed 4/27/73.]

WAC

- 132I-168A-010 Purpose of the library.
132I-168A-020 Basis of policies and procedures.
132I-168A-030 Definition of terms.
132I-168A-040 Classification of materials.
132I-168A-050 Borrower classification.
132I-168A-060 Periods of circulation.
132I-168A-070 Holds, recalls and searches.
132I-168A-080 Return of library materials.
132I-168A-090 Schedule of fines and charges.
132I-168A-100 Appeals of fines and charges.

WAC 132I-168A-010 Purpose of the library. Highline Community College library, in its role of cooperating against the abridgment of free expression and free access to ideas, provides public information and enlightenment through its responsibility to maintain books and other materials of value for their wide range of information, interest, viewpoints and enlightenment on the problems and issues of our times. Just as its doors remain open to all individuals, regardless of age, sex, race, religion, national origin or socio-political views, so its shelves remain open to all books regardless of the author's age, sex, race, religion, national origin or socio-political viewpoint. Further, Highline Community College's library perceives itself as challenger to all attempts at censorship and/or proscription of views of either patron or authors because it is an educational institution for democratic living.

[Order 012, § 132I-168-010 (codified as WAC 132I-168A-010), filed 10/31/75.]

WAC 132I-168A-020 Basis of policies and procedures. These rules are promulgated upon a spirit of harmony maintained between the individual scholar's need and those of the specific academic community. The Highline Community College board of trustees periodically reviews these rules including the schedule of fines and charges and reserves the right to change any policy, procedure, and/or rule through procedures consistent with chapter 28B.19 RCW.

[Order 012, § 132I-168-020 (codified as WAC 132I-168A-020), filed 10/31/75.]

WAC 132I-168A-030 Definition of terms. (1) Circulating material: Materials designated as available for library patrons to check out.

(2) Circulation period: The length of time materials may be checked out of the library. Time period varies with material's classification.

(3) Holds: A library patron wishing to check out circulating material already checked out may request that material be held for his/her use when returned.

(4) Library day: A library day is constituted by each day the library is open to the public.

(5) Library hours: A library hour is constituted by each hour the library is open to the public.

(6) Noncirculating materials: Materials designated as not available for library patrons to check out. Rare exceptions may be authorized by a librarian.

(7) **Recalls:** Under conditions prescribed in WAC 132I-168-070 [codified as WAC 132I-168A-070], the library may request a patron to return circulating materials.

(8) **Reserve material:** Materials placed under specially supervised circulation at special request of a Highline instructor.

(9) **Search:** A patron may request the library to make special efforts to locate a particular piece of library material.

[Order 012, § 132I-168-030 (codified as WAC 132I-168A-030), filed 10/31/75.]

WAC 132I-168A-040 Classification of materials. Library materials may be divided generically into the following classes: Books, periodicals, microform, audio-tape material, video-tape material, slides, recordings, and vertical file materials. These genera may be additionally classified as circulating, of limited circulation or noncirculating, depending upon the content, demand and availability of the specific material, but not necessarily depending upon the form of the material. Because of a special interest in a material for a limited period of time, library materials may be placed in a "reserve" section for specially supervised circulation only at the request of an instructor. The director of the library may classify certain library materials as part of a special collection due to the rarity, condition, or some other degree of speciality of that material. Patrons should consult the office of the director of the library for any restrictions or particular conditions regarding the use of such materials.

[Order 012, § 132I-168-040 (codified as WAC 132I-168A-040), filed 10/31/75.]

WAC 132I-168A-050 Borrower classification. Consistent with a community college being the symbol of a community's recognition of the value of education, the library acts as Highline college's emissary to all those acknowledging that value and actively seeking it. Within this principle are readily identifiable groups that have varying demands upon existing facilities. These groups are as follows:

- (1) Currently enrolled students
- (2) All faculty and staff of Highline Community College
- (3) The community at large which includes former students and graduated alumni
- (4) Other libraries

Patrons wishing to retain anonymity against future searches of library records may make special arrangements to check out materials on a disposable book card. Books, packages, briefcases and similar receptacles are subject to inspection upon leaving the library. Library privileges may be refused to patrons who repeatedly cause disturbances and have been forewarned of the possibility of such action.

[Order 012, § 132I-168-050 (codified as WAC 132I-168A-050), filed 10/31/75.]

WAC 132I-168A-060 Periods of circulation. Printed materials in the Highline Community College

library are available to borrowers under the following guidelines. The established loan time period for circulating materials is based upon anticipated demand and is so established by the director of the library and his staff. This schedule is based on a circulation period of two weeks starting from the Wednesday following the borrowing date. Circulation periods are subject periodic review by the director and his staff. Certain library materials, because of their high demand, the high degree of readily accessible facts and information, their essential capacity as a means to greater information sources or due to the specific nature of their form, may be designated as noncirculating by the library. Listening-language lab materials are classified as noncirculating. Materials classified as noncirculating do not circulate without the permission of a librarian. Two renewals, each of a two-week duration, are permissible unless someone has requested the material. Further renewals are subject to the discretion of the office of the director of the library. Overdue materials may be renewed in accordance with these procedures. Telephone renewals are permissible. Vertical file materials are subject to the same regulations as stated above except that the circulation period is three library days. Audio-visual materials circulate for three days through an instructor at the college. All periodicals (except the most recent issue of each title) may circulate for a three-day period. Renewals of periodicals are subject to the same regulations concerning renewals of other printed materials except that the length of renewal for periodicals is equal to the length of the original circulating period and that periodicals may only be renewed once.

[Order 012, § 132I-168-060 (codified as WAC 132I-168A-060), filed 10/31/75.]

WAC 132I-168A-070 Holds, recalls and searches.

(1) **Holds:**

(a) **Reserve materials:** Faculty members (only) may request that certain library materials be placed on "reserve" for restricted circulation periods of two hours, twenty-four hours, or three days. Library patrons may check out only one reserve item at a time unless special permission to use more than one reserve item has been obtained from a librarian, a circulation technician or from the instructor who placed the items on reserve. Reserve materials may not be renewed without special permission from a librarian or from the instructor requesting the materials held for reserve. Materials must remain available for others to use for at least one hour from the time of return.

(b) **Materials placed on regular "hold":** A patron may request a hold placed on any circulating material except reserve materials. Book materials on "hold" circulate under the rules and regulations governing regular library materials except that they must be checked out before they are allowed from the hold section (circulation desk).

(2) **Recalls:** After a patron has requested that a certain material be placed on "hold," that material may be recalled any time after the initial circulation period has

ended. Material placed on long-term loan may be recalled at any time. Materials needed to facilitate an instructor's reserve request may be recalled at any time. Materials checked out to noncollege patrons but needed for use by on-campus patrons may be recalled at any time.

(3) Searches: When a patron has been unable to locate a particular item in the library, a "search" for that item may be requested by filing appropriate search forms obtainable from the circulation desk or the office of the director of the library.

[Order 012, § 132I-168-070 (codified as WAC 132I-168A-070), filed 10/31/75.]

WAC 132I-168A-080 Return of library materials.

The library considers materials returned as of the date such materials are found in any of the library receiving points. Reserve, overnight, reference and special collection materials are considered returned when received at the point of circulation. After-hours receiving points are emptied when the library reopens on the following day. Materials found there will be considered as returned as of closing time the previous day. Equipment must be returned to the location from which it was circulated.

[Order 012, § 132I-168-080 (codified as WAC 132I-168A-080), filed 10/31/75.]

WAC 132I-168A-090 Schedule of fines and charges.

(1) Fines. The schedule of fines and charges is posted at the circulation desk and is available through the office of the director of the library. All patrons are subject to uniform application of this schedule. There are no fines levied for overdue materials that are in regular circulation. Fines are charged for overdue reserve, overnight, reference and special collections materials as follows:

(a) For materials under two to twenty-four hour circulation, fines are levied at a rate of \$.25/library hour (see WAC 132I-168-020) [codified as WAC 132I-168A-020] up through the first four hours inclusive and \$.10/library hour thereafter.

(b) For materials under three-day loan, fines are levied at a rate of \$.50/library day (see WAC 132I-168-020) [codified as WAC 132I-168A-020].

(c) For periodicals, fines are levied at a rate of \$.25/library day per item up to a maximum of \$2.00.

(2) Damage and replacement charges.

(a) Damage charges for all library materials, regardless of classification, will reflect the cost of repair but will not exceed the cost of replacement. Damages to special collection materials will be determined by the director of the library or his delegate. Charges for damaged reprints reflect the current copy-machine rates.

(b) Replacement charges are \$2.00 over the current list price of the lost or missing item. This rate for replacement applies to all library materials except:

(i) Vertical file materials which are assessed at \$2.00 per item;

(ii) Special collection materials which are assessed as determined by the director of the library or his delegate, and;

(iii) Periodical materials which are assessed at \$2.00 above the current list price for each periodical in addition to which bound periodicals will have an additional charge levied to reflect the cost of replacement and the cost of binding in volumes.

(3) Notification of overdue materials held against the student's record will be by mail to the address listed on the book card, registration roster or in the office of the registrar. Notice of materials placed on reserve may be by telephone and/or by mail. Responsibility for correct address information lies with the patron exclusively.

(4) Anyone owing over a total of \$50.00 in fines, damages and/or replacement charges shall have library privileges withheld as notified, in writing, by the director of the library or his delegate.

(5) Failure to return library materials and/or to settle disputes concerning fines, damages or replacement fees by the end of the quarter during which the material was circulated or the fine or fee was incurred may result in having library privileges suspended until the dispute is satisfactorily settled.

(6) Fines accrue from the first day or hour such materials are overdue.

(7) Failure to accommodate a library hold or recall effort may result in fines or similar appropriate disciplines.

(8) College employees who are terminating their employment at Highline Community College may have outstanding fines and/or charges deducted from final paychecks or may have final paychecks withheld until charges are paid.

[Order 012, § 132I-168-090 (codified as WAC 132I-168A-090), filed 10/31/75.]

WAC 132I-168A-100 Appeals of fines and charges.

(1) Library patrons wishing to appeal fines and/or charges assessed by the library may do so by completing library forms found at the circulation desk. Completed forms are to be filed with a librarian at the circulation desk. Failure to file this form within ten library days of the assessment of the fine or charge in question or within ten days of the time the library patron was made aware of the fine or should have been aware of the fine shall be deemed a waiver of the right to appeal.

(2) Within three library days of filing an appeal form, the director of the library or his designee shall respond, in writing, specifically stating the proposed disposition of the appeal. This response shall be sent to the address listed on the appeal form.

(3) If the proposed disposition is still considered unsatisfactory, the library patron may request a meeting with the director of the library. Such request shall be made in writing and shall be postmarked within ten days of the time the patron received the response to the appeal or should have received the response. Failure to file this request within the ten days shall be deemed as acceptance of the disposition proposed by the director.

(4) The director, upon receipt of a request for a meeting, shall establish a meeting time, within the library day, and a meeting place, within the library. The time of this meeting shall be not less than five days nor

later than 20 days after the receipt of the request. The director shall send notice of the meeting time and place to the address listed on the appeal form.

(5) If the library patron is not satisfied with the resolution of fine and/or charge after meeting with the director, the patron may request an administrative review of the decision. Such request must be made in writing, sent to the director of the library, and postmarked not later than 10 days after meeting with the director. Failure to file this request within the 10 days shall be deemed a waiver of the right for administrative review or other review as specified in this section.

(6) Within five days, the college president or vice president shall respond, in writing, to the request for administrative appeal. This response shall specifically state the proposed disposition of the appeal. The response shall be sent to the address listed on the appeal form.

(7) If the library patron is not satisfied with the proposed disposition of the fines and/or charges, the patron may request a meeting with the college president and vice president. Such request shall be made in writing, shall be sent to the director of the library, and shall be postmarked within 10 days of the time the patron received, or should have received, the response from the administrative review. Failure to file this request within 10 days shall be deemed as acceptance of the proposed response from the administrative appeal.

(8) The college president and/or vice president, upon receipt of request for a meeting, shall establish a meeting time, within a library day, and a meeting place on campus. The time of this meeting shall be not less than 10 days nor later than 20 days after the receipt of the request.

(9) If the library patron is not satisfied with the resolution after meeting with the president and/or vice president, the patron may request to be heard by the board of trustees. The procedures for requesting this meeting are set forth in the bylaws of the board of trustees (chapter 132I-104 WAC).

[Order 012, § 132I-168-100 (codified as WAC 132I-168A-100), filed 10/31/75.]