

Title 132K WAC

COMMUNITY COLLEGES—PIERCE COLLEGE

(Formerly: Fort Steilacoom Community College)

Chapters

- 132K-04 Board of trustees—Bylaws.
- 132K-08 A code of ethics for boards of trustees.
- 132K-10 State Environmental Policy Act (SEPA) rules.
- 132K-16 Student rights and responsibilities.
- 132K-20 Tenure policy.
- 132K-24 Continuing teaching excellence and professional improvement policy.
- 132K-112 Qualifications and personnel selection policy—Election rules.
- 132K-116 Parking and traffic rules.
- 132K-120 Student publications code of the associated students of Pierce College.
- 132K-122 Students records release policy.
- 132K-276 Public records.
- 132K-300 Notice of intent to withhold services and/or offset wages for outstanding debts Community College District No. 11 Pierce College.
- 132K-995 Appendix—Policies and procedures manual.

- 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-100 Probationary period—Purpose. [D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-110 Probationary period—Duration. [D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-120 Removal during probationary period. [Order, § 132K-12-120, filed 5/5/69; D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-130 Demotion during probationary period. [Order, § 132K-12-130, filed 5/5/69; D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-140 Notification of end of probationary period. [Order, § 132K-12-140, filed 5/5/69; D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-150 Separation. [Order, § 132K-12-150, filed 5/5/69; D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-160 Retirement. [Order, § 132K-12-160, filed 5/5/69; D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-170 Reduction in force—Layoff—Dismissal. [Order, § 132K-12-170, filed 5/5/69; D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-180 Disciplinary action. [Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-12-180, filed 7/11/86; Order, § 132K-12-180, filed 5/5/69; D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-190 Appeals from disciplinary actions—Who may appeal. [Order, § 132K-12-190, filed 5/5/69; D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-200 Procedures for hearing appeals. [Order, § 132K-12-200, filed 5/5/69; D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-210 Employee representation. [D-2 (part), filed 9/20/67.] Repealed by Order, filed 5/5/69.
- 132K-12-220 Grievances. [Order, § 132K-12-220, filed 5/5/69; D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-230 Questions and inquiries. [D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-232 Agreement between agencies and employee organizations. [Order, § 132K-12-232, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-234 Notice of intent by bargaining unit. [Order, § 132K-12-234, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-236 Determination of bargaining unit. [Order, § 132K-12-236, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 132K-12 PERSONNEL RULES

- 132K-12-001 Introduction. [D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-010 Hours of work. [Order, § 132K-12-010, filed 5/5/69; D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-020 Rest periods. [D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-030 Holidays. [Order, § 132K-12-030, filed 5/5/69; D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-040 Annual leave. [Order, § 132K-12-040, filed 5/5/69; D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-050 Sick leave. [Order, § 132K-12-050, filed 5/5/69; D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-060 Military leave of absence. [D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-070 Leave for civil duty. [D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-080 Leave of absence without pay. [Order, § 132K-12-080, filed 5/5/69; D-2 (part), filed 9/20/67.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-090 Absence without authorized leave. [Order, § 132K-12-090, filed 5/5/69; D-2 (part), filed 9/20/67.] Repealed by

Title 132K

Title 132K WAC: Pierce College

132K-12-238 Bargaining factors. [Order, § 132K-12-238, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-240 Certification of director—Notice of petition. [Order, § 132K-12-240, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-242 Election and bargaining rights. [Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-12-242, filed 7/11/86; Order, § 132K-12-242, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-244 Personnel matters. [Order, § 132K-12-244, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-246 Grievance procedure. [Order, § 132K-12-246, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-248 Payroll deduction. [Order, § 132K-12-248, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-250 One-year duration. [Order, § 132K-12-250, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-252 Filing—Conflict with Civil Service Act. [Order, § 132K-12-252, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-254 Conference on disputes. [Order, § 132K-12-254, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-256 Hearing on disputes. [Order, § 132K-12-256, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-258 Service ratings. [Order, § 132K-12-258, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-268 Political activity. [Order, § 132K-12-268, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-270 Outside employment. [Order, § 132K-12-270, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-272 Employment of more than one member of a family. [Order, § 132K-12-272, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-274 False statements—Fraud. [Order, § 132K-12-274, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-276 Bribery. [Order, § 132K-12-276, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-278 Interference by officials. [Order, § 132K-12-278, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-280 Penalties. [Order, § 132K-12-280, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-282 Discrimination. [Order, § 132K-12-282, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-284 Personnel records. [Order, § 132K-12-284, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-286 Roster. [Order, § 132K-12-286, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-288 Reports to the personnel director. [Order, § 132K-12-288, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-290 Public records. [Order, § 132K-12-290, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-300 Selection by examination. [Order, § 132K-12-300, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-310 Content of announcements. [Order, § 132K-12-310, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-320 Distribution of announcements. [Order, § 132K-12-320, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-330 Open competitive examinations. [Order, § 132K-12-330, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-340 Promotional examinations. [Order, § 132K-12-340, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-350 Forms of application. [Order, § 132K-12-350, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-360 Freedom from bias. [Order, § 132K-12-360, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-370 Admission to examination. [Order, § 132K-12-370, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-380 Disqualification of applicants. [Order, § 132K-12-380, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-390 Original examinations. [Order, § 132K-12-390, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-400 Promotional examinations. [Order, § 132K-12-400, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-410 Noncompetitive examinations. [Order, § 132K-12-410, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-420 Open-continuous examinations. [Order, § 132K-12-420, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-430 Conduct of examinations. [Order, § 132K-12-430, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-440 Anonymity of applicants. [Order, § 132K-12-440, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-450 Merit lists. [Order, § 132K-12-450, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-460 Layoff lists. [Order, § 132K-12-460, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-470 Unranked lists. [Order, § 132K-12-470, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-480 Duration of eligible lists. [Order, § 132K-12-480, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-490 Removal of names from eligible lists. [Order, § 132K-12-490, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-500 Comparable lists. [Order, § 132K-12-500, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-510 Availability of eligibles. [Order, § 132K-12-510, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-520 Request for employees. [Order, § 132K-12-520, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-530 Method of certification. [Order, § 132K-12-530, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

132K-12-540 Ranked lists. [Order, § 132K-12-540, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

- 132K-12-550 Related lists. [Order, § 132K-12-550, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-560 Selection. [Order, § 132K-12-560, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-570 Probationary appointments. [Order, § 132K-12-570, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-580 Provisional appointments. [Order, § 132K-12-580, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-590 Transfer. [Order, § 132K-12-590, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-600 Demotion. [Order, § 132K-12-600, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-610 Purpose. [Order, § 132K-12-610, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-620 Positions covered by the rules. [Order, § 132K-12-620, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-630 Adoption of rules. [Order, § 132K-12-630, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-640 Amendment of rules. [Order, § 132K-12-640, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-650 Definitions. [Order, § 132K-12-650, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-660 Organization. [Order, § 132K-12-660, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-670 Compensation. [Order, § 132K-12-670, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-680 Election of officers. [Order, § 132K-12-680, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-690 Meetings. [Order, § 132K-12-690, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-700 Powers and duties. [Order, § 132K-12-700, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-710 Appointment. [Order, § 132K-12-710, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-720 Powers and duties. [Order, § 132K-12-720, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-725 The appointing authority. [Order, § 132K-12-725, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-730 Content. [Order, § 132K-12-730, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-740 Allocation. [Order, § 132K-12-740, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-750 Interpretation of specifications. [Order, § 132K-12-750, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-760 Use in allocation. [Order, § 132K-12-760, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-770 Use in examination. [Order, § 132K-12-770, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-780 Statements of general qualifications. [Order, § 132K-12-780, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-790 Authority. [Order, § 132K-12-790, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-800 Use of class titles. [Order, § 132K-12-800, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-810 General policies. [Order, § 132K-12-810, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-820 Content. [Order, § 132K-12-820, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-830 Amendment. [Order, § 132K-12-830, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.
- 132K-12-840 Payroll certification. [Order, § 132K-12-840, filed 5/5/69.] Repealed by 92-03-031, filed 1/8/92, effective 2/8/92. Statutory Authority: RCW 28B.50.140.

**Chapter 132K-28
POLICY ON EQUAL OPPORTUNITY AND
AFFIRMATIVE ACTION PROGRAM**

- 132K-28-010 Policy. [Order 25, § 132K-28-010, filed 1/13/75; Order 7, § 132K-28-010, filed 2/18/72.] Repealed by 81-09-028 (Order 44), filed 4/13/81. Statutory Authority: RCW 28B.50.140.

**Chapter 132K-104
BOARD OF TRUSTEES—BYLAWS**

- 132K-104-001 Introduction. [Order 10, § 132K-104-001, filed 11/14/72.] Repealed by 80-13-065 (Order 40), filed 9/17/80. Statutory Authority: RCW 28B.50.140.
- 132K-104-005 Office of board. [Order 34, § 132K-104-005, filed 12/23/76; Order 24, § 132K-104-005, filed 12/10/74; Order 10, § 132K-104-005, filed 11/14/72.] Repealed by 80-13-065 (Order 40), filed 9/17/80. Statutory Authority: RCW 28B.50.140.
- 132K-104-010 Board meetings. [Order 34, § 132K-104-010, filed 12/23/76; Order 24, § 132K-104-010, filed 12/10/74; Order 10, § 132K-104-010, filed 11/14/72.] Repealed by 80-13-065 (Order 40), filed 9/17/80. Statutory Authority: RCW 28B.50.140.
- 132K-104-015 Information for board members. [Order 10, § 132K-104-015, filed 11/14/72.] Repealed by 80-13-065 (Order 40), filed 9/17/80. Statutory Authority: RCW 28B.50.140.
- 132K-104-020 Executive sessions. [Order 10, § 132K-104-020, filed 11/14/72.] Repealed by 80-13-065 (Order 40), filed 9/17/80. Statutory Authority: RCW 28B.50.140.
- 132K-104-025 Agenda. [Order 10, § 132K-104-025, filed 11/14/72.] Repealed by 80-13-065 (Order 40), filed 9/17/80. Statutory Authority: RCW 28B.50.140.
- 132K-104-030 Records of board action. [Order 10, § 132K-104-030, filed 11/14/72.] Repealed by 80-13-065 (Order 40), filed 9/17/80. Statutory Authority: RCW 28B.50.140.
- 132K-104-035 Parliamentary procedure. [Order 10, § 132K-104-035, filed 11/14/72.] Repealed by 80-13-065 (Order 40), filed 9/17/80. Statutory Authority: RCW 28B.50.140.
- 132K-104-040 Officers of the board. [Order 10, § 132K-104-040, filed 11/14/72.] Repealed by 80-13-065 (Order 40), filed 9/17/80. Statutory Authority: RCW 28B.50.140.
- 132K-104-045 Restriction of individual authority. [Order 10, § 132K-104-045, filed 11/14/72.] Repealed by 80-13-065 (Order 40), filed 9/17/80. Statutory Authority: RCW 28B.50.140.
- 132K-104-050 Fiscal year. [Order 10, § 132K-104-050, filed 11/14/72.] Repealed by 80-13-065 (Order 40), filed 9/17/80. Statutory Authority: RCW 28B.50.140.
- 132K-104-055 Official seal. [Order 10, § 132K-104-055, filed 11/14/72.] Repealed by 80-13-065 (Order 40), filed 9/17/80. Statutory Authority: RCW 28B.50.140.
- 132K-104-060 Revision of bylaws—Procedure. [Order 10, § 132K-104-060, filed 11/14/72.] Repealed by 80-13-065 (Order 40), filed 9/17/80. Statutory Authority: RCW 28B.50.140.
- 132K-104-065 Delegation of responsibility. [Order 10, § 132K-104-065, filed 11/14/72.] Repealed by 80-13-065 (Order 40), filed 9/17/80. Statutory Authority: RCW 28B.50.140.

Chapter 132K-04 WAC
BOARD OF TRUSTEES—BYLAWS

WAC

132K-04-001	Introduction.
132K-04-010	Office of board.
132K-04-020	Board meetings.
132K-04-030	Board meetings—Information for board members.
132K-04-040	Board meetings—Executive sessions.
132K-04-050	Board meetings—Agenda.
132K-04-060	Board meetings—Records of board action.
132K-04-070	Board meetings—Parliamentary procedure.
132K-04-080	Officers of board.
132K-04-090	Restriction of individual authority.
132K-04-100	Fiscal year.
132K-04-110	Official seal.
132K-04-120	Revision of bylaws—Procedure.
132K-04-130	Delegation of responsibility.

WAC 132K-04-001 Introduction. The Pierce College board of trustees, under law, is charged with the responsibility of Community College District #11. The authority is vested in the board, not in its individual board members. To assist the board in carrying out its responsibilities, 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 and in the policies and procedures manual of which this document is a part. The bylaws which follow contain 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.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-04-001, filed 7/11/86; D-1, § 1500.00, filed 9/20/67.]

WAC 132K-04-010 Office of board. The board of trustees shall maintain an office at Lakewood Center, Tacoma, Washington, 98499, where all regular meetings shall be held, unless otherwise announced, and all records, minutes, and the official college seal shall be kept. This office shall be open during all normal business hours to any resident taxpayer of the state of Washington.

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

[D-1, § 1510.00, filed 9/20/67.]

WAC 132K-04-020 Board meetings. The board of trustees shall hold at least one regular meeting each month and such other regular or special meetings as may be requested by the chairman of the board or by a majority of the members of the board. Regular meetings shall be held on the second Monday of each month except that the board of trustees may by resolution change the time of any meeting.

All regular meetings of the board of trustees shall be publicly announced prior to the meeting and shall be open to the general public.

No official business shall be conducted by the board of trustees except during a regular or special meeting held at a preannounced time and place.

[D-1, § 1520.00, filed 9/20/67.]

[Title 132K WAC—p 4]

WAC 132K-04-030 Board meetings—Information for board members. Information and materials pertinent to the agenda of all regular meetings of the board shall be sent to trustees prior to each meeting. Any matters of business or correspondence must be received by the secretary of the board by 12:00 noon three work days before the meeting in order to be included on the agenda. The chairman or secretary may, however, present a matter of urgent business received too late for inclusion on the agenda if in his judgment the matter is of an emergency nature.

[D-1, § 1521.00, filed 9/20/67.]

WAC 132K-04-040 Board meetings—Executive sessions. The board of trustees may convene in executive session whenever it is deemed necessary and in the interest of the college for the purpose of discussing personnel matters, confidential matters, and receiving briefing on agenda items.

No official business of the board of trustees shall be conducted in executive session.

[D-1, § 1522.00, filed 9/20/67.]

WAC 132K-04-050 Board meetings—Agenda. The order of the agenda governing all regular meetings of the board of trustees of Pierce College shall be as follows:

- (1) Roll call
- (2) Establishment of quorum
- (3) Approval of minutes of the previous meeting
- (4) Recommendations for action of the board
- (5) New business
- (6) Correspondence
- (7) Reports to the board
- (8) Chairman calls for agenda items for the next meeting
- (9) Adjournment

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

The chairman shall announce at the beginning of each meeting that members of the audience may speak to any item on the agenda at the time of its presentation 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.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-04-050, filed 7/11/86; D-1, § 1523.00, filed 9/20/67.]

WAC 132K-04-060 Board meetings—Records of board action. All business transacted in official board meetings shall be recorded in minutes and filed for reference.

[D-1, § 1524.00, filed 9/20/67.]

WAC 132K-04-070 Board meetings—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 present at a meeting at which there is a quorum.

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

In questions of parliamentary procedure, the actions of the board shall be conducted according to "Robert's Rules of Order" unless specified otherwise by state law or regulation of the state board.

[D-1, § 1525.00, filed 9/20/67.]

WAC 132K-04-080 Officers of board. At the first regular meeting of the board each year, the board shall elect, from its membership, a chairman and vice chairman to serve for the ensuing year. In addition, the president of the Pierce College district shall serve as secretary to the board of trustees as specified by state law. The secretary may, at his discretion, appoint his executive secretary or other appropriate college staff member to act as recording secretary for all regular and special meetings of the board.

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

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

The secretary of the board shall be the president of the college district. In addition to any duties imposed by rules and regulations of the state board, he shall keep the official seal of the board, maintain all records of meetings and other official actions of the board. He shall give notice of all meetings in the manner required by the bylaws and state statutes.

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

The secretary, or his designate, must attend all regular and special meetings of the board, and official minutes must be kept of all such meetings.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-04-080, filed 7/11/86; D-1, § 1530.00, filed 9/20/67.]

WAC 132K-04-090 Restriction 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.

[D-1, § 1540.00, filed 9/20/67.]

WAC 132K-04-100 Fiscal year. The fiscal year of the board shall conform to the fiscal year of the state of Washington and shall be from July 1 to June 30 inclusive.

[D-1, § 1550.00, filed 9/20/67.]

WAC 132K-04-110 Official seal. The board of trustees shall maintain an official seal for use upon any or all official documents of the board. The seal shall have inscribed upon it the name of the college which shall be:

Pierce College

District No. 11

State of Washington

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-04-110, filed 7/11/86; D-1, § 1560.00, filed 9/20/67.]

WAC 132K-04-120 Revision of bylaws—Procedure. Bylaws of the board may be revised by majority vote of the board provided such changes are proposed at least one meeting prior to the meeting at which the vote is taken. Bylaws may be revised by unanimous vote of the board at the same meeting at which the revision is originally proposed.

[D-1, § 1570.00, filed 9/20/67.]

WAC 132K-04-130 Delegation of responsibility. It shall be the responsibility of the Pierce College board of trustees to establish policy and to evaluate the success of the college operation. To administer the college, the board of trustees shall employ a college district president and hold him responsible for the interpretation of board policy into administrative action and for the administration of the college in general.

Specific policies and their administrative interpretation shall be described in detail in the several sections of the official policies and procedures manual of the college district.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-04-130, filed 7/11/86; D-1, § 1600.00, filed 9/20/67.]

Chapter 132K-08 WAC

A CODE OF ETHICS FOR BOARDS OF TRUSTEES

WAC

132K-08-010 Code of ethics.

WAC 132K-08-010 Code of ethics. As a member of the board of trustees of a community college district, I recognize

That the community has entrusted me with the education of post-high school adults.

That the public expects my first and greatest concern to be in the best interest of each and every student without distinction as to who they are or what their background may be.

That the future welfare of this community, of this state, and of the nation depends in the largest measure upon the quality of education and training we provide in the community college to fit the needs of every individual.

That my fellow board members and I must take the initiative in providing the people of this district with the facts about their college, to the end that they will readily support our efforts to provide the finest possible instructional program, college staff, and physical facilities.

That legally the authority of this board is derived from the state which controls the organization and operations of the college district and which determines the degree of discretionary power left with the board of trustees and the citizens of this district for the exercise of local autonomy.

That I must never neglect my personal obligation to the citizens of the district and my legal obligation to the state, nor surrender these responsibilities to any other person, group, or organization, but that, beyond these, I have a moral and civic obligation to the nation which can remain strong and free only so long as higher education in the United States of America is kept free and strong.

In view of the foregoing considerations, it shall be my constant endeavor

To devote time, thought, and study to the duties and responsibilities of a member of a board of trustees so that I may render effective and creditable service.

To work with my fellow board members in a spirit of harmony and cooperation in spite of differences of opinion that arise during vigorous debate of points at issue.

To base my personal decision upon all available facts in each situation; to vote my honest conviction in every case, unswayed by partisan bias of any kind; thereafter to abide by and uphold the final majority decision of the board.

To remember at all times that as an individual I have no legal authority outside the meetings of the board, and to conduct my relationships with the college staff, local citizens, and all media of communication on the basis of this fact.

To resist every temptation and outside pressure to use my position as a member of the board of trustees to benefit either myself or any other individual or agency apart from the total interest of the college.

To recognize that it is as important for the board to understand and evaluate the educational program of the college as it is to plan for the college business operations.

To bear in mind under all circumstances that the primary function of the board is to establish the policies by which the college is to be administered, but that the administration of the college and the conduct of college business shall be left to the employed college president and his professional and nonprofessional staff.

Finally, to strive step by step toward ideal conditions for most effective board service to the district, in a spirit of teamwork and devotion to public higher education as one of the greatest instruments for the preservation and perpetuation of our representative democracy.

Adapted from: *A Code of Ethics for School Board Members*, National School Boards Association, 1961.

[D-1, §§ 1700.00-1, 1700.00-2, filed 9/20/67.]

Chapter 132K-10 WAC

STATE ENVIRONMENTAL POLICY ACT (SEPA) RULES

WAC

132K-10-001 Capital projects to comply with SEPA.
132K-10-005 Responsible official.

WAC 132K-10-001 Capital projects to comply with SEPA. It shall be the policy of Community College District No. 11 that capital projects proposed and developed by the district shall comply with the provisions of chapter 43.21C RCW, the State Environmental Policy Act (SEPA); chapter 197-10 WAC, guidelines for SEPA implementation, and

[Title 132K WAC—p 6]

WAC 131-24-030, SEPA implementation rules of the state board for community college education.

[Order 29, § 132K-10-000 (codified as WAC 132K-10-001), filed 6/16/76.]

WAC 132K-10-005 Responsible official. In compliance with WAC 197-10-020, the district president, or an administrative officer designated by the district president, shall be the "responsible official" for carrying out this policy.

[Order 29, § 132K-10-005, filed 6/16/76.]

Chapter 132K-16 WAC

STUDENT RIGHTS AND RESPONSIBILITIES

WAC

132K-16-010	Introduction.
132K-16-020	Policy and regulations regarding student conduct.
132K-16-030	Discipline.
132K-16-040	Rights and responsibilities.
132K-16-050	Definitions.
132K-16-060	Procedures.
132K-16-070	Guidelines and safeguards.
132K-16-110	Introduction.
132K-16-120	Definitions.
132K-16-130	Jurisdiction.
132K-16-140	Student rights.
132K-16-150	Student responsibilities.
132K-16-160	Purpose of disciplinary action.
132K-16-170	Delegation of disciplinary authority.
132K-16-180	Disciplinary action.
132K-16-190	Initiation of disciplinary proceedings.
132K-16-200	Initial disciplinary proceedings.
132K-16-210	Notice to parties.
132K-16-220	Appeals.
132K-16-230	Failure to appear.
132K-16-240	Composition of the college disciplinary committee.
132K-16-250	Review by the college disciplinary committee.
132K-16-260	Formal hearing procedures before the college disciplinary committee.
132K-16-270	Conduct of hearings.
132K-16-280	Evidence admissible in hearings.
132K-16-290	Decision by the college disciplinary committee.
132K-16-300	Final decision regarding disciplinary action.
132K-16-310	Readmission after dismissal.
132K-16-320	Reporting, recording and maintenance of records.
132K-16-330	Summary suspension proceedings.
132K-16-340	Notice of summary proceedings.
132K-16-350	Procedures of summary suspension hearing.
132K-16-360	Suspension for failure to appear.
132K-16-370	Appeals from summary suspension.
132K-16-380	Student grievances—Generally.
132K-16-390	Matters not grievable.
132K-16-400	Administrative, faculty and student grievances.
132K-16-410	Types of grievances.
132K-16-420	Student grievance procedures—Informal.
132K-16-430	Student grievance procedures—Formal.
132K-16-440	Composition of grievance review committee.
132K-16-450	Hearing procedures before the grievance review committee.
132K-16-460	Review of committee's decision.
132K-16-470	Prior rules.
132K-16-480	Severability.

WAC 132K-16-010 Introduction. Broadly stated, the purpose of Pierce College, District No. 11, is to provide opportunities for all who desire to pursue educational goals. To implement this objective, it is necessary to insure that an environment is created wherein all students may progress in accordance with their capabilities and intensity of interest. The responsibility to create and maintain such an environ-

(1992 Ed.)

ment is shared by all members of the college; students, faculty and administration.

It is the intent that rights and responsibilities specified herein shall apply on any campus, site, or location and to any student enrolled in any program, course or class under jurisdiction of Community College District No. 11 and that where feasible the same or similar procedures be followed.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-16-010, filed 7/11/86; Order 4, § 132K-16-010, filed 1/13/71.]

WAC 132K-16-020 Policy and regulations regarding student conduct. (1) Students will conduct themselves as responsible members of the academic community; will obey all federal, state, county, and municipal laws and will comply with the established rules, regulations and procedures of the college, promulgated by the board of trustees.

(2) On campus or at any college sponsored activity, it is expected that students will not engage in such activities as cheating, plagiarism, theft, assault, destruction of property, forgery or alteration of records; acts relating to the illegal use of alcoholic beverages, drugs, and other illegal substances of that nature; and acts that endanger the health, safety, or welfare of other persons.

(3) Further, students will not behave in such a manner as to interfere with the conduct of college activities or to disrupt the normal procedures of the college and will respect the rights, privileges and property of members of the college community.

[Order 4, § 132K-16-020, filed 1/13/71.]

WAC 132K-16-030 Discipline. (1) Students will accept responsibility for their own conduct. Sanctions for violations of college regulations or conduct which interferes with college affairs will be imposed by the college. Sanctions, up to and including dismissal from the college, may be imposed for failure to comply with the policies and regulations as outlined in this document. These sanctions will define whether, and under what conditions, the violator may continue as a student in the college.

(2) The college may impose sanctions independently of any action taken by civil authorities. The college may not impose sanctions in response to action taken by civil authorities on matters not involving the college. In keeping with the educational purpose of the college, disciplinary actions are intended to be remedial rather than punitive.

[Order 4, § 132K-16-030, filed 1/13/71.]

WAC 132K-16-040 Rights and responsibilities. (1) ***Freedom of speech**

(a) As an institution of higher learning devoted to the search for truth in a democratic society, Pierce College is dedicated to the maintenance and expression of a spirit of free inquiry. For its students, accordingly, it promotes the development of an atmosphere of open exchange and of conditions conducive to critical evaluation of divergent points of view.

(b) All students shall have the right to address members of the student body in such a fashion that does not materially and substantially disrupt the operation of the college.

(c) It is expected that off-campus speakers will contribute to the exploration of new ideas and become an integral part of the educative process at Pierce College. Therefore, any student, faculty member or administrator may invite a speaker to be heard on the campus of the college, subject to the restraints imposed by federal, state, and/or municipal constitutions and statutes, as well as the rules and regulations of the college, provided the following circumstances exist:

(i) The person or group inviting the speaker has submitted the request form to the director of student activities at least one week before the date of the scheduled meeting, for permission to use college facilities.

(ii) Suitable facilities are available.

(iii) That an opportunity is provided at the end of the speaker's presentation for discussion of, and, if desired, opposition to the views of the speaker.

(d) Requests by persons to speak on the campus shall be made to the director of student activities and shall be subject to the above regulations.

(e) Questions concerning any speaker's application shall be referred to a standing committee consisting of two students, two faculty members, and two administrators appointed by the respective groups.

This committee shall be continually empowered to deliberate and determine any action deemed necessary to preserve -

(i) The right of the audience to hear speakers,

(ii) The freedom of the speaker to express whatever view he holds,

(iii) The right of the institution and community to offer meaningful discussion and/or rebuttal.

(f) The director of student activities will serve as the spokesman for the committee and the college in relationships with speakers and their representatives.

(g) It is understood that the trustees, administration, faculty, and students do not necessarily endorse views of speakers.

*This policy does not apply to those speakers who are brought on campus as part of the in-class instructional program, even if open to the public.

(2) Right of assembly

(a) Pierce College will preserve the rights of its students who wish to assemble but will not permit this assembly to materially and substantially disrupt an operation of the college.

(b) Nonstudents who participate in or aid or abet any assembly or assemblies in violation of this section shall be subject to prosecution under the state criminal trespass law and/or any other possible civil or criminal remedies available to the college.

(3) Distribution of material on campus

(a) Distribution on campus of printed material for purely commercial purposes, or material which is inconsistent with the preservation of the educational environment is prohibited.

(b) The director of student activities shall have responsibility for this determination.

(c) Any question about decisions of the director shall be referred to a standing committee composed of two students, two faculty members and two administrators, who shall make final disposition of the matter.

(d) Distribution on campus of printed material by students or student groups shall always be permitted, subject to the following:

(i) Materials for posting shall be stamped in the office of the director of student activities to indicate how long they are to be displayed.

(ii) All materials must bear identification as to publishing agency and distributing organization or individual.

(iii) Distribution of material shall be in such a manner as not to materially or substantially disrupt the operation of the college.

(iv) Materials for posting shall be posted in those areas designated for that purpose.

(v) The distributing agency, group or individual is responsible for the condition, removal or resultant litter of distributed materials.

(e) Distribution of material on campus by noncollege related people is prohibited.

(f) Any distribution of the materials regulated in this section shall not be construed as approval of the same by the college or by the board of trustees of Community College District No. 11.

(4) Use of alcohol and drugs

(a) The possession, use, sale, or distribution of any intoxicant or illegal drug on the college campus is prohibited.

(b) The use of illegal drugs by any Pierce College student attending a college sponsored event is also prohibited, even though the event does not take place at the college.

(c) The use of alcohol by students attending such events shall conform to state law.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-16-040, filed 7/11/86; Order 4, § 132K-16-040, filed 1/13/71.]

WAC 132K-16-050 Definitions. The following disciplinary terms as used in this chapter 132K-16 WAC have been defined to provide for consistency in the application of penalties when sanctions are imposed.

(1) **Disciplinary warning:** Notice to a student, either verbally or in writing, that he has been in violation of college rules or regulations or has otherwise failed to satisfy the college's expectations regarding conduct as outlined in WAC 132K-16-020. Such warnings imply that continuation of repetition of the specific conduct will result in one of the more serious disciplinary actions described below.

(2) **Reprimand:** Formal action censuring a student for violation of college rules or regulations (as contained in this document) or for failure to satisfy the college's expectations regarding conduct as outlined in WAC 132K-16-020. Reprimands are always made in writing to the student by the dean of students. A reprimand represents to the student that continuation or repetition of the specific conduct involved or other misconduct will result in one of the more serious disciplinary actions described below.

(3) **Disciplinary probation:** Formal action placing conditions upon the student's continued attendance due to his violation of college rules or regulations (as contained in this document) or failure to satisfy the college's expectations regarding conduct as outlined in WAC 132K-16-020. The office of the dean of students will specify, in writing, the

period of probation and the conditions. Disciplinary probation warns the student that any further misconduct will automatically raise the question of dismissal from the college. Disciplinary probation may be for a specified term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college.

(4) **Dismissal:** Termination of student status may be invoked for violation of college rules or regulations (as contained in this document) or for failure to satisfy the college's expectations regarding conduct as outlined in WAC 132K-16-020. Students may be dismissed only with the approval of the president of the college. Dismissal may be for a stated or for an indefinite period. The notification dismissing a student will indicate, in writing, the terms of the dismissal and any special conditions which must be met before readmission. There is no refund of fees for the quarter in which the action is taken, but fees paid in advance for a subsequent quarter shall be refunded.

Any official verbal communication between the dean of students and a student charged in a disciplinary matter must be conducted personally between those two individuals. Any written communication from the dean of students to a student charged in a disciplinary matter must be delivered to that student personally or by certified mail.

[Order 4, § 132K-16-050, filed 1/13/71.]

WAC 132K-16-060 Procedures. Disciplinary authority of the office of the dean of students

(1) All disciplinary proceedings will be initiated by the office of the dean of students. Disciplinary proceedings will be conducted informally between the student and the dean of students. The dean may also establish advisory panels to advise or act for him in disciplinary matters.

(2) In all cases the student shall be advised of his rights by reference to the Pierce College student rights and responsibilities, specifically WAC 132K-16-070.

(3) In order that the informality of procedure in these instances not mislead a student as to the seriousness of the matter under consideration, the student involved should be apprised at the initial conference of the potential seriousness of the charges being considered. If further consideration reveals that more severe disciplinary action may be appropriate, the student shall be so advised in writing.

(4) After considering the evidence in the case and interviewing the student or students involved, the dean of students may take any of the following actions:

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

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

(c) Impose sanctions directly (warning, reprimand, disciplinary probation, dismissal) subject to the student's right of appeal described below. The student shall be notified of the action taken; this notice must be in writing when sanctions are imposed.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-16-060, filed 7/11/86; Order 4, § 132K-16-060, filed 1/13/71.]

WAC 132K-16-070 Guidelines and safeguards. (1)

In the event that it becomes necessary for the college to take disciplinary action against a student, the following procedural steps will be followed prior to such action.

(a) The student will be notified in writing -

(i) Of the charges which will include the specific regulations alleged to be violated and the names of the complaining witnesses.

(ii) Of the date, time and place of the hearing relative to the charge and the general nature of the planned proceedings, including the statement that a new hearing date will be fixed if additional time to prepare a response to the charge is desired.

(iii) Of the opportunity to present information to establish innocence or mitigation of the circumstances, including a specific statement that supporting witnesses or statements will be welcome and that a student may have the assistance of or utilize a spokesman in the presentation of his position at the hearing.

(b) Notification will be given the student, prior to the receipt of any evidence at the hearing, that the student will not be required to give evidence which may be self-incriminating.

(c) The student will be advised of his right and appeal procedures and will sign a statement indicating that he has been apprised of these rights and appeal procedures.

(d) No transcription of the testimony will be made at this hearing; however, records of the disposition of the case will be maintained.

(2) Appeals

(a) Any disciplinary decisions involving Pierce College students may be appealed to the disciplinary appeals committee by the involved student or other students, faculty, or administrators, with the written consent of the involved student.

(b) The disciplinary appeals committee shall be a standing committee composed of three students and three faculty members.

(i) Faculty members - as chosen by the faculty senate.

(ii) Student members - appointed by the chairman of the student board of directors of Pierce College.

(c) The committee shall select a chairman from their membership, and he shall be a voting member. This committee will function as a hearing committee and will make decisions according to a majority vote. In the case of a tie, each committee member's recommendation will be referred to the president of the college for his decision in the case. The decision of this committee or college president (in case of a tie) will be referred to the dean of students for action.

(d) Any decision of the disciplinary appeals committee or the college president may be appealed, by the involved student, to the board of trustees of Community College District No. 11 for review. The decision of the board of trustees shall be referred to the dean of students for action.

(3) **Due process** The following committee procedures are established to satisfy the requirements of procedural due process.

(a) No member of the committee, who is otherwise interested in the case, will sit in judgment during the proceedings. Replacement faculty appointments will be made by the president of the faculty senate and replacement

student appointments will be made by the chairman of the student board of directors of Pierce College.

(b) The student will be notified, in writing, of the reasons for the proposed hearing at least one week before the scheduled committee hearing. If the student finds the date fixed inconvenient or burdensome, a new hearing date will be fixed upon request by the student, in writing, directed to the disciplinary appeals committee.

(c) The student appearing before the committee has the right to be assisted in his defense by an advisor or spokesman of his choice.

(d) The burden of proof rests upon the individual or official bringing the charge.

(e) The student has the opportunity to testify and to present evidence and witnesses. He has the opportunity to hear and question all witnesses.

(f) Thorough record will be made of the committee hearing. The student shall receive a written report of committee hearings regarding his case.

(4) Readmission

(a) A student dismissed from the college may be readmitted only on written petition to the dean of students. Such petitions must indicate how specific conditions have been met and any reasons which support a reconsideration of the matter. If the petition is refused, the dismissed student may appeal to the disciplinary appeals committee under the rules set forth under disciplinary proceedings.

(5) Student rights and responsibilities policy review

(a) This document shall be reviewed by the student board of directors and the dean of students at least once each year.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-16-070, filed 7/11/86; Order 4, § 132K-16-070, filed 1/13/71.]

WAC 132K-16-110 Introduction. Broadly stated, the purpose of Pierce College, District No. 11, is to provide opportunities for all who desire to pursue educational goals. To implement this objective, it is necessary to ensure that an environment is created wherein all students may progress in accordance with their capabilities and intensity of interest. The responsibility to create and maintain such an environment is shared by all members of the college; students, faculty and administration. (Statutory Authority: RCW 28B.50.140.)

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-110, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-120 Definitions. As used in this chapter, the following words and phrases shall be defined as follows:

(1) **Academic dishonesty.** "Academic dishonesty" shall mean plagiarism, cheating on examinations, fraudulent representation of student work product or other similar act of academic dishonesty.

(2) **Alcoholic beverages.** "Alcoholic beverages" shall mean the definition of liquor as contained in RCW 66.04.010(15) as now law or hereafter amended.

(3) **Assembly/demonstrations.** "Assembly" shall mean any overt activity engaged in by two or more persons, the object of which is to gain publicity, advocate a view, petition

for a cause, or disseminate information to any person, persons or group of persons.

(4) ASPC. "ASPC" shall mean the associated students of Pierce College as defined in the ASPC constitution.

(5) Board. "Board" shall mean the board of trustees of Community College District No. 11, state of Washington.

(6) Chief administrative officer. "Chief administrative officer" shall mean the president of Pierce College and president of Community College District No. 11, state of Washington.

(7) College. "College" shall mean Pierce College and any other community college center or facilities established within Community College District No. 11.

(8) College facilities. "College facilities" shall mean and include any and all personal property and real property owned, rented, leased, or operated by the board of trustees of Community College District No. 11 and shall include all buildings and appurtenances affixed thereon or attached thereto.

(9) Dean of students. "Dean of students" shall mean the dean of students at Pierce College or his or her designee(s).

(10) Disciplinary action. "Disciplinary action" shall mean and include the warning, reprimand, probation, suspension, dismissal or expulsion of any student by the dean of students or the college disciplinary committee, issued pursuant to this chapter for the violation of any law or designated rule or regulation of college policy or the rules of conduct for which a student is subject to disciplinary action.

(11) Controlled substance. "Controlled substance" shall mean and include any drug or substance as defined in chapter 69.50 RCW as now law or hereafter amended.

(12) Faculty. "Faculty" shall mean and include any full-time or part-time academic employee of the district whose assignment is one or a combination of instruction, counseling, or library services.

(13) Rules of conduct. "Rules of conduct" shall mean those rules contained within this chapter as now exist or which may be hereafter amended, the violation of which subjects a student to disciplinary action.

(14) Student. "Student," unless otherwise qualified, shall mean and include any person who is registered for classes with Pierce College.

(15) College disciplinary committee. "College disciplinary committee" shall mean the judicial body provided in this chapter.

(16) Trespass. "Trespass" shall mean the definition of trespass as contained in chapter 9A.52 RCW as now law or hereafter amended.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-120, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-130 Jurisdiction. (1) These rules shall apply to every student who is present in or upon any college facility, or who is present and/or engaged in any college-sponsored activity held on or in noncollege facilities.

(2) Anyone who breaches, or who aids or abets another in breaching, any provision of this chapter shall be subject to:

- (a) Possible prosecution under the state criminal law;
- (b) Any other civil or criminal remedies available to the public; and/or

(c) Appropriate disciplinary action as set forth in this chapter or in other college policies and regulations.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-130, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-140 Student rights. As an institution of higher learning, Pierce College is dedicated to maintaining and expressing a spirit of free inquiry. Accordingly, the following enumerated rights are guaranteed to each student within the limits of law and college policy.

(1) Academic freedom.

(a) The right of free inquiry, expression and assembly upon and within college facilities which are generally open and available to the public.

(b) The right to pursue appropriate educational objectives, subject to applicable statutory limits, from among the college's curricula.

(c) The right to freedom from academic evaluation which is prejudiced, or arbitrary and capricious, although students are individually responsible for meeting the standards of academic performance established by each of their instructors.

(d) The right to freedom from unlawful discrimination, inappropriate and disrespectful conduct, racial and/or sexual harassment.

(e) The right to privacy and confidentiality of all student records according to the Family Education Rights and Privacy Act of 1974.

(2) Due process.

(a) The right to be secure in the student's person, quarters, papers and effects against unreasonable searches and seizures.

(b) The right to notice of the nature of any charges against the student prior to imposition of disciplinary sanctions.

(c) The right to procedural due process as described in this chapter, whenever the student is accused of violating any law or a rule or procedure of the college as set forth in the Washington Administrative Code or in other college policies and regulations.

(3) Distribution and posting.

The right to distribute or post printed or published material subject to official procedures printed and available in the office of student programs and activities.

(4) Right to assembly/demonstrate.

(a) Students shall have the right of "assembly" as defined in WAC 132K-16-120 upon college facilities that are generally available to the public. Such assembly shall:

(i) Be conducted in an orderly manner; and

(ii) Not unreasonably interfere with vehicular or pedestrian traffic; or

(iii) Not unreasonably interfere with classes, schedules, meetings, or ceremonies, or with educational functions of the college; and

(iv) Not unreasonably interfere with college functions.

(b) A student who conducts or participates in an assembly violative of any provision of this section shall be subject to disciplinary action.

(c) Nonstudents who participate in or aid or abet any assembly or assemblies in violation of this section shall be subject to possible prosecution under the state criminal

trespass law and/or any other possible civil or criminal remedies available to the college.

(5) Off-campus speakers.

The right of recognized student organizations to invite outside speakers to speak on campus subject to the availability of campus facilities, funding and in compliance with college procedures available for inspection in the office of student programs and activities.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-140, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-150 Student responsibilities. Any student may be subject to disciplinary action as described in this chapter if the student, whether as a principle actor or as an aider, abettor or accomplice as defined in RCW 9A.08.020 as now law or hereafter amended, interferes with the personal rights or privileges of others or with the college's educational process; commits any offenses described in this chapter; or otherwise violates any provision of this chapter. Offenses subject to disciplinary action include but are not limited to:

(1) Assault, reckless endangerment, etc. Any student who commits the offenses of assault, reckless endangerment, intimidation or interference upon another person in the manner set forth in RCW 9A.36.010 through 9A.36.050 and 9A.36.070, or in RCW 28B.10.570 through 28B.10.572, as now law or hereafter amended.

(2) Disorderly, abusive or bothersome conduct. Any student whose conduct interferes with the rights of others or obstructs or disrupts teaching, research or administrative functions.

(3) Inattentiveness/failure to follow instructions. A student's inattentiveness and/or failure to follow an instructor's instructions, when such behavior infringes upon the rights and privileges of other students.

(4) False complaint. Any student who files a formal complaint, falsely accusing another student or college employee of violating a provision of this chapter.

(5) False alarm. Any student who falsely sets off or otherwise tampers with any emergency safety equipment, alarm, or other device established for the safety of individuals and/or the college.

(6) Sexual harassment. Any student who engages in unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where such behavior offends the recipient, causes discomfort or humiliation, or interferes with job or school performance.

(7) Racial harassment. Any student who engages in racial harassment, which includes ethnic and racial jokes, racial slurs, demeaning comments, looks or gestures or other verbal or physical conduct deliberately designed to humiliate and/or cause discomfort to the recipient or which interferes with job or school performance.

(8) Theft and robbery. Any student who engages in theft or robbery, which is defined as theft of the property of the college or of another as set forth in RCW 9A.56.010 through 9A.56.050 and 9A.56.100, as now law or hereafter amended.

(9) Malicious mischief. Any student who engages in malicious mischief, which is defined as intentional or

negligent damage to or destruction of any college facility or other public or private real or personal property.

(10) Unauthorized use of college equipment and supplies. Any student who converts college equipment or supplies for personal gain or use, without proper authority.

(11) Computer trespass. Any student who, without authorization, intentionally gains access to a computer system or electronic data owned or used by the Washington State Community College District 11 shall be subject both to disciplinary action pursuant to this chapter and to criminal prosecution pursuant to any or all other statutory laws or regulations pertaining thereto.

(12) Cheating and plagiarism. Any student who, for the purpose of fulfilling or partially fulfilling any assignment or task required by a college employee as part of the student's program of instruction, shall knowingly tender any work product that the student fraudulently represented to the college employee as the student's own work product, shall be deemed to have cheated or to have committed plagiarism. Furthermore, cheating is defined as the production of a product through trickery or fraud.

(13) Forgery or alteration of college records. Forgery or alteration of college records is defined pursuant to RCW 9A.60.010 through 9A.60.020 as now law or hereafter amended, and is further defined as forging records or tendering forged records (or instruments of any college record) to any college employee or agent acting in his/her official capacity.

(14) Refusing to provide identification. Any student refusing to provide identification in appropriate circumstances is defined as refusing to provide positive identification (e.g., valid driver's license or state identification card) when requested to do so by any college employee acting in the lawful discharge of his/her duties.

(15) Illegal entry. Illegal entry is defined as entering, in any manner and at any time, any college administrative or employee's office, or any locked or otherwise closed college facility, without permission of the college employee or agent in charge.

(16) Smoking. Smoking in college facilities is prohibited.

(17) Alcohol and controlled substances.

(a) Illicit use of alcohol. Students are prohibited from being under the influence of any form of alcoholic beverage, or from possessing, consuming or distributing any form of alcoholic beverage on college facilities, with the exception of sanctioned events approved by the dean of students and in compliance with state law and the college's alcohol policy.

(b) Controlled substances. Students are prohibited from using, possessing, being under the influence of, or selling any narcotic or controlled substance as defined in chapter 69.50 RCW as now law or hereafter amended, except when the use of possession of a drug is specifically prescribed as medication by an authorized medical doctor. For the purpose of this regulation, "sale" shall include the statutory meaning set forth in RCW 69.50.410 as now law or hereafter amended.

(c) Pierce College policy and program. Pierce College has adopted and implemented a policy and program to prevent the unlawful possession, use or distribution of illicit drugs or alcohol by students. The policy and program

statement are on file in the office of the dean of students and describe criminal and other sanctions which may be imposed against students and employees for the unlawful possession, use or distribution of illicit drugs or alcohol by students and employees at Pierce College.

(18) Weapons, explosives and dangerous chemicals. Students are prohibited from the illegal or unauthorized use or possession of any device or substance which can be used to inflict bodily harm or damage to real or personal property.

(19) Trespass.

(a) Power and authority of dean of students. The dean of students has the power and authority to withdraw the license or privilege, or prohibit the entry, of any person(s) to enter into or remain in or upon any college facility.

(b) Power and authority—when exercised. The dean of students may exercise his/her power and authority to halt any event which the dean of students believes;

(i) Is unreasonably disruptive; or

(ii) Is impeding or will impede the movement of persons or vehicles; or

(iii) Is disrupting or threatening to disrupt the ingress and/or egress of persons from college facilities.

(c) Sanctions. Any individual who disobeys a lawful order of the dean of students shall be subject to disciplinary action and/or charges of criminal trespass.

(20) Violation of other laws, rules or regulations. Students are prohibited from violating any federal, state, or local law(s), rule(s) and/or regulation(s) of this institution.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-150, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-160 Purpose of disciplinary action.

Disciplinary action, up to and including dismissal from the college, may be imposed upon a student for failure to abide by the rules of student conduct as described in this chapter. The form of disciplinary action imposed upon the violator will determine whether and under what conditions the violator may continue as a student at the college.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-160, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-170 Delegation of disciplinary authority.

(1) The dean of students shall have authority to administer the disciplinary action prescribed in this chapter. The college disciplinary committee shall have the authority to review actions taken by the dean of students as provided in this chapter. Further administrative review may be taken by the college president.

(2) Faculty are responsible for student conduct in the classroom and are authorized to take such steps as are necessary when behavior of the student interrupts the normal classroom procedure(s). 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 office of the dean of students within twenty-four hours of the infraction.

(3) The president shall be informed of all student dismissals, suspensions or probation proceedings undertaken by the dean of students or by the college disciplinary committee.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-170, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-180 Disciplinary action. The following disciplinary actions are hereby established—any of which shall be the sanction imposed upon violators of the rules of student conduct:

(1) Disciplinary warning. Notice to a student, either verbally or in writing, that the student has been in violation of a law and/or the college's established policy or rules of conduct. Such warnings will imply that continuing or repeated violations, or other misconduct, will result in one or more of the more serious disciplinary actions described in this section. Formal files or records will not be kept on disciplinary warnings.

(2) Disciplinary reprimand. Formal action censuring a student from violation of the rules of student conduct as outlined in this chapter. Reprimands shall be made in writing to the student by the dean of students, with copies filed in the office of the dean of students for a period of five years. A reprimand shall indicate to the student that continuation or repetition of a specific conduct involved or other misconduct will result in one of the more serious disciplinary actions described in this section.

(3) Disciplinary probation. Formal action placing conditions upon the student's continued attendance for violations of rules of student conduct. Notice shall be made in writing and specify the period of probation and the conditions such as limiting the student participation in extracurricular activities. Disciplinary probation may be for a specific term or for an indefinite period which may extend to graduation or other termination of the students enrollment in the college. Copies of the written notifications of disciplinary probation shall be placed in the office of the dean of students for a period of five years.

(4) Suspension. Temporary dismissal from the college and termination of the person's student status for violation of the rules of student conduct. Notice shall be made in writing and specify the duration of the dismissal and any special conditions which must be met before readmission. Copies of the written notification of suspension shall be placed on file in the office of the dean of students.

(5) Expulsion. Indefinite or permanent dismissal from the college and termination of the person's student status for violation of rules of student conduct. Written notice shall be given which will specify any special conditions which must be met before readmission. There shall be no refund of fees for the quarter in which the action is taken, but fees paid in advance for a subsequent quarter will be refunded.

(6) Restitution. An individual student may be required to make restitution for damage or loss to college or other property. Failure to make restitution within the time limits established by the dean of students or the college disciplinary committee will result in suspension for an indefinite period of time as set forth in subsection (4) of this section. Student(s) may be reinstated upon payment.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-180, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-190 Initiation of disciplinary proceedings. A request for disciplinary action for violating the rules of student conduct may be referred in writing to the dean of students within twenty days of discovery of the facts given rise to the request. Such a request may be made by

any member of the administration, faculty, or college personnel or any student. All requests must be in writing and signed by the individual making the request.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-190, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-200 Initial disciplinary proceedings.

(1) All disciplinary proceedings will be initiated by the dean of students. The student may be placed on suspension pending commencement of disciplinary action, pursuant to the conditions set forth in WAC 132K-16-330 and shall be notified according to the provision of WAC 132K-16-340. The dean of students shall conduct an initial conference with the student within ten working days after the initial request for disciplinary action has been referred to the dean of students.

(2) Initial meeting with the dean of students. Any student accused of violating any provision of law, college policy, or rules of conduct may be called for an initial conference with the dean of students, and shall be informed of the charges and what appear to be the range of penalties, if any, which might result from disciplinary proceedings.

(3) Action to be taken by the dean of students. If the accused student has appeared at the scheduled conference, after interviewing the accused student and considering the evidence in the case, the dean of students may take any of the following actions:

(a) Terminate the proceeding, exonerating the student;

(b) Dismiss the case after whatever counseling and advice the dean of students deems appropriate;

(c) Impose verbal warning to the student directly, not subject to the student's right of appeal as provided in this chapter;

(d) Impose additional sanctions of reprimand, probation, suspension or expulsion, subject to the student's right to appeal as provided in this chapter; or

(e) Refer the matter to the college disciplinary committee for appropriate action. The student shall be notified, in writing, when such a referral is made.

(4) A student accused of violating any provisions of this chapter shall be given immediate notification of any disciplinary action taken by the dean of students.

(5) Initial order and notice of opportunity for review.

(a) Within ten days of the decision taken at the initial disciplinary proceeding, the dean of students shall give the parties a brief written statement of reasons for the decision whether the student violated any law or college policy, rules or regulations, and the imposition of applicable penalties. Such written decision shall constitute an initial order.

(b) The initial order shall also advise the student of his/her right to appeal pursuant to WAC 132K-16-220.

(6) No disciplinary action taken by, or at the recommendation of, the dean of students is final unless the student fails to exercise his/her right of appeal as provided in WAC 132K-16-220.

(7) Expulsion. If an action is commenced as a lesser disciplinary action in an initial disciplinary proceeding, and it becomes apparent that the recommended discipline will be expulsion from the college, the student shall be entitled to a formal disciplinary hearing before the college disciplinary committee. In such case, the dean of students shall, pursuant

to the requirements of RCW 34.05.410 *et seq.* and subject to the notice provisions of WAC 10-08-040 and 132K-16-210, reschedule another hearing before the college disciplinary committee for a formal disciplinary hearing.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-200, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-210 Notice to parties. Notice to the parties of disciplinary proceedings, other than verbal warnings or an informal conference with the dean of students, shall be served in accord with the requirements of WAC 10-08-040, and not less than seven days before the date set for hearing. Said notice shall contain:

(1) A statement of the time, place and nature of the disciplinary proceeding;

(2) A statement of the charges, including reference to the particular sections of the law, college policy, or rules or regulations of student conduct involved;

(3) To the extent known, a list of witnesses who will appear and a summary description of any documentary or other physical evidence that will be presented by the college at the proceeding.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-210, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-220 Appeals. Appeals contesting any disciplinary action may be made by the student(s) involved. Such appeals shall be made in the following order:

(1) Appeals from disciplinary action by faculty may be appealed to the dean of students within five working days after the contested action(s), and shall be reviewed *de novo* and informally by the dean of students within five working days after the request is submitted. Depending on the penalty involved, the decision may be further appealed as provided in this chapter.

(2) Appeals from summary disciplinary action by the dean of students. Summary disciplinary actions by the dean of students may be appealed, in writing, to the college president within twenty-one calendar days of the initial order, pursuant to WAC 132K-16-370.

(3) Appeal to the college disciplinary committee. Action taken at the disciplinary proceedings by the dean of students, except for summary suspensions, may be appealed, in writing, to the college disciplinary committee within twenty-one calendar days of service of the initial order.

(4) Appeals to the college president. Actions taken by the college disciplinary committee may be appealed, in writing, to the college president within ten calendar days of the decision of said committee. The president shall review, as soon as reasonably possible, the allegations contained within the notice of appeal, the records of the proceedings which gave rise to the appeal, as well as the recommendations made by the dean of students and the college disciplinary committee. The president's decision shall be final.

(5) Any appeal by a student receiving a disciplinary sanction must meet the following conditions:

(a) The appeal must be in writing and must clearly state the alleged error or other matters in extenuation or mitigation which justify the appeal; and

(b) The appeal must be filed with the dean of students within the time limits pursuant to WAC 132K-16-220, sections 1-4.

(6) All appellant decisions will be sent from the office of the dean of students to the president. Written decisions shall include the signature of the dean of students, or the college disciplinary committee chairperson, or the college president.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-220, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-230 Failure to appear. Students who fail to appear after proper notice before the dean of students, or the college disciplinary committee, or on appeal to the president, shall be deemed to have pled guilty to the charges pending against them. The dean of students shall give written notice of the disciplinary action to be taken to the student at his/her last address of record on file with the college.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-230, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-240 Composition of the college disciplinary committee. (1) Membership—how selected. The college shall have a college disciplinary committee composed of six members who shall be chosen no later than October 15 of each academic year. Members of the college disciplinary committee shall be selected in the following manner:

(a) Two student members and two alternates, each of whom shall be a full-time student who is in good academic standing, appointed by the ASPC student senate to serve a one academic year term;

(b) Two faculty members and an alternate chosen by the faculty association to serve a two year, nonconcurrent term;

(c) One staff member chosen by the classified staff executive committee to serve a two year term;

(d) One (a) administrator appointed by the president to serve for a one year term.

(2) Presiding officer. The presiding officer of the college disciplinary committee shall be selected from the committee members.

(3) Vacancies. A vacancy in the college disciplinary committee membership shall be filled by the group affected by the vacancy.

(4) Voting. Each committee member, excluding the presiding officer, shall cast one vote. In case of a tie, the presiding officer shall cast the deciding vote.

(5) Abstaining. If any member of the college disciplinary committee is unable to consider the matters raised in a particular disciplinary proceeding for any reason (including but not limited to conflict of interest and matters of conscience or related reason), such member(s) shall abstain from participation. The presiding officer of the college disciplinary committee shall make temporary appointments where members abstain.

(6) Quorum. A quorum consisting of a majority shall be required for all proceedings. For purposes of establishing a quorum, the college disciplinary committee shall consist of the presiding officer and at least three committee members.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-240, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-250 Review by the college disciplinary committee. (1) Voluntary review. A decision of the dean of students may be reviewed by the college disciplinary committee on the committee's own motion within twenty days of the date of an initial order entered by the dean of students. However, the college disciplinary committee may not take any action on review less favorable to any party than the original order without giving that party notice and an opportunity to explain that party's view of the matter.

(2) Mandatory review. A decision by the dean of students must be reviewed by the college disciplinary committee upon the accused student's written request, where such request is received by the committee within twenty-one days after service of the dean of students' initial order. The college disciplinary committee must conduct a review proceeding and enter a written order on review within twenty days after the request is submitted to the committee, subject to the notice requirements of WAC 10-08-040 and 132K-16-210.

(3) Conduct of review proceedings. Pursuant to the requirements of this chapter and RCW 34.05.491, the presiding officer of the college disciplinary committee shall give each party an opportunity to explain the party's view of the matter and shall make any inquiries necessary to ascertain whether the proceeding must be converted to a formal disciplinary hearing.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-250, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-260 Formal hearing procedures before the college disciplinary committee. (1) The college disciplinary committee shall hear, de novo, all disciplinary cases appealed after a decision by the dean of students in accordance with the provisions of this chapter.

(2) The student has the right to a fair and impartial hearing before this committee. The student's failure to cooperate with the hearing procedures, however, shall not preclude the committee from making its findings of fact, conclusions and recommendations as provided below. Failure by the student to cooperate may be taken into consideration by the committee.

(3) The student shall be given written notice pursuant to WAC 132K-16-210. In the case of proceedings conducted by the dean of students or the college disciplinary committee, the time of the hearing may be advanced by the presiding officer, in his/her discretion, at the request of the student, or may be continued for good cause.

(4) Hearings generally will be held in closed session except when a student who is directly involved request that persons other than those directly involved be invited to attend.

(5) The student shall be entitled to hear and examine the evidence to be offered by the college and be informed of the identity of its source; the student shall be entitled to present evidence in his/her own behalf and cross-examine witnesses testifying against him/her as to factual matters.

(6) The student may be represented by counsel of choice at hearing proceedings. If the student elects to choose a

duly licensed attorney admitted to practice in the United States as counsel, the student must tender four working days notice to the dean of students prior to the proceeding. The time period begins to run on the day following receipt of such notice by the dean of students.

(7) In all disciplinary proceedings, the college may be represented by a designee appointed by the dean of students, provided that in those cases in which the student chooses to be represented by a licensed attorney, the dean of students may elect to have the college represented by an assistant attorney general.

(8) Recording of facts.

(a) The presiding officer shall designate a recorder to take notes during the proceedings and to prepare a written summary of all evidence, facts, and testimony presented to the committee during the hearing. A copy of such summary shall be available at the office of the dean of students. The recorder will be a nonvoting member.

(b) The disciplinary proceeding shall be tape-recorded.

(c) Any documents considered or prepared by the committee's presiding officer for the disciplinary hearing shall be maintained as a part of the official records of the proceeding.

(d) The records in a formal hearing shall contain:

(i) All documents, motions, and intermediate rulings;

(ii) Evidence received and considered;

(iii) A statement of matters officially noticed; and

(iv) Questions and offers of proof, objections, and rulings thereon.

(9) Unless otherwise required by a provision of law, the documentary record in disciplinary hearings need not constitute the exclusive basis for action of the dean of students or of the college disciplinary committee.

(10) Following final disposition of the case and any appeals of the disciplinary proceedings, access to records of the case and hearing files will be limited to persons designated by the president.

(11) Following final disposition of the case and any appeal therefrom, the president may direct the destruction of any records of any disciplinary proceeding, provided that such destruction is in conformance with the requirements of chapter 40.14 RCW.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-260, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-270 Conduct of hearings. (1) If at any time during the conduct of any disciplinary proceeding invited guest(s) are disruptive, the dean of students or the presiding officer at the college disciplinary committee may ask such persons to cease and desist or may exclude any such person from the hearing room.

(2) Any person attending the committee hearing who continues to disrupt said proceedings after the cease and desist request by the dean of students or by the presiding officer of the college disciplinary committee, shall be subject to disciplinary action.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-270, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-280 Evidence admissible in hearings.

(1) Only those matters presented at the hearing in the

presence of the accused student, except where the student fails to attend after receipt of proper notice, will be considered in determining whether the college disciplinary committee has sufficient cause to believe that the accused student is guilty of violating the rules the student is charge[d] with having violated.

(2) In determining the existence of reasonable cause, the dean of students or the college disciplinary committee shall give probative effect to evidence on which reasonably prudent persons are accustomed to rely in the conduct of their affairs.

(3) The dean of students or the presiding officer of the college disciplinary committee, as the case may [may] be, shall make rulings on all evidentiary and procedural matters heard in the course of disciplinary proceedings.

(4) The dean of students or the presiding officer of the college disciplinary committee shall give effect to the rules of privilege recognized by law and exclude incompetent, irrelevant, immaterial and unduly repetitious evidence.

(5) Evidence or testimony to be offered by or on behalf of the student in extenuation or mitigation shall not be presented or considered until all substantive evidence or testimony has been presented.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-280, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-290 Decision by the college disciplinary committee. (1) Upon conclusion of the disciplinary hearing, the college disciplinary committee shall consider all the evidence therein presented and decide by majority vote whether to uphold the initial disciplinary action or to recommend institution of any of the following actions:

(a) Terminate the proceedings, exonerating the student; or

(b) Dismiss the case after whatever counseling and advice the committee deems appropriate; or

(c) Impose any disciplinary measure as provided in this chapter.

(2) The student will be provided with a copy of the committee's findings of fact and conclusions regarding whether the student did violate the rule or rules of the code of student conduct. The committee shall also advise the student of the right to present within ten calendar days a written statement to the college president.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-290, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-300 Final decision regarding disciplinary action. (1) The college president shall, after reviewing the procedure and record before the committee, together with written arguments filed by the parties, if any, attach either a written concurrence to the recommendations of the disciplinary committee or written directions as to what disciplinary action, if any, shall be taken. Evidence not in the record will not be considered by the president.

(2) All parties will be notified, in writing, of the president's decision.

(3) The decision of the president will be final and not reviewable.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-300, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-310 Readmission after dismissal.

Any student dismissed from the college for disciplinary reasons may be readmitted only on written petition to the office which initiated the action resulting in the dismissal. Such petitions must indicate how specified conditions have been met and, if the term of the dismissal has not expired, any reasons which support a reconsideration of the matter. Because the college president participates in all disciplinary actions dismissing students from the college, decisions on such petitions of readmission must be reviewed and approved by the president before admission is granted.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-310, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-320 Reporting, recording and maintenance of records. (1) Records of all disciplinary cases shall be kept by the office of the dean of students. Except in proceedings wherein the student is exonerated, all documentary or other physical evidence produced or considered in disciplinary proceedings and all recorded testimony shall be preserved insofar as possible for at least five years. No record of proceedings where in the student is exonerated, other than the fact of exoneration, shall be maintained in the student's file or other college repository after the date of the student's graduation.

(2) The office of the dean of students shall keep accurate records of all disciplinary actions taken by, or reported to, that office. All disciplinary action will be entered on the student's record and may be removed at the time of graduation or earlier, at the discretion of the office initiating the action, if special terms and conditions have been met or if other circumstances warrant the removal. The office which initiated the action is responsible for ordering the removal of temporary notations of any disciplinary action on the student's record. A student may petition to that office for removal of such a notation at any time.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-320, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-330 Summary suspension proceedings. (1) The dean of students is authorized, in his/her discretion, to summarily suspend any student under the provisions of this chapter when the dean of students has reasonable cause to believe that immediate action is required because the student presents an immediate danger to the public health, safety or welfare, including danger to the student personally, to others on the college campus, the college property, or to the educational process. The college may take only such action as is necessary to prevent or avoid the immediate danger to the public health, safety or welfare that justifies use of the summary suspension.

(2) Permission to enter or remain on campus. During the period of summary suspension, suspended students shall not enter the campus of the college other than to meet with the dean of students or to attend the disciplinary hearings. However, the dean of students may grant the student special permission to enter for the express purpose of meeting with faculty, staff, or students in preparation for the disciplinary proceedings.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-330, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-340 Notice of summary proceedings.

(1) If the dean of students desires to exercise the authority to summarily suspend a student, the student should be notified by certified mail at the student's last known address or, if available, shall be personally served with a written notification.

(2) The notice shall be entitled "notice of summary suspension proceeding" constituting a written order and shall state:

(i) A brief statement of charges against the student including reference to the law or a provision of this chapter;

(ii) A brief statement of the evidence in support of the charges;

(iii) A brief statement of policy reasons which justify the determination of an immediate danger;

(iv) A brief statement of the corrective action or punishment which may/will be imposed against the student;

(v) A brief statement of the duration of the suspension and conditions under which the suspension may be terminated.

(3) When effective. The disciplinary sanction(s) is effective when signed by the dean of students.

(4) Following summary suspension, the dean of students shall give the person required to comply with the order such notice of the order as is practicable. Where possible, the dean of students shall provide such person with a copy of the written order.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-340, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-350 Procedures of summary suspension hearing. (1) The summary suspension hearing shall be considered an informal proceedings. The hearing must be conducted as soon as possible and the dean of students will preside.

(2) The record to be considered at the summary suspension hearing shall consist of any documents regarding the matter that were considered or prepared in connection with the notice of summary suspension. These documents shall be maintained as part of an official record of the proceedings. However, such record need not constitute the exclusive basis for action in proceedings or for any review thereof.

(3) The dean of students shall, at a summary suspension hearing, determine whether there is probable cause to believe that continued suspension is necessary and/or whether some other disciplinary action is appropriate.

(4) Within ten days of the decision taken at the summary suspension hearing, the dean of students shall give the student(s) a brief written statement of reasons for the decision regarding whether continued suspension is necessary or whether some other disciplinary action is appropriate. Such written decision shall constitute an initial order, which shall become a final order if no review is taken. The initial order shall also advise the student of his/her right to present, within twenty-one calendar days, a written request to the college president appealing the decision of the dean of students.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-350, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-360 Suspension for failure to appear. The dean of students is authorized to enforce the summary suspension decision pursuant to WAC 132K-16-230.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-360, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-370 Appeals from summary suspension. (1) Appeals to college president. Following an order of summary suspension and a subsequent decision taken by the dean of students at a summary suspension hearing, any student aggrieved by such decision may appeal to the college president under the provisions of this chapter, provided the following conditions are met:

(a) The student must first have appeared before the dean of students at the summary suspension hearing;

(b) The student must have been officially notified of the outcome of the summary suspension hearing;

(c) The dean of students must have upheld the initial summary suspension or must have imposed some other disciplinary sanction; and

(d) The appeal conforms to the standards as set forth in WAC 132K-16-220(5).

(2) The president shall review, as soon as reasonably possible, the allegations contained within the notice of appeal, along with the findings of the dean of students, the record of summary suspension proceeding, and determine therefrom whether the summary suspension order is justified. Evidence not in the record will not be considered.

(3) After completion of this review, the president shall promptly notify the appealing student, by certified mail, whether the summary suspension shall be maintained, stayed, a lesser sanction imposed, or no sanction imposed. The decision of the president shall be final and not reviewable.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-370, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-380 Student grievances—Generally. (1) Statement of purpose. The purpose of this section is to protect each student's freedom of expression in the classroom; to protect each student against improper disclosure of the student's views, beliefs and political associations; to protect each student from improper, arbitrary or capricious academic evaluation as evidenced by the student's final course grade; and to afford each student reasonable protection against arbitrary or capricious actions taken outside the classroom by other members of the college community.

(2) Prohibition against discrimination. Pierce College is committed to protecting the rights and dignity of each individual in the campus community. Therefore, the college will not tolerate any kind of discrimination which may include but is not limited to: Age, culture, gender, mental/physical abilities, race, religious affiliation [affiliation], and sexual preference.

(3) Prohibition against sexual harassment. It is the policy of Pierce College to provide an environment in which students can work and study free from sexual harassment or sexual intimidation. Sexual harassment occurs in a context of unequal power and is a form of sexual discrimination. As such, it is a violation of Title VII of the 1964 Civil Rights Act and Title IX of the 1972 education amendments. Sexual

harassment of or by a student is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct when:

(a) Submission to the conduct is either explicitly or implicitly a term or condition of an individual's academic standing;

(b) Submission or rejection of such conduct by an individual is used as the basis for academic discussions affecting that individual; and/or

(c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive environment.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-380, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-390 Matters not grievable. (1) Outcome of summary or other disciplinary proceedings. The outcome of summary or other disciplinary proceedings described in earlier sections of this chapter shall not constitute the basis for filing a grievance as described in this chapter.

(7) Federal and state laws and college policies. In addition, the following matters shall not constitute the basis for filing a grievance:

(a) Federal, state and local laws, rules and regulations; and

(b) Policies, regulations and procedures adopted by the state board for community college education or the board of trustees.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-390, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-400 Administrative, faculty and student grievances. Any administrator, faculty member or staff member who is the subject of a student's grievance and who is dissatisfied with the results of any level of a student grievance proceeding may file a grievance under the appropriate grievance procedure established by Pierce College.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-400, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-410 Types of grievances. (1) If any student believes that he/she has been unfairly treated by an official of the college, the student may pursue the matter on two levels as follows:

(a) First, the student may follow an informal procedure.

(b) Second, if the informal procedure fails to satisfy the grievant, or if the student waives his/her right to have the matter resolved informally, he/she may file an official grievance and request a hearing before the grievance review committee.

(2) In either case, the student must initiate grievance proceedings within twenty-one days of the occurrence which gave rise to the grievance pertaining to grading issues or within one quarter of the occurrence on other student grievance matters.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-410, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-420 Student grievance procedures—Informal. A grievant wishing to pursue an informal resolution shall take the following steps:

(1) First level—direct discussion. As a first step, the student shall:

(a) Contact the faculty or staff member with whom the student has a grievance and attempt to resolve the matter through direct discussion; or

(b) At this step, and all subsequent steps in this grievance procedure, the student may elect to utilize the ombudsman or an advocate to aid in preparing and presenting the grievance.

(2) Second level—mediation by supervisor. If direct discussion does not resolve the grievance to the student's satisfaction, the student shall take the matter to the accused immediate supervisor (director, department head or division chair), who shall serve as a mediator and shall attempt to resolve the matter promptly and fairly.

(3) Third level—decision by division chair or dean. If the efforts of the supervisor also fail to satisfy the grievant, the supervisor shall forward the complaint to the appropriate division chair or dean who shall within three working days, decide how best to resolve the grievance and shall issue a written opinion to all parties involved.

(4) Fourth level—appeal to grievance review committee. The informal grievance procedure shall be completed in fifteen working days unless all parties agree to more time. The student shall be informed of his/her right to file a petition to have the grievance heard before the grievance review committee.

(5) The student must initiate grievance proceedings pursuant to WAC 132K-16-410(2).

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-420, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-430 Student grievance procedures—Informal. (1) First level—consultation with affirmative action officer or the dean of students. Any student alleging sexual harassment, sexual preference, sex, racial and/or handicapped discrimination shall, as a first step in the informal grievance procedure, contact the dean of students, the affirmative action officer or his/her designee. If needed, the student may contact the office of the college ombudsman. The dean of students, the affirmative action officer or his/her designee shall:

(a) Provide information about informal and formal options within and outside the college; and/or

(b) Intervene, if requested by either party, in order to resolve the problem to the satisfaction of all.

(2) Second level—hearing before grievance review committee. If the affirmative action officer or the dean of students is unable to resolve the grievance, the student may file an official grievance requesting a hearing before the grievance review committee, and is entitled to appeal the decision of that committee.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-430, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-440 Composition of grievance review committee. The executive dean of instruction or the

dean of students shall chair the grievance review committee. Members of the committee shall be chosen as follows:

(1) Two faculty members appointed by the faculty association; and

(2) Two students appointed by the president of the associated students of Pierce College;

(3) One administrative staff member appointed by the president.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-440, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-450 Hearing procedures before the grievance review committee. (1) Any grievance not resolved informally may be appealed to the grievance review committee for a hearing.

(2) The appeal must be filed within five working days of any appealable decision taken in informal proceedings. The student must initiate the grievance proceeding within twenty-one days pursuant to WAC 132K-16-410(2).

(3) The grievant shall present his/her grievance, in writing, to the executive dean of instruction or the dean of students and shall include:

(a) A statement specifying the nature of the grievance;

(b) A summary of actions taken by the student to resolve the grievance up to that point; and

(c) Any proposed solution to the problem the grievant may wish to offer.

(4) The operational dean conducting the hearing shall distribute a copy of the petition to all members of the grievance review committee.

(5) If the grievance is lodged against the executive dean of instruction or the dean of students, the president shall designate another operational administrator as the hearing officer.

(6) The grievance review committee may call any witnesses and hear any testimony needed to reach a prompt, fair resolution of the grievance. The grievance hearing before the committee shall not be considered a formal hearing. However, where requested by the student and approved by the college president, a formal hearing may be granted and conducted by the grievance review committee in accordance with the provision of WAC 132K-16-260.

(7) Decision. Within three working days of the conclusion of the hearing, the grievance review committee shall issue a written recommendation. All parties shall receive a copy of such recommendations.

(8) Closed session. All hearings growing out of a student-initiated grievance, including appeals to the office of the college President, shall remain closed unless all parties to the grievance agree to an open hearing pursuant to WAC 132K-16-270.

(9) Withdrawal of grievance. At any time during the grievance procedure, the grievant may officially withdraw the grievance in writing. In addition, a failure by the grievant or appellant to appear for any scheduled hearing, without prior notification or evidence of extenuating circumstances shall constitute withdrawal of the grievance or appeal.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-450, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-460 Review of committee's decision.

(1) Review by the college president.
 (a) Where the student is not satisfied with the grievance review committee's decision, he/she may appeal that decision to the president of the college, in writing, provided that such appeal is made within five working days of the student's receipt of notice of the decision.

(b) Within ten working days after receiving the written request for appeal, the president shall review the record of the case prepared by the committee, together with any appeal statement, and shall deliver to both the grievance review committee members and the student a written acceptance of the grievance review committee's decision or directions as to what other course of action shall be taken. The president's decision shall constitute final agency action by the college.

(2) Formal investigation of sexual, racial or handicapped discrimination cases. For formal investigation of sexual, racial, or handicapped discrimination cases, the grievant may send appeals or inquiries to:

- (a) Regional director, office of civil rights;
- (b) The equal opportunity commission; and/or the
- (c) Human rights commission.

Grievants are advised to contact the college personnel office for the current mailing addresses and phone numbers of these organizations.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-460, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-470 Prior rules. The rules contained in this chapter supersede all former rules relating to student conduct and student grievances.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-470, filed 4/10/91, effective 5/11/91.]

WAC 132K-16-480 Severability. If any provision of this chapter is adjudged by a court of law to be unconstitutional, the remaining provisions shall continue in effect.

[Statutory Authority: RCW 28B.50.140. 91-09-027 (Order 91-003), § 132K-16-480, filed 4/10/91, effective 5/11/91.]

**Chapter 132K-20 WAC
 TENURE POLICY**

WAC

132K-20-010	Purpose.
132K-20-020	Definitions.
132K-20-030	Composition of review committees.
132K-20-040	Duties and responsibilities of review committees.
132K-20-050	Policy relating to the dismissal of tenured and probationary faculty members.
132K-20-060	Policy relating to continuing teaching excellence and professional improvement after tenure.
132K-20-070	Procedure relating to the dismissal of a tenured or probationary faculty member for cause.
132K-20-080	Designation of administrative appointments.
132K-20-090	Confidentiality of reports.
132K-20-100	Retention of tenure.
132K-20-110	Rights of transferees.

WAC 132K-20-010 Purpose. The board of trustees of Community College District No. 11 hereby establishes the

following rules on faculty tenure, the purpose of which is twofold:

(1) To protect faculty appointment rights and faculty involvement in the establishment and protection of those rights at Pierce College and all subsequent community colleges hereafter established within Community College District No. 11; and

(2) To assure that tenure is granted to faculty members of such character and scholarly ability that the district, so far as its resources permit, can justifiably undertake to employ them for the rest of their academic careers. However, after tenure is granted to a faculty member, it becomes the responsibility of each tenured faculty member to maintain his teaching excellence and pursue professional improvement. It will be the primary responsibility of the tenured faculty members as a group to maintain a program of professional improvement. The college will maintain a program of continuing evaluation of instruction to facilitate this process.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-20-010, filed 7/11/86; Order 5, § 132K-20-010, filed 2/11/71.]

WAC 132K-20-020 Definitions. As used in this chapter the following terms and definitions shall mean:

(1) "Appointing authority" shall mean the board of trustees of Community College District No. 11.

(2) The definition of "tenure," "faculty appointment," "probationary appointment," shall be the same as are contained within section 33, chapter 283, Laws of 1969 ex. sess., as amended by sections 1 and 3, chapter 5, Laws of 1970, by chapter 33, Laws of 1974 ex. sess. and as are hereafter amended.

(3) "Regular college year" shall mean a faculty appointment inclusive of consecutive fall, winter, and spring quarters.

(4) "President" shall mean the president of Pierce College and of any other college hereafter established within Community College District No. 11, or in such president's absence, the acting president.

(5) "College" shall mean Pierce College and any subsequent community college hereafter established within Community College District No. 11.

(6) "Review committee" shall mean a committee composed of three faculty members who hold either faculty appointments or probationary faculty appointments and two administrators, and one student appointed pursuant to WAC 132K-20-030.

(7) "Full time" shall mean a faculty member holding a contract for maximum specified teaching days of the regular college year and who is receiving monetary compensation from his position on the full-time faculty salary schedule.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-20-020, filed 7/11/86; Order 27, § 132K-20-020, filed 4/9/75; Order 5, § 132K-20-020, filed 2/11/71.]

WAC 132K-20-030 Composition of review committees. (1) A separate review committee shall be established for each full time probationer which shall serve as a standing committee until such time as the probationer is either granted

tenure or his employment in a faculty appointment is terminated.

(2) Each review committee shall be composed of seven persons. Prior to October 15 of the probationer's first full regular college year of employment, faculty acting in a body shall select 4 teaching faculty members to comprise faculty representation on the review committee. Two administrators representing instruction and student services, respectively, will be selected by the college president. One student appointed by the student board of directors, will serve on the review committee with full membership privilege. Such review committee shall first meet at the call of the college president; thereafter, the committee shall meet with the probationer at least twice during each winter quarter, and additionally, within ten days of the receipt of a written request from the college president setting forth good cause to meet. A chairman shall be elected by the review committee at its first meeting.

(3) If a vacancy occurs upon any review committee prior to the expiration of the probationer's appointment as such, an administrative, faculty member, or student, as appropriate, shall be appointed to fill the vacancy pursuant to section (2) of this rule to serve for the duration of the committee's obligation.

[Order 27, § 132K-20-030, filed 4/9/75; Order 5, § 132K-20-030, filed 2/11/71.]

WAC 132K-20-040 Duties and responsibilities of review committees. (1) The general duty and responsibility of the review committee shall be to assess and advise the probationer of his professional strengths and weaknesses and to make reasonable efforts to encourage and aid him to overcome his deficiencies.

(2) The first order of business for each review committee shall be to establish the procedure it will follow in evaluating the performance and professional competence of the full time probationer assigned thereto. Included in this procedure the committee shall be responsible for specifying measurable performance objectives and/or observable objectives the committee believes appropriate for the attainment of tenure. The committee's evaluation of the probationer shall be directed toward and result in the determination of whether or not the probationer has fulfilled these objectives. A review committee's evaluation procedures shall include:

(a) Classroom observations by members of the tenure review committee upon request of probationary faculty member;

(b) Student evaluations administered by the probationary instructor, division chairman, and the student government;

(c) Assessment of the probationer's contributions to the department, division, and institution by the department and division heads; and

(d) Self-evaluation by the probationer.

[Order 27, § 132K-20-040, filed 4/9/75; Order 5, § 132K-20-040, filed 2/11/71.]

WAC 132K-20-050 Policy relating to the dismissal of tenured and probationary faculty members. When reason arises to question the fitness of a tenured or probationary faculty member, it shall be the policy to attempt to

resolve the matter without instituting formal dismissal procedures. Furthermore, it shall be the policy that a faculty member shall not be dismissed 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. Sufficient cause shall include but is not limited to:

(a) Incompetency in his professional assignment;

(b) Neglect of duty;

(c) Failure to obey a lawful order of a person in authority who is acting in the parameters of his authority;

(d) Conduct unbecoming a member of the faculty and which is detrimental to the educational objectives of the college, provided that no such charge shall be sustained that constitutes interference with academic freedom of the person charged;

(e) Physical or mental inability to perform duties as a professional employee;

(f) Any unlawful act of violence;

(g) Any unlawful act resulting in destruction of college property;

(h) Any unlawful interference with the orderly conduct of the educational process.

[Order 5, § 132K-20-050, filed 2/11/71.]

WAC 132K-20-060 Policy relating to continuing teaching excellence and professional improvement after tenure. To facilitate the continuing evaluation of tenured faculty members, every year after the awarding of tenure to a faculty member, division chairmen shall review the teaching excellence and professional improvement of each division faculty member. When reason arises to question the continuing teaching excellence or professional improvement of a tenured faculty member, it shall be the policy to attempt to resolve the matter without taking formal disciplinary action. When a division chairman considers that a division member is not continuing in his teaching excellence or professional improvement according to the criteria outlined in the District No. 11 continuing teaching excellence and professional improvement policy, the division chairman shall take action as set forth in that policy.

[Order 5, § 132K-20-060, filed 2/11/71.]

WAC 132K-20-070 Procedure relating to the dismissal of a tenured or probationary faculty member for cause. (1) A dismissal review committee created for the express purpose of hearing dismissal cases shall be established no later than October 15 of each academic year (except if this provision is passed after October 15 of any academic year, the dismissal review committee will be chosen within thirty days after passage of this provision), and shall be comprised of the following members:

(a) One member chosen by the college president

(b) Two faculty members and two alternates shall be chosen by the faculty acting in a body. (The review committees required by RCW 28B.50.850 through 28B.50.869 shall be composed of members of the administrative staff and the teaching faculty. The representatives of the teaching faculty shall represent a majority of the members on each review committee. The members representing the teaching faculty on each review committee shall be

selected by a majority of the teaching faculty and faculty department heads acting as a body.)

(c) The college president shall choose one alternate member to serve on the dismissal review committee should the regularly appointed member be unable to serve on the committee.

(d) The alternate shall be called upon if the first appointee is the subject of review.

(e) The dismissal review committee will select one of its members to serve as chairman.

(2) When the president receives or initiates a formal written recommendation about a faculty member which may warrant dismissal, he shall inform that faculty member. Within ten days after having been so informed, the faculty member will be afforded an opportunity to meet with the president or his designee and the chairman of the division. At this preliminary meeting, which in dismissal cases shall be an information-gathering session, an adjustment may be mutually agreed upon. If the matter is not settled or adjusted to the satisfaction of the college president, he shall recommend that the faculty member be dismissed.

(3) If the president recommends that the faculty member be dismissed, he shall:

(a) Deliver a short and plain statement to the faculty member which shall contain

- (i) The grounds for dismissal in reasonable particularity;
- (ii) A statement of the legal authority and jurisdiction under which the hearing is to be held;
- (iii) Reference to any particular statutes or rules involved.

(b) Call into action the dismissal review committee and deliver the above statement to the members of the dismissal review committee, if the academic employee requests a hearing.

(4) After receiving the president's recommendation for dismissal, the affected academic employee may request a hearing within the following five days. If the president does not receive this request within five days, the academic employee's right to a hearing will be deemed waived.

(5) If the president receives a request for a hearing, the dismissal review committee shall, after receiving the written recommendation from the college president, establish a date for a committee hearing giving the faculty member so charged twenty days notice of such hearing, and inform in writing the faculty member so charged of the time, date and place of such hearing.

(6) The dismissal review committee shall:

(a) Hear testimony from all interested parties, including but not limited to other faculty members and students and receive any evidence offered by same;

(b) Afford the faculty member whose case is being heard the right of cross-examination and the opportunity to defend himself and be accompanied by legal counsel;

(c) Allow the college administration to be represented by an assistant attorney general.

(7) The dismissal review committee shall appoint a presiding or hearing officer. Such presiding or hearing officer shall not be a voting member of the committee; it shall be his responsibility to:

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

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

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

(d) The hearing officer shall prepare proposed findings of fact and a record for review by the appointing authority which shall include:

- (i) All pleadings, motions and rulings;
- (ii) All evidence received or considered;
- (iii) A statement of any matters officially noticed;
- (iv) All questions and offers of proof, objections and rulings thereon;
- (v) Proposed findings and exceptions;
- (vi) A copy of the recommendations of the dismissal review committee.

(8) A copy of the above shall be transcribed and furnished to the faculty member whose case is being heard.

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

(10) Within ten business days of the conclusion of the hearing, the dismissal review committee will arrive at its recommendations in conference on the basis of the hearing. Before doing so, it should give the faculty member or his counsel(s) and the representative designated by the president of the college the opportunity to argue orally before it. If written briefs would be helpful, the dismissal review committee may request them. The dismissal review committee may proceed to a recommendation promptly or await the availability of a transcript if making a fair recommendation would be aided thereby. Within ten business days of the conclusion of the hearing the president of the college, the faculty member and the board of trustees will be presented with recommendations in writing and given a copy of the record of the hearing.

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

(12) Suspension of the faculty member by the president during the administrative proceedings involving him (prior to the final decision of the board of trustees) is justified if immediate harm to himself or others is threatened by his continuance. Any such suspension shall be with pay.

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

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

(15) If the president of the Community College District No. 11 initiates a formal written recommendation that a faculty member be dismissed and the board of trustees decides to retain the faculty member, or if the trustees' decision to dismiss a faculty member is reversed by a court, all evidence concerning the dismissal will be removed from the faculty member's permanent personnel file if the reason for the denial of the recommendation was the president's failure to establish the facts which were the basis for the dismissal recommendation.

If the facts which were the basis for the dismissal recommendation were shown to the satisfaction of the trustees and the courts, but the dismissal recommendation was not followed because the trustees or the courts decided that the facts were not sufficient to warrant dismissal, the facts which were shown would be retained in the faculty member's permanent personnel file along with a record of the outcome of the dismissal proceeding.

If the facts are to be retained in the faculty member's permanent personnel file, the faculty member will be given an opportunity to review the facts and to write an explanation which will be retained along with the findings of fact.

[Statutory Authority: RCW 28B.50.140, 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-20-070, filed 7/11/86; 81-07-025 (Order 43), § 132K-20-070, filed 3/12/81; Order 20, § 132K-20-070, filed 12/14/73; Order 5, § 132K-20-070, filed 2/11/71.]

WAC 132K-20-080 Designation of administrative appointments. The following positions are hereby designated administrative appointments in respect to which tenure may not be acquired:

- (1) President.
- (2) Dean of instruction.
- (3) Dean of students.
- (4) Dean of administrative services/director of classified personnel.
- (5) Associate dean of students for student development.
- (6) Associate dean basic education, community service and military.
- (7) Associate dean for career education.
- (8) Controller associate dean of administrative services.
- (9) Director of learning center resource.
- (10) Associate dean of student services.
- (11) Any others specifically so designated by the appointment authority.

[Statutory Authority: RCW 28B.50.140, 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-20-080, filed 7/11/86. Statutory Authority: RCW 28B.50.140 and 28B.50.850 through 28B.50.870, 78-12-014 (Order 38), § 132K-20-080, filed 11/13/78; Order 5, § 132K-20-080, filed 2/11/71.]

WAC 132K-20-090 Confidentiality of reports. All reports prepared and/or provided pursuant to this chapter by a review committee shall be held in confidence by the committee, the president, and appointing authority except where otherwise required by law.

[Order 5, § 132K-20-090, filed 2/11/71.]

WAC 132K-20-100 Retention of tenure. A tenured faculty member moving into an administrative position shall retain his tenure as a faculty member.

[Order 5, § 132K-20-100, filed 2/11/71.]

WAC 132K-20-110 Rights of transferees. (1) Upon transfer within the college district, a tenured faculty member shall retain tenure and rights accruing from his previous employment within the district. Provided that

(2) Upon permanent transfer to another community college district, such tenure and rights accruing from previous employment, shall not be transferable:

[Order 5, § 132K-20-110, filed 2/11/71.]

Chapter 132K-24 WAC

CONTINUING TEACHING EXCELLENCE AND PROFESSIONAL IMPROVEMENT POLICY

WAC

132K-24-010	Purpose.
132K-24-020	Responsibilities.
132K-24-030	Criteria of teaching excellence and professional improvement.
132K-24-040	Procedures.

WAC 132K-24-010 Purpose. To facilitate the continuing evaluation of tenured faculty members, every year after the awarding of tenure to a faculty member, division chairman shall review the teaching excellence and professional improvement of each division faculty member. Such review shall be equal and consistent in each case to the review of every other faculty member.

(1) To provide guidelines for individual faculty members to plan a program of professional improvement and to pursue teaching excellence.

(2) To suggest criteria that the division chairmen, other administrative personnel, and/or other concerned personnel may use to carry out their assigned functions of evaluating instructional personnel.

(3) To establish procedures of monitoring and enforcing programs that are generated by division action for individuals.

[Order 6, § 132K-24-010, filed 9/17/71.]

WAC 132K-24-020 Responsibilities. (1) It is expected that each individual faculty member will provide for his continuing teaching excellence and professional improvement.

(2) Division chairmen may use the "criteria of teaching excellence and professional improvement," listed in section III, as one means of evaluating instructional personnel.

(3) The office of instruction will monitor the programs generated by the division for individual faculty members.

[Order 6, § 132K-24-020, filed 9/17/71.]

WAC 132K-24-030 Criteria of teaching excellence and professional improvement. It will be considered evidence that faculty members are in compliance with the intent of this policy if they are engaged in any combination of the following activities:

(1) Attendance at professional conferences, conventions, meetings, or workshops relevant to the instructor's area of concern.

(2) Completion of teacher education courses, specialized training, or college credit programs relevant to the instructor's area of concern.

(3) Educational travel or periods of employment in related work.

(4) Changing texts, course outlines, tests, and other class materials to reflect current advancements within the various subject areas.

(5) Developing new courses, expanding current programs and curriculum, to include such things as state or national level programs.

(6) Taking an active part in intracollege programs, councils and committees that are involved in professional improvement.

(7) Research activities and writing for publication.

(8) Establishing and maintaining an appropriate individual program of evaluating classroom effectiveness which should include at least a record of student evaluations and the faculty member's attempts to respond to these critiques.

(9) Involvement in community service activities involving college related activities that are consistent with college objectives.

(10) Carry out functions as outlined in the *Policies and Procedures Handbook* under "faculty responsibilities and guidelines."

[Order 6, § 132K-24-030, filed 9/17/71.]

WAC 132K-24-040 Procedures. When a division member is not continuing in his teaching effectiveness or professional improvement, the division chairman will initiate the following procedures:

(1) He will meet with this faculty member and develop a plan for professional improvement to be made during an agreed upon period.

(2) A follow-up conference will be initiated between the division chairman and the concerned faculty member at the end of the agreed upon period.

(3) If the division chairman at that time is convinced that professional improvement is not apparent, the division chairman will convene a planning committee. This planning committee will be composed of the division chairman, a division member elected by the division, the concerned division member and the dean of instruction.

(4) The committee will review the evidence of the faculty member's professional development or teaching effectiveness. If the committee concurs with the division

chairman's evaluation, the committee will establish a program of professional improvement for the faculty member together with a schedule for completion of the specific elements of the program.

(5) If, after the schedule for professional improvement has been completed, the committee considers the faculty member's professional improvement or teaching effectiveness to be unsatisfactory for the period, the committee may:

(a) Recommend to the college president that the individual's salary advancement for the ensuing year be withheld or

(b) Recommend to the college president that the faculty member's review committee be formally activated pursuant to WAC 132K-20-050 and 132K-20-060. (Community College District 11 tenure policy)

(6) Any professional staff member, with two professional staff cosigners, may petition for an evaluation of the teaching effectiveness and professional improvement of any division chairman. The evaluation will be initiated by the dean of instruction. If the dean's evaluation indicates that a division chairman's teaching record in this regard is inadequate, the dean will initiate steps one and two (paragraphs 1 and 2 above). If professional improvement is not apparent at the time of the follow-up conference, the dean will convene a planning committee, composed of the dean of instruction, a division member elected by the division, the most senior member of the division (other than the division chairman himself or the elected division member), and the concerned division chairman. The rest of the steps, paragraphs 4 and 5 above, will then become applicable.

[Order 6, § 132K-24-040, filed 9/17/71.]

Chapter 132K-112 WAC

QUALIFICATIONS AND PERSONNEL SELECTION POLICY—ELECTION RULES

WAC

132K-112-011	Employment of more than one member of a family.
132K-112-100	Purpose—Elections and recognition.
132K-112-105	Definitions.
132K-112-110	Request for election—Canvass of faculty employees by independent and neutral person or association.
132K-112-115	Notice of election—Organization to be included on ballot—Time for filing.
132K-112-120	Contents of notice of election—Designation of chief election officer—Duties.
132K-112-125	Lists of faculty employees—Posting of lists.
132K-112-130	Election inspectors—Duties—Right to challenge voter—Improper conduct.
132K-112-135	Ballots.
132K-112-140	Record of vote—Signature—Challenge.
132K-112-145	Incorrectly marked ballot.
132K-112-150	Privacy for voter—Equipment.
132K-112-155	Folding ballot—Ballot box.
132K-112-160	Challenged ballot—Procedure.
132K-112-165	Employees present entitled to vote—Sealing ballot box—Unused ballots.
132K-112-170	Election inspectors duties after voting has terminated.
132K-112-175	Disposition of challenged ballots—Tally sheets—Investigation by chief election officer.
132K-112-180	Counting of ballots—Procedure—Certification of results of election—Retention of ballots—Signed voting lists.
132K-112-185	Electioneering within the polls forbidden.
132K-112-190	Contest of election—Time for filing objections—Investigation of objections.

132K-112-195	Persons eligible to vote.
132K-112-2001	Election determined by majority of valid votes cast calculated on a weighted basis—Run-off election.
132K-112-205	Inclusion of those holding administrative appointments except chief executive officer.
132K-112-210	Time lapse for new election.
132K-112-215	Certification of academic employees' representative.

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

132K-112-010	Guidelines for selecting faculty and administrative personnel. [Order 16, § 132K-112-010, filed 5/11/73; Order 9, § 132K-112-010, filed 9/14/72.] Repealed by 84-01-051 (Order 46), filed 12/15/83. Statutory Authority: RCW 28B.50.140.
132K-112-015	Personnel selection practices governing professional personnel. [Statutory Authority: RCW 28B.50.140 and 28B.50.850 through 28B.50.870. 78-12-014 (Order 38), § 132K-112-015, filed 11/13/78; Order 33, § 132K-112-015, filed 12/23/76; Order 9, § 132K-112-015, filed 9/14/72.] Repealed by 84-01-051 (Order 46), filed 12/15/83. Statutory Authority: RCW 28B.50.140.
132K-112-020	General standards of qualifications for Community College District No. 11 personnel. [Order 9, § 132K-112-020, filed 9/14/72.] Repealed by 84-01-051 (Order 46), filed 12/15/83. Statutory Authority: RCW 28B.50.140.
132K-112-025	Additional qualifications in areas of specialization. [Order 9, § 132K-112-025, filed 9/14/72.] Repealed by 84-01-051 (Order 46), filed 12/15/83. Statutory Authority: RCW 28B.50.140.
132K-112-200	Reduction in force. [Order 35, § 132K-112-200, filed 12/23/76; Order 21, § 132K-112-200, filed 12/14/73.] Repealed by 81-10-022 (Order 42), filed 4/28/81. Statutory Authority: RCW 28B.50.140.

WAC 132K-112-011 Employment of more than one member of a family. The appointment of more than one member of a family in the same division or department as a permanent employee in the classified staff service requires special justification in terms of personnel requirements and the unusual qualifications of the individual. Such appointment must have the prior approval of the director and is subject to periodic review. Two persons who are related by blood ties or by marriage may not be appointed to positions where one might exert any influence or produce any consequence upon the employment of the other. In general, people who are so related may not be employed in the same division or department of the college.

[Order 12, § 132K-112-011, filed 1/8/73.]

WAC 132K-112-100 Purpose—Elections and recognition. The board of trustees of Community College District No. 11 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. 11 adopts reasonable rules and regulations for the administration of employer-employee relations under this chapter.

[Order 23, § 132K-112-100, filed 9/9/74.]

WAC 132K-112-105 Definitions. (1) "Employee organization" means any organization which includes as members the faculty employees of Community College District No. 11 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. 11, with the exception of those holding administrative appointments as defined by the board of trustees unless included as specified in WAC 132K-112-205 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 three complete quarters in one academic year. (Fall, winter, spring.)

(4) "Part-time appointment" shall mean employment in a quarterly teaching agreement with specifically assigned duties usually based on contact hours for the two previous, consecutive quarters, exclusive of summer quarter. (For purpose of determining proportion of vote, a full-time load shall consist of a maximum of 25 contact hours, weekly, for high school completion; college level, 20 contact hours; learning labs such as mathematics, reading/individual progress center, counselors and librarians, 40 contact hours. In addition, all full-time faculty are required to have office hours as prescribed by the administration, committee assignments, advising and other assigned duties.)

[Order 23, § 132K-112-105, filed 9/9/74.]

WAC 132K-112-110 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. 11, 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. 11 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. 11 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 132K-112-125 and 132K-112-200, of the faculty employees of Community College District No. 11 have indicated that they desire to be represented by that organization for such purposes. The independent and neutral person or association shall make such determination upon the basis of records of dues-paying membership, signed authorizations to represent, or other reliable probative evidence.

[Order 23, § 132K-112-110, filed 9/9/74.]

WAC 132K-112-115 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. 11 have indicated that they desire to be represented by that organization for such purposes, the board of trustees of Community College District No. 11 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 Com-

munity College District No. 11 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. 11, 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 132K-112-125 and 132K-112-200 of the faculty employees within the district.

[Order 23, § 132K-112-115, filed 9/9/74.]

WAC 132K-112-120 Contents of notice of election—Designation of chief election officer—Duties. The notice published by the board of trustees of Community College District No. 11 pursuant to WAC 132K-112-115 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 23, § 132K-112-120, filed 9/9/74.]

WAC 132K-112-125 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 name 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 132K-112-135. List two shall contain the names of faculty employees on part-time appointments whose assignments are one-half 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 132K-112-135. List three shall contain the names of faculty employees on part-time appointments whose assignments are less than one-half of a full load. Faculty employees on list three shall be given the election ballot titled one-third vote as described in WAC 132K-112-135. 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 23, § 132K-112-125, filed 9/9/74.]

WAC 132K-112-130 Election inspectors—Duties—Right to challenge voter—Improper conduct. The election officer shall designate at least one inspector for each polling place to observe the conduct of the election. Any organization whose name shall appear on the ballot in the election shall also be entitled to have one inspector present

at each polling place to observe the conduct of the election. Each organization shall also be entitled to have an inspector present at the college district office for the counting of the ballots cast. Such inspectors must refrain from electioneering during the election. They may challenge the eligibility of any person to vote in the election, and, upon such challenge the ballot of that person shall be treated as provided in 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 23, § 132K-112-130, filed 9/9/74.]

WAC 132K-112-135 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 28B.52 RCW a majority organization to represent faculty employees of Community College District No. 11.

	Vote for one
ORGANIZATION X	<input type="checkbox"/>
ORGANIZATION Y	<input type="checkbox"/>
NO ORGANIZATION	<input type="checkbox"/>

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 28B.52 RCW a majority organization to represent faculty employees of Community College District No. 11.

	Vote for one
ORGANIZATION X	<input type="checkbox"/>
ORGANIZATION Y	<input type="checkbox"/>
NO ORGANIZATION	<input type="checkbox"/>

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 28B.52 RCW a majority organization to represent faculty employees of Community College District No. 11.

	Vote for one
ORGANIZATION X	<input type="checkbox"/>
ORGANIZATION Y	<input type="checkbox"/>
NO ORGANIZATION	<input type="checkbox"/>

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 23, § 132K-112-135, filed 9/9/74.]

WAC 132K-112-140 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 23, § 132K-112-140, filed 9/9/74.]

WAC 132K-112-145 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 23, § 132K-112-145, filed 9/9/74.]

WAC 132K-112-150 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 23, § 132K-112-150, filed 9/9/74.]

WAC 132K-112-155 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 23, § 132K-112-155, filed 9/9/74.]

WAC 132K-112-160 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 23, § 132K-112-160, filed 9/9/74.]

WAC 132K-112-165 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 23, § 132K-112-165, filed 9/9/74.]

WAC 132K-112-170 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 23, § 132K-112-170, filed 9/9/74.]

WAC 132K-112-175 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 23, § 132K-112-175, filed 9/9/74.]

WAC 132K-112-180 Counting of ballots—Procedure—Certification of results of election—Retention of ballots—Signed voting lists. When ballot boxes from all voting places have been received by the chief election officer's inspector, he shall open them and thoroughly mix all ballots cast so that it is impossible to identify the polling place from which any particular ballot came. The ballots cast shall be separated into the categories as they have been cast for organizations participating in the election, for no organization, and void ballots which are unintelligible or for an organization not participating in the election. The ballots in these categories shall be counted by the chief election officer with the assistance of such of his election inspectors as shall be necessary in the presence of the inspectors for the

organizations participating in the election. After the ballots have been so counted 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 outline in writing 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 23, § 132K-112-180, filed 9/9/74.]

WAC 132K-112-185 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 23, § 132K-112-185, filed 9/9/74.]

WAC 132K-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 132K-112-120 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 23, § 132K-112-190, filed 9/9/74.]

WAC 132K-112-195 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. 11 with the exception of those holding administrative appointments as defined by the board of trustees unless included as specified in WAC 132K-112-205. "Faculty employee" shall also mean any teacher, counselor, librarian, or division head who has been employed by the college less than fulltime for the previous two consecutive

quarters, exclusive of summer quarters, except for those employed exclusively for community service courses.

[Order 23, § 132K-112-195, filed 9/9/74.]

WAC 132K-112-2001 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 an election held in accordance with the rules of this part shall be recognized as representing the faculty employees of Community College District No. 11 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 23, § 132K-112-200 (codified as WAC 132K-112-2001), filed 9/9/74.]

WAC 132K-112-205 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. 11 desiring to be included in the faculty employee organization shall request in writing to the board of trustees of Community College District No. 11 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. 11, 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. 11 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 132K-112-125 and 132K-112-200, 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. 11 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. 11 will publish notice of the election, and conduct the election as specified in WAC 132K-112-115, through 132K-112-200 of these rules.

If the majority of those holding administrative appointments, calculated on a weighted basis as specified in WAC 132K-112-125 and 132K-112-200, desire to be represented by the faculty employee organization, the board of trustees of Community College District No. 11 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 District No. 11 shall conduct the election as specified in WAC 132K-112-115 through 132K-112-200 of these rules.

[Order 23, § 132K-112-205, filed 9/9/74.]

WAC 132K-112-210 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 23, § 132K-112-210, filed 9/9/74.]

WAC 132K-112-215 Certification of academic employees' representative. The employee organization which receives the majority of all votes cast in any election held pursuant to WAC 132K-112-100 through 132K-112-215 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 132K-112-180.

[Order 23, § 132K-112-215, filed 9/9/74.]

Chapter 132K-116 WAC

PARKING AND TRAFFIC RULES

WAC

132K-116-010	Introduction.
132K-116-015	Objectives of traffic rules and regulations.
132K-116-020	Applicable traffic rules and regulations—Areas affected.
132K-116-025	Permits required for vehicles on campus.
132K-116-030	Tourists and visitors—Exemption from permit requirements.
132K-116-035	Restrictions on use of vehicles with permits.
132K-116-040	Speed.
132K-116-045	Regulatory signs and directions.
132K-116-050	Pedestrians—Right-of-way.
132K-116-055	Parking—Permits required.
132K-116-060	Parking within designated spaces.
132K-116-065	Disabled and inoperative or abandoned vehicles—Impounding.
132K-116-070	Special traffic and parking regulations and restrictions authorized.
132K-116-075	Authorization for issuance of permits.
132K-116-080	Numbering of parking areas.
132K-116-085	Allocation of parking space.
132K-116-090	Visitors and guests.
132K-116-095	Permit revocations.
132K-116-100	Duplicate permits for faculty, staff, and student personnel.
132K-116-105	Faculty and staff permit periods.
132K-116-110	Fees for permits.
132K-116-115	Annual parking fee payment.
132K-116-120	Display of permits.

[Title 132K WAC—p 28]

132K-116-125	Responsibility of person to whom permit is issued.
132K-116-130	Refund of fees.
132K-116-135	Procedure—Issuance of summons or traffic tickets.
132K-116-140	Grievance proceedings—Bond for appearance—Date of hearing.
132K-116-145	Fines and penalties.
132K-116-150	Mitigation and suspension of penalties.
132K-116-155	Enforcement of determination of the parking committee.
132K-116-160	Regulatory signs, markings, barricades, etc.
132K-116-165	Impounding of vehicles.
132K-116-170	Delegation of authority.
132K-116-175	Liability of college.

WAC 132K-116-010 Introduction. Section 1. Pierce College District Number Eleven hereby establishes these regulations to govern pedestrian and vehicular traffic and parking upon state lands devoted mainly to the educational activities of Pierce College.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-116-010, filed 7/11/86; Order 13, § 132K-116-010, filed 2/20/73.]

WAC 132K-116-015 Objectives of traffic rules and regulations. Section 2. The objectives of these traffic regulations are:

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

[Order 13, § 132K-116-015, filed 2/20/73.]

WAC 132K-116-020 Applicable traffic rules and regulations—Areas affected. Section 3. The traffic regulations which are applicable upon state lands devoted mainly to the educational activities of the college are as follows:

- (1) The motor vehicle and other traffic laws of the state of Washington shall be applicable upon all lands located within the state of Washington.
- (2) The traffic code of Pierce County, Washington shall be applicable upon all lands located within Pierce County, Washington.
- (3) These regulations shall be applicable to all state lands which are or may hereafter be devoted mainly to educational, research, recreational, or parking activities of the college.

[Order 13, § 132K-116-020, filed 2/20/73.]

WAC 132K-116-025 Permits required for vehicles on campus. Section 4. Except as provided in WAC 132K-116-030, no person shall drive any vehicle, nor shall any person stop, park, leave or abandon any vehicle, whether attended or unattended, upon the campus of the college without a permit issued by the parking office of the college.

Abandoned vehicle: For purposes of this chapter, "abandoned vehicle" shall mean any vehicle left on college property in violation of college parking rules and without the written consent of the college for a period of 24 hours or

longer. Written consent shall be granted the owner or operator of an abandoned vehicle who is unable to remove the vehicle from the place where it is located and so notifies the physical plant director and requests assistance.

(1) Permission to drive on campus or to park thereon will be shown by the display of a valid permit issued by the parking office of the college.

(2) A valid permit is:

(a) An unexpired parking sticker properly registered and displayed in accordance with instructions, or

(b) A temporary permit authorized by the parking office of the college and displayed in accordance with instructions on the permit, or

(c) A parking permit issued by the college parking booth attendant, which permit must be displayed on the vehicle in accordance with instructions.

(3) Parking permits are not transferable.

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

[Statutory Authority: RCW 28B.50.140, 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-116-025, filed 7/11/86; Order 36, § 132K-116-025, filed 9/6/77; Order 31, § 132K-116-025, filed 9/17/76; Order 13, § 132K-116-025, filed 2/20/73.]

WAC 132K-116-030 Tourists and visitors—Exemption from permit requirements. Section 5. The college parking booth attendant will allow tourists and visitors to drive on the campus. A visitor's permit shall be issued without a fee at time of entrance.

[Order 31, § 132K-116-030, filed 9/17/76; Order 13, § 132K-116-030, filed 2/20/73.]

WAC 132K-116-035 Restrictions on use of vehicles with permits. Section 6. Decisions on the granting of permits for physically handicapped students will be made by the handicapped program coordinator of the college, or his/her designee.

[Order 31, § 132K-116-035, filed 9/17/76; Order 13, § 132K-116-035, filed 2/20/73.]

WAC 132K-116-040 Speed. Section 7. No vehicle shall be operated on the campus at a speed in excess of 20 miles per hour unless otherwise posted or such lower speed as is reasonable and prudent in the circumstances.

[Order 31, § 132K-116-040, filed 9/17/76; Order 13, § 132K-116-040, filed 2/20/73.]

WAC 132K-116-045 Regulatory signs and directions. Section 8. Drivers of vehicles shall obey regulatory signs and signs related to the collection of parking fees posted by the college. Drivers of vehicles shall also comply with directions given them by officers of the college parking office in the control and regulation of traffic.

[Order 31, § 132K-116-045, filed 9/17/76; Order 13, § 132K-116-045, filed 2/20/73.]

WAC 132K-116-050 Pedestrians—Right-of-way. Section 9. (1) The operator of a vehicle shall yield the right-of-way, slowing down or stopping, if need be, to so yield to any pedestrian crossing any street or roadway within

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

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

(3) Pedestrians on a street or roadway where a sidewalk is provided shall proceed upon such sidewalk. Pedestrians upon a street or roadway where no sidewalk is provided shall proceed on the extreme lefthand side of the roadway and upon meeting an oncoming vehicle shall step to their left and clear off the street or roadway.

[Order 13, § 132K-116-050, filed 2/20/73.]

WAC 132K-116-055 Parking—Permits required. Section 10. (1) No vehicle shall be parked on the campus except in those areas set aside and designated as parking areas.

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

[Order 13, § 132K-116-055, filed 2/20/73.]

WAC 132K-116-060 Parking within designated spaces. Section 11. No vehicle shall be parked so as to occupy any portion of more than one parking space or stall as designated within the parking area. The fact that other vehicles may have been so parked as to require the vehicle parked to occupy a portion of more than one space or stall shall not constitute an excuse for a violation of this section.

[Order 13, § 132K-116-060, filed 2/20/73.]

WAC 132K-116-065 Disabled and inoperative or abandoned vehicles—Impounding. Section 12. No disabled or inoperative or abandoned vehicle shall be parked on the campus without a permit to do so. Vehicles which have been disabled, inoperative or abandoned may be impounded and stored at the expense of either or both the owner and operator thereof following 24 hours notice posted at a conspicuous place on the vehicle. Neither the college nor its employees shall be liable for loss or damage of any kind resulting from such impounding and storage.

Impoundment without notice. A vehicle may be impounded without notice to the owner or operator in the following circumstances:

(1) When in the judgment of the physical plant director, the vehicle is obstructing or may impede the flow of traffic; or

(2) When in the judgment of the physical plant director, the vehicle poses an immediate threat to public safety.

[Statutory Authority: RCW 28B.50.140, 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-116-065, filed 7/11/86; Order 36, § 132K-116-065, filed 9/6/77; Order 31, § 132K-116-065, filed 9/17/76; Order 13, § 132K-116-065, filed 2/20/73.]

WAC 132K-116-070 Special traffic and parking regulations and restrictions authorized. Section 13. Upon special occasions causing additional heavy traffic and during emergencies, the college parking office is authorized to impose additional traffic and parking regulations and restrictions for the achievement of the objectives in section 1 [WAC 132K-116-015].

[Order 31, § 132K-116-070, filed 9/17/76; Order 13, § 132K-116-070, filed 2/20/73.]

WAC 132K-116-075 Authorization for issuance of permits. Section 14. The college parking office is authorized to issue permits to drive or park upon the campus. Permits may be purchased during registration. The application for a permit must be accompanied by the applicant's vehicle registration. This will include second and third vehicle permits also. Late permits may be obtained at the parking office, Room 3014.

[Order 31, § 132K-116-075, filed 9/17/76; Order 13, § 132K-116-075, filed 2/20/73.]

WAC 132K-116-080 Numbering of parking areas. Section 15. The college physical plant director is authorized to designate and mark the various parking areas on the campus with numbers or letters by the posting of signs or by other means in those areas.

[Order 31, § 132K-116-080, filed 9/17/76; Order 13, § 132K-116-080, filed 2/20/73.]

WAC 132K-116-085 Allocation of parking space. Section 16. The parking space available on the campus shall be allocated by the college physical plant director or his designee among applicants for permits in such manner as will best effectuate the objectives of these regulations. Certain restricted parking areas on campus are marked as, "physically handicapped," "faculty," "staff," "service vehicles," "visitors," "motor pool," "loading zone," etc.

[Order 31, § 132K-116-085, filed 9/17/76; Order 13, § 132K-116-085, filed 2/20/73.]

WAC 132K-116-090 Visitors and guests. Section 17. (1) All visitors, guests, salesmen, maintenance or service personnel, and all other members of the public who are not college employees or students will park in available space as directed by the college parking booth attendant without paying a fee, including the following:

(a) Members of the board of trustees and other designated by the college may be given complimentary annual permits.

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

(c) Vehicles owned by contractors and their employees working on campus construction will be parked in designated areas, if available, without charge.

(d) Visiting academic or administrative personnel from other colleges or universities and guest speakers will be parked without charge upon presentation of a guest permit. Responsibility for naming parking arrangements for guests will rest with the sponsoring college department or division.

(e) Members of the press, television, and radio on official business will park without charge.

(f) Taxis will be admitted without charge for pick-up and delivery but will not be given free parking privileges.

(g) No parking fee will be charged visitors and guests attending special college events such as commencement. No parking fees will be charged for college and departmental events such as open house, symposiums, social and cultural events.

(h) Those covered by section 5 [WAC 132K-116-030].

(2) Special permits:

(a) Temporary or part-time employees, salesmen, maintenance and service personnel, and other visitors who must frequently visit the campus on college business, may be issued parking permits at the regular annual or quarterly fee or at the rate based on the regular annual fee, subject to the approval of the college physical plant director.

(b) The college parking office will assist college departments and divisions which sponsor functions such as conferences, seminars, dinners and similar events in arranging parking without collecting parking fees, only if prearranged with the parking office.

(3) Athletics, concerts, plays and other special events: Parking fees will not be charged for vehicles parked at athletics, concerts, plays and other special events held on campus after hours or on weekends.

[Order 31, § 132K-116-090, filed 9/17/76; Order 13, § 132K-116-090, filed 2/20/73.]

WAC 132K-116-095 Permit revocations. Section 18. (1) Permits are the property of the college and may be recalled for any of the following reasons by the college physical plant director:

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

(b) When a permit is used by an unregistered vehicle or by an unauthorized individual

(c) Falsification on a parking permit application

(d) Continued violations or [of] parking regulations

(e) Counterfeiting or altering of stickers

(2) Vehicles displaying canceled permits will be subject to citation or impounding.

[Order 31, § 132K-116-095, filed 9/17/76; Order 13, § 132K-116-095, filed 2/20/73.]

WAC 132K-116-100 Duplicate permits for faculty, staff, and student personnel. Section 19. Faculty, staff, and student personnel of the college may apply on a separate application for a permit for a second vehicle owned and operated by that person for a minimum charge of \$.50. Vehicle registration must be presented for verification. If a permit is damaged, remove the portion that is left and a new permit will be issued free of charge. If a vehicle is traded, sold, or demolished, remove the permit (or at least the number portion) and a new permit will be issued at no charge.

[Order 31, § 132K-116-100, filed 9/17/76; Order 13, § 132K-116-100, filed 2/20/73.]

WAC 132K-116-105 Faculty and staff permit periods. Section 20. All faculty and staff will park on a

permit basis, i.e., either annually, quarterly, or daily. Annual permits will be payable in full prior to the start of fall quarter of each year.

[Order 31, § 132K-116-105, filed 9/17/76; Order 13, § 132K-116-105, filed 2/20/73.]

WAC 132K-116-110 Fees for permits. Section 21. The fees charged by the college for the issuance of permits shall be those established from time to time by the board of trustees of the college.

[Order 13, § 132K-116-110, filed 2/20/73.]

WAC 132K-116-115 Annual parking fee payment. Section 22. Payment for an annual parking permit must be made by cash or check directly to the business office of the college or to the college cashier at the time of registration. Cash should not be sent by mail.

[Order 13, § 132K-116-115, filed 2/20/73.]

WAC 132K-116-120 Display of permits. Section 23. The permit issued by the college parking office shall be placed as per directions on the permit. Permits not displayed in accordance with the provisions of this section shall not be valid.

[Order 31, § 132K-116-120, filed 9/17/76; Order 13, § 132K-116-120, filed 2/20/73.]

WAC 132K-116-125 Responsibility of person to whom permit is issued. Section 24. The person to whom a permit is issued pursuant to these regulations shall be responsible for all violations of these 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.

[Order 13, § 132K-116-125, filed 2/20/73.]

WAC 132K-116-130 Refund of fees. Section 25. Parking fees are nonrefundable.

[Order 31, § 132K-116-130, filed 9/17/76; Order 13, § 132K-116-130, filed 2/20/73.]

WAC 132K-116-135 Procedure—Issuance of summons or traffic tickets. Section 26. Upon probable cause to believe that a violation of these regulations has occurred, an officer of the college parking office may issue a summons or traffic ticket setting forth the date, the approximate time, the locality, and the nature of the violation. Such summons may be served by attaching or affixing a copy thereof to the vehicle allegedly involved in such violation, or by placing a copy thereof in some prominent place outside such vehicle. Vehicles not displaying a valid permit may be towed after the third violation citation has been issued. (See section 32)

Questions pertaining to citations may be directed to the physical plant department, Room 3014.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-116-135, filed 7/11/86; Order 36, § 132K-116-135, filed 9/6/77; Order 31, § 132K-116-135, filed 9/17/76; Order 13, § 132K-116-135, filed 2/20/73.]

(1992 Ed.)

WAC 132K-116-140 Grievance proceedings—Bond for appearance—Date of hearing. Section 27.

(1) The summons or traffic ticket issued pursuant to WAC 132K-116-135 shall direct the alleged violator to appear before the college physical plant director within five school days. At that time, the alleged violator will be informed of the next meeting of the college parking committee which will convene on the last Thursday of each month.

(2) The alleged violator may then elect to waive his right to appear before the college parking committee and pay the appropriate fine or appeal the violation. If the alleged violator elects to appeal the violation, he/she will be informed that the appeal must be made in writing to the college physical plant director giving full particulars, listing witnesses, evidence, etc., within five school days following the issuance of summons or traffic ticket.

The college parking committee shall consist of the college dean of students as chairperson, the college dean of administrative services, and the physical plant director.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-116-140, filed 7/11/86; Order 36, § 132K-116-140, filed 9/6/77; Order 31, § 132K-116-140, filed 9/17/76; Order 15, § 132K-116-140, filed 4/6/73; Order 13, § 132K-116-140, filed 2/20/73.]

WAC 132K-116-145 Fines and penalties. Section 28. The fines or penalties to be assessed for violation of these regulations shall be as follows:

(1) Parking violations. \$2.00 if the five school day requirement of section 27 [WAC 132K-116-140] is not met.

(2) Exceeding speed limit. Not less than \$5.00 or more than \$25.00 and/or loss of parking and driving privileges on campus for up to one year, and appearance before the college parking committee for appropriate disciplinary action.

(3) Any other violation of these regulations. Not less than \$2.00 or more than \$25.00 and/or loss of parking and driving privileges on campus for up to one year, and appearance before the college parking committee for appropriate disciplinary action.

[Order 31, § 132K-116-145, filed 9/17/76; Order 15, § 132K-116-145, filed 4/6/73; Order 13, § 132K-116-145, filed 2/20/73.]

WAC 132K-116-150 Mitigation and suspension of penalties. Section 29. Upon showing of good cause or mitigating circumstances, the college parking committee may impose any lesser fine or penalty than those established in section 28 and section 30 [WAC 132K-116-145 and 132K-116-155], or it may grant an extension of time within which to comply with its determination and sentence.

[Order 31, § 132K-116-150, filed 9/17/76; Order 15, § 132K-116-150, filed 4/6/73; Order 13, § 132K-116-150, filed 2/20/73.]

WAC 132K-116-155 Enforcement of determination of the parking committee. Section 30. In the event a student fails or refuses to comply with the determination of the college parking committee such alleged violator shall not be eligible to register for additional courses, or to obtain a transcript of his grades or credits, or to receive a degree; until he has paid or otherwise complied with the determination. Failure by employees to pay citations shall result in withholding of paychecks either for June or for the last month of an employment contract.

[Order 31, § 132K-116-155, filed 9/17/76; Order 13, § 132K-116-155, filed 2/20/73.]

WAC 132K-116-160 Regulatory signs, markings, barricades, etc. Section 31. The college parking office is authorized to erect signs, barricades, and other structures and to paint marks and other directions upon the streets and roadways for the regulation of traffic and parking upon state lands devoted mainly to the educational or research activities of the college. Such signs, barricades, structures, markings and directions shall be so made and placed as in the opinion of the college physical plant director will best effectuate the objectives stated in section 2 [WAC 132K-116-015].

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

[Order 31, § 132K-116-160, filed 9/17/76; Order 13, § 132K-116-160, filed 2/20/73.]

WAC 132K-116-165 Impounding of vehicles. Section 32. Any vehicles parked upon state land devoted mainly to the educational purposes of the college in violation of these regulations including the motor vehicle and other traffic laws of the state of Washington and the traffic code of Pierce County, Washington as incorporated in section 3 [WAC 132K-116-020] may be impounded and taken to such place for storage as the college selects. The expenses of such impoundings and storage shall be charged to the owner or operator of the vehicle and paid by him prior to its release. The college and its employees shall not be liable for loss or damage of any kind resulting from such impounding and storage.

[Order 13, § 132K-116-165, filed 2/20/73.]

WAC 132K-116-170 Delegation of authority. Section 33. The authority and powers conferred upon the board of trustees, the president, the college dean of students, and the manager of business services by these regulations shall be subject to delegation by him to his subordinates.

[Order 13, § 132K-116-170, filed 2/20/73.]

WAC 132K-116-175 Liability of college. Section 34. The college assumes no liability under any circumstances for vehicles parked on campus. The college grants a license for use of a parking space to individuals desiring to park their vehicles on campus and who purchase a parking space or for those individuals described in section 17 [WAC 132K-116-090]. However, no bailment is created by the sale of a permit or for those individuals described in section 17 [WAC 132K-116-090].

[Order 15, § 132K-116-175, filed 4/6/73; Order 13, § 132K-116-175, filed 2/20/73.]

Chapter 132K-120 WAC

STUDENT PUBLICATIONS CODE OF THE ASSOCIATED STUDENTS OF PIERCE COLLEGE

WAC

132K-120-005	Preamble.
132K-120-010	Student publications board.
132K-120-015	Student government authority and responsibility.
132K-120-020	College authority and responsibility.
132K-120-025	Student publications board membership and rules.
132K-120-030	Board meetings.
132K-120-035	Board decisions.
132K-120-040	Role of student publications.
132K-120-045	Student publications board responsibilities.
132K-120-050	Student publications board authority.
132K-120-055	Faculty advisors.
132K-120-060	Student editors-in-chief.
132K-120-065	Budgets and fiscal affairs.
132K-120-070	Creation of student publications.
132K-120-075	Staff handbook.
132K-120-080	Operational directives.
132K-120-085	Amendment procedures.

WAC 132K-120-005 Preamble. The code of student rights and responsibilities provides for a student publications policy and publications board which protects the students' freedom to deal with any ideas and to express opinions in student publications without fear of censorship. At the same time, student editors and managers are charged with the corollary responsibility to be governed by the "canons of journalism." Therefore, the student publications code has been established and a student publications board has been created.

[Order 28, § 132K-120-005, filed 11/10/75.]

WAC 132K-120-010 Student publications board. The Pierce College student publications board is a body whose primary responsibility is the judicious enforcement of policy pertaining to student publications which has been adopted through the prescribed administrative channels. The board may instigate its own action or take action at the request of any individual or group. Its decisions shall be based solely upon the fair and impartial interpretation of the student publications code and pertinent statements of purpose or philosophy or codes of ethics for the publication involved in addition to information presented to the board in relation to the issue(s) under consideration. Although the deliberations of the board are not comparable to those of a court of law and legal procedures do not apply, it is the responsibility of the board to afford all aggrieved parties concerned the right of due process and a fair and impartial hearing.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-120-010, filed 7/11/86; Order 28, § 132K-120-010, filed 11/10/75.]

WAC 132K-120-015 Student government authority and responsibility. The student government shall exercise its authority and responsibility concerning student publications through its monetary appropriation powers and the ASPC president's appointment of student members of the student publications board. The student government, through its monetary appropriation powers, may at the end of the fiscal year, vote to discontinue publication of a student publication for the coming fiscal year. However, the student

government is prohibited from arbitrary discontinuation of budgeted funds and consequent suspension or discontinuation of a student publication during a fiscal year.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-120-015, filed 7/11/86; Order 28, § 132K-120-015, filed 11/10/75.]

WAC 132K-120-020 College authority and responsibility. Legally, Pierce College is the publisher of all student publications. Therefore, all student publications come under the purview of the board of trustees and the college president who have the authority and responsibility to determine the broad policies and procedures which are to govern student publications. The authority and responsibility for promoting and enforcing those policies and procedures, except where specifically noted herein, has been delegated by the board of trustees and the college president to the student publications board through this student publications code.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-120-020, filed 7/11/86; Order 28, § 132K-120-020, filed 11/10/75.]

WAC 132K-120-025 Student publications board membership and rules. There shall be seven voting members, including:

(A) Four students to be selected as follows:

(1) Two students appointed by the outgoing student senate.

(2) Two students appointed by the incoming ASPC president.

(B) Three instructors or administrators to be selected as follows:

(1) One administrator to be appointed by the college president.

(2) Two instructors to be appointed by the faculty.

Ex officio (nonvoting) members shall include:

(A) The manager of student programs.

(B) The student editor-in-chief of each student publication.

(C) The faculty advisor to each student publication.

(D) A Pierce College alumnus (selected by the voting members of the student publications board).

(E) A professional journalist (selected by the voting members of the student publications board).

Terms of office for voting student publications board members shall commence at the beginning of summer quarter and expire at the end of the following spring quarter. Appointments will be made after the spring ASPC election but prior to the end of spring quarter. Student senate members and staff members of student publications may not be members of the student publications board. Student vacancies shall be filled by appointment by the ASPC president. Faculty or administrative vacancies shall be filled by the faculty or presidential appointment respectively.

The voting members shall elect from their ranks a chairman and designate a secretary to record minutes of the meetings. A meeting may be called by the chairman or any three voting members. A quorum shall be necessary to conduct business and shall consist of five voting members.

At the end of spring quarter, the minutes of all board meetings and other board records shall be transmitted to the board secretary selected for the next academic year.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-120-025, filed 7/11/86; Order 28, § 132K-120-025, filed 11/10/75.]

WAC 132K-120-030 Board meetings. The student publications board shall meet at least once during the first month of each quarter except during summer quarter. Meetings of the student publications board shall be open to all interested parties unless the board members determine that a closed session is necessary. Closed sessions shall be limited to confidential matters related to personnel problems. Official actions of the board may be taken only in open session.

[Order 28, § 132K-120-030, filed 11/10/75.]

WAC 132K-120-035 Board decisions. All decisions of the student publications board shall be made by a simple majority vote except in the case of permanent removal of a student editor-in-chief which requires a minimum of five votes in favor of such removal.

[Order 28, § 132K-120-035, filed 11/10/75.]

WAC 132K-120-040 Role of student publications. The role of student publications is to report the news and/or provide an outlet for student opinion and student creative effort. This shall be done while maintaining the highest standards of honesty, accuracy, and good taste.

[Order 28, § 132K-120-040, filed 11/10/75.]

WAC 132K-120-045 Student publications board responsibilities. The role of the student publications board is to do all within its power to foster at Pierce College an environment conducive to the maintenance, growth, and development of student publications of the highest quality. Responsibilities concomitant with this role include:

(A) Soliciting from the faculty advisor to each student publication recommendations for the appointment of the student editor-in-chief and making final appointment of the student editor-in-chief.

(B) Insuring that the "canons of journalism," as adopted by the American Society of Newspaper Editors and as they may be reasonably applied to all student publications, are actively practiced.

(C) Insuring that any statements of purpose or philosophy or codes of ethics as adopted by the student government and approved by the college president or his designee for a specific student publication are actively practiced.

(D) Providing constructive criticism to all students and college personnel involved in production of student publications.

(E) Establishing standards for student participation in the production of student publications.

(F) Providing for speedy and fair disposition or resolution of questions and complaints pertaining to student publications.

(G) Soliciting from the college community and forwarding to the appropriate personnel recommendations pertaining

to policies, procedures, and practices concerning student publications.

(H) Soliciting from the faculty advisor and student editor-in-chief budget request recommendations and documentation, and approving a final request for each publication for admission to the ASPC budget sub-committee.

[Statutory Authority: RCW 28B.50.140, 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-120-045, filed 7/11/86; Order 28, § 132K-120-045, filed 11/10/75.]

WAC 132K-120-050 Student publications board authority. In order that the student publications board may fulfill its responsibilities, it is hereby granted the authority to temporarily suspend or permanently remove a student editor-in-chief and/or temporarily suspend publication of a student publication. The board shall have the authority to remove a student editor-in-chief either for incompetence or for violation of the statement of purpose or philosophy or code of ethics adopted for that publication or for violation of the provisions of the student publications code.

Specific charges against a student editor-in-chief must be presented in writing at an open board meeting (unless the editor-in-chief requests and the board agrees that the session be closed) before he may be either temporarily suspended or permanently removed from his position. An editor-in-chief may be temporarily suspended for a period not to exceed two weeks provided that:

(A) The editor-in-chief has been provided with a copy of the specific charges made against him.

(B) The editor-in-chief has requested additional time in which to prepare answers to the charges.

(C) The editor-in-chief has been unable to show sufficient cause why such temporary suspension should not be imposed.

(D) The board decides that the charges are sufficiently serious to warrant such temporary suspension.

An editor-in-chief may be permanently removed from his position for the remainder of his term of office only by a minimum of five votes in favor of such removal and following a two week temporary suspension period (unless the student editor-in-chief wishes to dispense with the temporary suspension period or does not wish to contest his own removal.)

The student publications board shall also have the authority to temporarily suspend publication of a student publication in conjunction with or separate from the temporary suspension or permanent removal of a student editor. Temporary suspension of a student publication should be undertaken only when deemed necessary to provide adequate time to rectify the problems associated with the publication. Such temporary suspension of publication shall be for a specified and reasonable period of time, not to exceed one quarter, as determined by the student publications board.

[Order 28, § 132K-120-050, filed 11/10/75.]

WAC 132K-120-055 Faculty advisors. A faculty advisor to each student publication shall be appointed by the college president or his designee. The faculty advisor shall be responsible for recommending to the student publications board candidates for the position of student editor-in-chief of the publication. The faculty advisor is responsible for

providing student editors and staff members with the professional guidance and leadership. The advisor is responsible to the manager of student programs for administering policies, practices, and procedures concerning student publications as recommended by the ASFSCC student government or manager of student programs and approved by the college president or his designee. The faculty advisor is responsible for representing the college and its policies and regulations to the student editor and staff members. He is expected to make every reasonable effort to insure full compliance with all such policies and regulations short of censorship.

At the same time, the advisor is responsible to the student editor and staff members for providing a working environment in which student publications may genuinely reflect student interests, needs, and opinion. Student concerns should be channeled through the advisor to the appropriate college authorities.

The faculty advisor is further responsible for the effective organization of the publication so that it fulfills its stated purpose(s). He is responsible for the preparation of a staff handbook and has budgetary authority and responsibility as outlined in the ASFSCC financial code.

The faculty advisor has the authority to determine the organizational structure of the publication as well as physical facilities and equipment such as he deems most beneficial to fulfilling adopted statement of purpose or philosophy or code of ethics for the publication. His authority includes those authorities traditionally afforded a classroom instructor, and his recommendations regarding editorial policy, content, layout, etc. are to be given serious consideration by student editors and staff members.

[Order 28, § 132K-120-055, filed 11/10/75.]

WAC 132K-120-060 Student editors-in-chief. Editors-in-chief of student publications shall have the authority to determine the content of the publications within the guidelines set by the statement of purpose or philosophy, or code of ethics for that publication and the provisions of this code. The editor-in-chief of a publication shall supervise the student staff members.

Concomitant with the authority given student editors-in-chief goes the responsibility for constant adherence to the highest journalistic, ethical, and moral standards which characterize responsible journalism. Failure to fulfill this responsibility shall be cause for the suspension or removal of an editor-in-chief. An editor-in-chief who disregards the recommendations of his faculty advisor in effect rejects professional guidance. Although disregard for an advisor's advice does not automatically constitute editorial incompetence, the editor-in-chief, nevertheless, has made a serious decision, and it follows that he assumes the risk of being found incompetent and subsequently suspended or removed by the student publications board.

[Order 28, § 132K-120-060, filed 11/10/75.]

WAC 132K-120-065 Budgets and fiscal affairs. Budget requests and expenditures for student publications shall be administered in accordance with the provisions of the ASPC financial code.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-120-065, filed 7/11/86; Order 28, § 132K-120-065, filed 11/10/75.]

WAC 132K-120-070 Creation of student publications. A student publication may be created following the adoption of a statement of purpose or philosophy or code of ethics by the student government and approval by the college president or his designee and the appointment of a faculty advisor.

For the purposes of this code, student publications shall include any printed material:

(a) Written for and intended for distribution to the general student body.

(b) Funded in part or entirely through services and activities funds.

If the student publications board thinks that a certain publication should appropriately be classified as a student publication, and if that publication meets the two criteria mentioned at the beginning of this section, the student publications board may request that the student government adopt and the college president or his designee approve a statement of purpose or philosophy or code of ethics for that publication, thus placing it under the jurisdiction of this code and the student publications board.

[Order 28, § 132K-120-070, filed 11/10/75.]

WAC 132K-120-075 Staff handbook. The advisor to each student publication is responsible for preparation of a staff handbook which shall include: The adopted statement of purpose or philosophy or code of ethics, and outline of staff authority and responsibility, job descriptions, etc. Copies of the handbook shall be available to students and college personnel.

[Order 28, § 132K-120-075, filed 11/10/75.]

WAC 132K-120-080 Operational directives. The student publications board recognizes the fact that certain emergency situations might arise which are not covered by the student publications code or which occur at a time when it is impossible to convene the board. When such situations arise, the manager of student programs or his designee is hereby authorized to issue operational directives in the board's name in order to protect the integrity of the student publications code. Operational directives will be issued only when it is infeasible for the student publications board to act and will be temporary and subject to the automatic review of the student publications board which shall convene at its earliest opportunity.

[Order 28, § 132K-120-080, filed 11/10/75.]

WAC 132K-120-085 Amendment procedures. Proposed amendments to this code may be submitted to the ASPC student senate at any regularly scheduled meeting of the ASPC student senate. At the following regularly scheduled meeting, the proposed amendment shall be read for the first time. The proposed amendment may be voted upon at any regularly scheduled meeting following the first reading only if the time elapsed between the first reading and voting does not exceed one month. Amendments will be

certified as passed by the ASPC president when two-thirds of the ASPC student senate, sitting in quorum, vote in the affirmative. The proposed amendment will then be forwarded for final approval to the college president or his designee. Approved amendments shall be returned to the ASPC student senate for insertion into the official copy of the ASPC student publications code.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-120-085, filed 7/11/86; Order 28, § 132K-120-085, filed 11/10/75.]

Chapter 132K-122 WAC

STUDENTS RECORDS RELEASE POLICY

WAC

132K-122-010	General policy.
132K-122-020	Definitions.
132K-122-030	Type and location of education records.
132K-122-040	The right to inspect and view records.
132K-122-050	Limits on rights to review and inspect educational records.
132K-122-060	Hearing procedures.
132K-122-070	Disclosure of personally identifiable information contained in a student's education records.
132K-122-080	Prior consent to disclosure and waiver of student rights.
132K-122-090	Maintenance of records.
132K-122-100	Prevention of the disclosure of directory information.
132K-122-110	Fees for copies.
132K-122-120	Denial of copies of education records.
132K-122-130	Notice of rights.

WAC 132K-122-010 General policy. Pierce College desires to insure that information contained in the educational records of its students is treated responsibly with due regard for its personal nature, and for the students', college's, and the community's needs. This chapter implements this general policy and responds to the requirements of Public Law 93-380 (Family Educational Rights and Privacy Act of 1974).

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-122-010, filed 7/11/86; Order 37, § 132K-122-010, filed 9/2/77.]

WAC 132K-122-020 Definitions. For purposes of this chapter, the following terms shall have the definitions shown:

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

(2) The term "education records" means those records, files, documents, and other materials maintained by Pierce College which contain information directly related to the individual student. The term does not include:

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

(b) Records made and maintained in the normal course of business which relates exclusively to the person's capacity as an employee and which are not available for any other purposes: *Provided*, That this exception does not extend to records relating to individuals in attendance at Pierce College who are employed as a result of their status as a student;

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

(d) Records and/or documents of the Pierce College security office which are kept apart from the educational records and which are maintained solely for law enforcement purposes and which are not made available to persons other than law enforcement officials of the same jurisdiction;

(e) Records which contain only information relating to a person after that person was no longer a student at Pierce College such as those dealing with activities of an alumni leaving Pierce College.

(3) The term "directory information" means the student's name, dates of attendance, and degrees received. Directory information may be disclosed at the discretion of the college and without the consent of the student unless he or she elects to prevent disclosure as provided for in WAC 132K-122-100.

(4) The term "personally identifiable" means data or information which includes: The name of the student, the student's parent(s), or other family members; the address of the student; a personal identifier such as the student's social security number or student number; a list of personal characteristics which would make the student's identity easily traceable; telephone number; date of birth; academic/occupational intent; information for participants in officially recognized athletic events; or other information which would make the student's identity easily traceable.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-122-020, filed 7/11/86; Order 37, § 132K-122-020, filed 9/2/77.]

WAC 132K-122-030 Type and location of education records. Pierce College maintains, as student education records, records of the following general types: Academic, financial, counseling, personnel and placement records. For purposes of this chapter, these records are under the control of the college registrar who is located in the administration building and whose telephone number is 552-3983.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-122-030, filed 7/11/86; Order 37, § 132K-122-030, filed 9/2/77.]

WAC 132K-122-040 The right to inspect and view records. (1) Pierce College students shall have the right to review and inspect their education records.

(2) A request by a student for a review of information contained in a student's education records should be made in

writing to the Pierce College registrar who shall require presentation of proper identification including validation of identity by way of the student's identification card and/or signatures of the requesting student.

(3) The registrar must respond to a request for inspection and review of education records within a reasonable period of time but in no case more than 45 days after the request has been made.

(4) Pierce College shall respond within 30 days of receipt of a reasonable student request for explanation and interpretation of the student's education records provided that such requests are in writing and signed by the requesting student and specific as to the portion or portions of the education records thought to be interpreted and explained.

(5) After reviewing his or her records, a student may request an amendment of the records if the student believes them to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. The college shall, within 30 days after receipt of a written request for correction or deletion of information contained in the records signed by the student and specific as to the information to be deleted or corrected, inform the student of whether the request is accepted or denied. If the request for correction or deletion of inaccurate or misleading or otherwise inappropriate data has been denied, the student may seek redress through the hearing procedures provided for below and may place a written statement of rebuttal in his or her records.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-122-040, filed 7/11/86; Order 37, § 132K-122-040, filed 9/2/77.]

WAC 132K-122-050 Limits on rights to review and inspect educational records. (1) There is no right to review and inspect a parent's confidential financial statements or records or any information contained therein;

(2) Confidential letters and confidential statements of recommendation shall be made available for inspection and review by the student except that:

(a) Inspection and review of such letters and statements placed in the education records prior to January 1, 1975, which were solicited with a written assurance of confidentiality or sent and retained with a documented understanding of confidentiality and which are used only for their specifically intended purposes shall not be permitted;

(b) Inspection and review of such letters and statements placed in the education records after January 1, 1975, shall not be permitted where the letters and statements relate to

(i) Admission to an educational institution;

(ii) An application for employment;

(iii) The receipt of an honor or honorary recognition and where the student has waived his or her rights to inspection or review of such letters and statements as provided for in WAC [132K-122-040].

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

(4) The registrar is the official custodian of academic records and therefore the only official who may issue the transcript of the student's official academic records or

prepare other copies of student's records on file in the registrar's office.

(5) Student education records may be destroyed in accordance with routine retention schedules. In no case will any record which is requested by a student for review in accordance with WAC [132K-122-040] and [132K-122-090] be removed or destroyed prior to informing the student and if requested providing the student access.

[Order 37, § 132K-122-050, filed 9/2/77.]

WAC 132K-122-060 Hearing procedures. (1) A student whose request for amendment of his or her educational records has been denied may request a hearing by submitting a written request to the registrar within 10 days following the denial. The request shall be in writing, signed by the student, and shall indicate the reasons why the records should be amended. The registrar shall, within 30 days after receipt of a properly filed request, notify the student at least 10 days in advance of the date, time, and place of the hearing.

(2) The hearing shall be an informal proceeding as provided for by chapter 28B.19 RCW, the Higher Education Administrative Procedure Act and shall be conducted by the dean of students (or his designee who shall be an official of the college who does not have a direct interest in the outcome of the hearing). At the hearing, the student shall be afforded an opportunity to present evidence relevant to the question of whether the educational records sought to be amended are inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student.

(3) At the hearing, the student may be assisted or represented by individuals of his or her choice and at his or her own expense.

(4) The dean of students or his designee shall, within 30 days after the conclusion of the hearing, prepare a final written decision on this request based solely upon the evidence presented at the hearing. The decision shall include a summary of the evidence and the reasons for the decision. A copy of the final decision shall be made available to the student.

(5) If, as a result of the hearing, the dean of students or his designee decides that the information alleged by the student to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student is in fact so inaccurate, misleading, and violative, he or she shall amend the education records accordingly and so inform the student in writing. If, on the other hand, the dean of students or his designee decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, he or she shall inform the student of his or her right to place in the education records a statement commenting upon the information and/or setting forth any reasons for disagreeing with the decisions of the college. A rebuttal statement inserted into the education records shall become a permanent part of the records and it shall be provided to all persons to whom the information which is subject of the rebuttal is thereafter disclosed.

[Order 37, § 132K-122-060, filed 9/2/77.]

WAC 132K-122-070 Disclosure of personally identifiable information contained in a student's educa-

(1992 Ed.)

tion records. (1) The college shall obtain written consent of a student prior to disclosing personally identifiable information other than directory information defined by this chapter from the student's education records: *Provided*, That consent shall not be required where the disclosure to the student himself or herself: *And provided further*, That consent shall not be required if the disclosure is

(a) To other officials and teachers within the college having a legitimate educational interest in the education records. For purposes of this section, a college official or teacher shall be said to have a legitimate educational interest whenever he or she

(i) Is acting pursuant to a lawfully established rule policy or procedure, or

(ii) Acting in the educational interest of the student, or

(iii) Requires disclosure in order to provide educational services to the student.

Those having a legitimate education interest shall include but not be limited to the following personnel when acting in their official capacity: The office of the registrar, the office of admissions, the office of financial aid, and the office of the controller.

(b) To officials of another school or school system which the student is enrolled or from which he or she receives educational services or a school or school system in which the student seeks or intends to enroll provided that the records have been requested by officials of the other school or another student.

(2) Following the disclosure of information pursuant to this section, the college shall:

(a) Provide the student upon request with a copy of any educational records which are transferred to another school.

(b) Provide the student upon request with an opportunity for hearing as provided for in WAC [132K-122-060].

(c) To authorized representatives of the Comptroller General of the United States Secretary of the United States Department of Health, Education, and Welfare; the Commissioner of Education, the Director of the National Institute of Education, the Assistant Secretary for Education, or state educational authorities, wherever access to the education records is necessary in connection with the audit and evaluation of federally supported education programs or in connection with the enforcement of or in compliance with the federal legal requirements which related to these programs.

(3) In connection with financial aid for which a student has applied or which a student has received: *Provided*, That personally identifiable information from the education records of the student may be disclosed under this section only as may be necessary for such purposes as

(a) To determine the eligibility of the student for financial aid;

(b) To determine the amount of financial aid;

(c) To determine the conditions which will be imposed regarding the financial aid;

(d) To enforce the terms or conditions of the financial aid.

(4) To certain state and local agencies to whom information is specifically required to be reported or disclosed pursuant to state statute adopted prior to November 19, 1974.

(5) To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of

developing validating or administering predictive tests, administering student aid programs and improving instruction.

(6) To accrediting organization in order to carry out their accrediting function.

(7) To the parents of a dependent student as defined by section 152 of the Internal Revenue Code of 1954.

(8) To comply with the judicial order or lawfully issued subpoena.

(9) To appropriate parties in connection with a health or safety emergency where knowledge of the information is necessary to protect the health or safety of the student or other individuals.

[Order 37, § 132K-122-070, filed 9/2/77.]

WAC 132K-122-080 Prior consent to disclosure and waiver of student rights. (1) The written consent required in WAC 132K-122-070 above shall be signed and dated by the student and shall include:

(a) A specification of the records to be disclosed;

(b) The purpose or purposes of the disclosure;

(c) The party or class of parties to whom the disclosure may be made.

(2) A student may waive any of his or her rights under this chapter by submitting a written, signed and dated waiver to the officer of the registrar. Such a waiver shall be specific as to the records and persons or institutions covered. A waiver shall continue in effect according to its terms unless revoked in writing which is signed and dated.

[Statutory Authority: RCW 28B.50.140, 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-122-080, filed 7/11/86; Order 37, § 132K-122-080, filed 9/2/77.]

WAC 132K-122-090 Maintenance of records. A record of requests for and disclosures of personally identifiable information shall be maintained in the education records of each student. Records maintained under this section shall be available for inspection and review as provided in WAC [132K-122-040].

[Order 37, § 132K-122-090, filed 9/2/77.]

WAC 132K-122-100 Prevention of the disclosure of directory information. A student may refuse to permit the disclosure of directory information as defined by WAC 132K-122-020(3) by filing a request to prevent disclosure of directory information with the office of the registrar by the end of the third week of the fall quarter of each academic year. A separate request to prevent disclosure of directory information must be filed for each academic year.

[Statutory Authority: RCW 28B.50.140, 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-122-100, filed 7/11/86; Order 37, § 132K-122-100, filed 9/2/77.]

WAC 132K-122-110 Fees for copies. Copies of student records shall be made at the expense of the requesting party at prevailing rates not to exceed \$1.00 per page.

[Order 37, § 132K-122-110, filed 9/2/77.]

WAC 132K-122-120 Denial of copies of education records. Pierce College reserves the right to deny a request

[Title 132K WAC—p 38]

for a copy of all or any portion of the student education records where the student is indebted to the institution for an outstanding or overdue debt.

[Statutory Authority: RCW 28B.50.140, 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-122-120, filed 7/11/86; Order 37, § 132K-122-120, filed 9/2/77.]

WAC 132K-122-130 Notice of rights. In order to insure that Pierce College students are fully apprised of their rights under this chapter, the college shall at the beginning of each academic year make available upon request to each student during the registration process a copy of this chapter. In addition, the college shall post at conspicuous places on the campus information the students of the existence of this chapter and of the availability of copies.

[Statutory Authority: RCW 28B.50.140, 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-122-130, filed 7/11/86; Order 37, § 132K-122-130, filed 9/2/77.]

Chapter 132K-276 WAC PUBLIC RECORDS

WAC

132K-276-010	Purpose.
132K-276-020	Definitions.
132K-276-030	Description of central and field organization of Community College District No. 11.
132K-276-040	Operations and procedures.
132K-276-050	Public records available.
132K-276-060	Public records officer.
132K-276-070	Office hours.
132K-276-080	Requests for public records.
132K-276-090	Copying.
132K-276-100	Exemptions.
132K-276-110	Review of denials of public records requests.
132K-276-120	Protection of public records.
132K-276-130	Records index.
132K-276-140	Adoption of form.
132K-276-990	Appendix A—Request for public records.

WAC 132K-276-010 Purpose. The purpose of this chapter shall be to ensure compliance by the Community College District No. 11 with the provisions of chapter 1, Laws of 1973 (Initiative 276), Disclosure—Campaign finances—Lobbying—Records; and in particular with sections 25 - 32 of that act, dealing with public records.

[Order 18, § 132K-276-010, filed 5/11/73.]

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

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

(3) **Community College District No. 11.** The Community College District No. 11 is an agency organized by

statute pursuant to RCW 28B.50.040. The Community College District No. 11 shall hereinafter be referred to as the "district." Where appropriate, the term district also refers to the staff and board of trustees employees of the district.

[Order 18, § 132K-276-020, filed 5/11/73.]

WAC 132K-276-030 Description of central and field organization of Community College District No. 11. District No. 11 is a community college district organized under RCW 28B.50.040. The administrative office of the district and its staff are located at Community College District No. 11, 9404 East 112th Street, Puyallup, Washington 98371.

[Order 18, § 132K-276-030, filed 5/11/73.]

WAC 132K-276-040 Operations and procedures. The district is established under RCW 28B.50.040 to implement the educational purposes established by RCW 28B.50.020. The college district is operated under the supervision and control of a board of trustees. The board of trustees is made up of five members each appointed by the governor to a term of five years. The trustees meet the second Wednesday of each month at 12:30 p.m. in the district office board room of Community College District No. 11, unless public notice is given of a different time and location. At such time the trustees exercise the powers and duties granted it under RCW 28B.50.140.

[Statutory Authority: RCW 28B.50.140. 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-276-040, filed 7/11/86; Order 18, § 132K-276-040, filed 5/11/73.]

WAC 132K-276-050 Public records available. All public records of the district, as defined in WAC 132K-276-020 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by section 31, chapter 1, Laws of 1973 and WAC 132K-276-100.

[Order 18, § 132K-276-050, filed 5/11/73.]

WAC 132K-276-060 Public records officer. The district's public records shall be in the charge of the public records officer designated by the college president. The person so designated shall be located in the administrative office of the district. The public records officer shall be responsible for the following: The implementation of the district's rules and regulations regarding release of public records, coordinating the staff of the district in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 1, Laws of 1973.

[Order 18, § 132K-276-060, filed 5/11/73.]

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

[Order 18, § 132K-276-070, filed 5/11/73.]

(1992 Ed.)

WAC 132K-276-080 Requests for public records. In accordance with requirements of chapter 1, Laws of 1973 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

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

(a) The name of the person requesting the record;
(b) The time of day and calendar date on which the request was made;

(c) The nature of the request;
(d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;

(e) If the requested matter is not identifiable by reference to the district's current index, an appropriate description of the record requested.

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

[Order 18, § 132K-276-080, filed 5/11/73.]

WAC 132K-276-090 Copying. No fee shall be charged for the inspection of public records. The district shall charge a fee of 10¢ per page of copy for providing copies of public records and for use of the district's copy equipment. This charge is the amount necessary to reimburse the district for its actual costs incident to such copying. If a particular request for copies requires an unusually large amount of time, or the use of any equipment not readily available, the district will provide copies at a rate sufficient to cover any additional cost. All fees must be paid by money order, cashier's check or cash in advance.

[Order 18, § 132K-276-090, filed 5/11/73.]

WAC 132K-276-100 Exemptions. (1) The district reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132K-276-080 is exempt under the provisions of section 31, chapter 1, Laws of 1973.

(2) In addition, pursuant to section 26, chapter 1, Laws of 1973, the district reserves the right to delete identifying details when it makes available or publishes any public records, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 1, Laws of 1973. The public records officer will fully justify such deletion in writing. (See also, board of trustees Resolution No. 72-32, 7-10-72)

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for

the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

[Order 18, § 132K-276-100, filed 5/11/73.]

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

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

(3) Administrative remedies shall not be considered exhausted until the district has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

[Order 18, § 132K-276-110, filed 5/11/73.]

WAC 132K-276-120 Protection of public records. Requests for public records shall be made in the Community College District No. 11 Administration Office, 9404 East 112th Street, Puyallup, Washington. Public records and a facility for their inspection will be provided by the public records officer. Such records shall not be removed from the place designated for their inspection. Copies shall be made at Community College District No. 11 offices. If copying facilities are not available at the college, the college will arrange to have copies made commercially according to the provisions of WAC 132K-276-090.

[Order 18, § 132K-276-120, filed 5/11/73.]

WAC 132K-276-130 Records index. (1) **Index.** The district has available to all persons a current index which provides identifying information as to the following records issued, adopted or promulgated since June 30, 1972.

"(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

"(b) Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the agency;

"(c) Administrative staff manuals and instructions to staff that affect a member of the public;

"(d) Planning policies and goals, and interim and final planning decisions;

"(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and

[Title 132K WAC—p 40]

"(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party."

(2) **Availability.** The current index promulgated by the district shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

[Order 18, § 132K-276-130, filed 5/11/73.]

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

[Order 18, § 132K-276-140, filed 5/11/73.]

WAC 132K-276-990 Appendix A—Request for public records.

Appendix "A"

Request for public record to
Community College District No. 11

(a)
Signature Signature (Please Print)

.....
Name of Organization, if Applicable

.....
Mailing Address of Applicant Phone Number

(b)
Date request made at Community Time of Day
College District No. 11 Request Made

(c) Nature of Request
.....
.....

(d) Identification Reference on Current Index
Please Describe

.....
.....

(e) Description of Record, or Matter, Requested if not
Identifiable by Reference to the Community College
District No. 11's Current Index

.....
.....
.....

Request: Approved By
Date Public Records Officer

Denied Date

Reasons for Denial:

.....

.....

Referred to Date

By
Public Records Officer

[Order 18, Appendix A (codified as WAC 132K-276-990), filed 5/11/73.]

Chapter 132K-300 WAC

NOTICE OF INTENT TO WITHHOLD SERVICES AND/OR OFFSET WAGES FOR OUTSTANDING DEBTS COMMUNITY COLLEGE DISTRICT NO. 11 PIERCE COLLEGE

WAC

- 132K-300-010 Policy.
- 132K-300-020 Notification.
- 132K-300-030 Informal hearing notification.
- 132K-300-040 Procedure for informal hearing.

WAC 132K-300-010 Policy. If any person, including faculty, staff, student, or former student, be indebted to the institution for an outstanding overdue debt, the institution shall not provide any further services of any kind to such individual, including but not limited to transmitting files, records, transcripts, or other services which have been requested by any such person. Further, if the person is an employee of the institution, the institution shall have the right to offset such outstanding debts against wages owed to the employee.

[Statutory Authority: RCW 28B.50.140. 79-10-044 (Order 39), § 132K-300-010, filed 9/13/79.]

WAC 132K-300-020 Notification. Upon receipt of such a request for services where there is an outstanding debt due the institution from that person, the institution shall notify the person by registered mail addressed to his last known mailing address, that the services will not be provided since there is an outstanding debt due the institution and, further, that until that debt is paid in full or arrangements are made to pay the debt over time, no such services as are requested will be provided the individual. If the outstanding debt is due the institution from an employee, the institution shall notify the employee by registered mail addressed to his last known address of the debt owed to the institution, the basis of the debt, and the intent to offset it against the wages or other payments due the employee.

[Statutory Authority: RCW 28B.50.140. 79-10-044 (Order 39), § 132K-300-020, filed 9/13/79.]

WAC 132K-300-030 Informal hearing notification. The letter of notification contained in WAC 132K-300-020 shall also notify the individual that he has a right to a hearing before the dean of administrative services or a person designated by the president of the institution for the purpose of determining whether the individual is in fact indebted to the institution as alleged in the notice of intent to withhold services and/or offset wages for outstanding debts. The letter shall also indicate that the request for the

(1992 Ed.)

hearing must be made within twenty days from the date of receipt of said letter.

[Statutory Authority: RCW 28B.50.140. 79-10-044 (Order 39), § 132K-300-030, filed 9/13/79.]

WAC 132K-300-040 Procedure for informal hearing. Upon receipt of a timely request for a hearing, the dean of administrative services or the person designated by the president shall have the records and files of the institution available for review and, at that time, shall hold an informal hearing concerning whether the individual in fact owes any outstanding debts to the institution. After the informal hearing, a decision shall be rendered by the president's designee indicating whether in fact the institution is correct in withholding services and/or wages for outstanding debt, and if the outstanding debt is in fact owed by the individual involved, no services shall be provided and, if an employee, the debt will be offset against wages owed to the individual. Notification of this shall be sent to the individual within five days after the hearing. Said decision shall constitute an informal proceeding established by the institution pursuant to the Higher Education Administrative Procedure Act as defined in RCW 28B.19.110.

[Statutory Authority: RCW 28B.50.140. 79-10-044 (Order 39), § 132K-300-040, filed 9/13/79.]

Chapter 132K-995 WAC

APPENDIX—POLICIES AND PROCEDURES MANUAL

WAC

- 132K-995-990 Appendix—Community College Act of 1967—Definitions and districts. Pierce College.

Reviser's note: (1) Fort Steilacoom Community College has been renamed Pierce College. See chapter 28B.50 RCW.

(2) The excerpts of the Community College Act of 1967 (chapter 8, Laws of 1967 ex. sess.) as set forth in this chapter, do not reflect certain amendments enacted by the state legislature subsequent to the filing of this chapter with the code reviser. For current law, see chapter 28B.50 RCW.

WAC 132K-995-990 Appendix—Community College Act of 1967—Definitions and districts. Pierce College.

POLICIES & PROCEDURES MANUAL	1111.00
BOARD OF TRUSTEES	1112.00
Community College Act of 1967	
Definitions & Districts	

NEW SECTION. Section 3. As used in this act, unless the context requires otherwise, the term:

(2) "College board" shall mean the state board for community college education created by this act;

(4) "District" shall mean any one of the community college districts created by this act;

(5) "Board of Trustees" shall mean the local community college board of trustees established for each community college district within the state;

(6) "Council" shall mean the coordinating council for occupational education;

(10) "Community college" shall include where applicable, vocational-technical and adult education programs conducted by community colleges and vocational-technical institutes whose major emphasis is in post-high school education.

NEW SECTION. Section 4. The state of Washington is hereby divided into twenty-two community college districts as follows:

(11) The eleventh district shall encompass all of Pierce County, except for the present boundaries of the common school districts of Tacoma and Peninsula;

POLICIES & PROCEDURES MANUAL 1113.00-1
Board of Trustees
Community College Act of 1967
Establishing & Organizing District Boards

NEW SECTION. Section 10. There is hereby created a community college board of trustees for each community college district as set forth in this act. Each community college board of trustees shall be composed of five trustees, who shall be appointed by the governor from a list of nominees submitted by the nominating committee in accordance with section 11 of this act.

The initial appointees to the board of trustees shall draw lots at the first meeting thereof to determine their respective initial terms. One trustee shall serve for one year, one for two years, one for three years, one for four years, and one for five years.

Thereafter, until July 1, 1969, the successors of the trustees initially appointed shall be appointed by the governor to serve for a term of five years except that any person appointed to fill a vacancy occurring prior to the expiration of any term shall be appointed only for the remainder of the term.

Every trustee shall be a resident and qualified elector of his community college district. No trustee may serve as a member of the board of directors of any school district, or as an elected officer or member of the legislative authority of any municipal corporation.

Each board of trustees shall organize itself by electing a chairman from its members. The board shall adopt a seal and may adopt such bylaws, rules and regulations as it deems necessary for its own government. Three members of the board shall constitute a quorum, but a lesser number may adjourn from time to time and may compel the attendance of absent members in such manner as prescribed in its bylaws, rules, or regulations. The district president, or if there be none, the president of the community college, shall serve as, or may designate another person to serve as, the secretary of the board, who shall not be deemed to be a member of the board.

NEW SECTION. Section 11. In each community college district of the state there is hereby created a nominating committee to select no less than five nominees for consideration by the governor for the initial trustees. The nominating committee shall be composed of each member of the state

legislature residing within the boundaries of the community college district to be served.

The senior legislator on each committee shall serve as chairman of the committee and shall call the meeting at some conveniently located place and shall set the time of the meeting.

POLICIES & PROCEDURES MANUAL 1113.00-2
Board of Trustees
Community College Act of 1967
Establishing & Organizing District Boards

Section 11. (cont'd) The members of the nominating committee shall be entitled to per diem and expenses as provided in RCW 44.04.120 and such payments shall be a proper charge to the college board.

NEW SECTION. Section 12. Within forty-five days after the effective date of this act, each nominating committee shall submit a list of no less than five nominees, who shall be residents of the community college district, to the governor for selection of the community college district board of trustees for that district. In preparing the list of names to be submitted to the governor, the members of the committee shall give consideration to geographical exigencies, and the interests of labor, industry, agriculture and the professions. In the event that the nominating committee from any district fails to submit a list of nominees to the governor by the prescribed date, he shall appoint the trustees for that district from registered voters residing within that district, observing the same considerations as prescribed for the committee in making its nominations.

NEW SECTION. Section 13. Within thirty days of their appointment or July 1, 1967, whichever is sooner, the various district boards of trustees shall organize, adopt bylaws for its own government, and make such rules and regulations not inconsistent with this 1967 act as they deem necessary. At such organizational meeting it shall elect from among its members a chairman and a vice chairman, each to serve for one year, and annually thereafter shall elect such officers to serve until their successors are appointed or qualified. The chief executive officer of the community college district shall serve as secretary of the board. Three trustees shall constitute a quorum, and no action shall be taken by less than a majority of the trustees of the board. The first order of business after organization shall be to prepare for the orderly assumption of the duties and responsibilities of the administration and management of the community college district and the facilities thereof. The district boards shall transmit a report in writing to the college board before October 1st of each year which report shall contain a summary of its proceedings during the preceding fiscal year, a detailed and itemized statement of all revenue and all expenditures made by or on behalf of the district boards, such other information as it may deem necessary or useful, and any other additional information which may be requested by the college board. The fiscal year of the district boards shall conform to the fiscal year of the state.

POLICIES & PROCEDURES MANUAL 1114.00-1
Board of Trustees
Community College Act of 1967
Powers & Duties of the Board of Trustees

NEW SECTION. Section 14. Each community college board of trustees:

(1) Shall operate all existing community colleges and vocational-technical institutes in its district;

(2) Shall create comprehensive programs of community college education and training and maintain an open-door policy in accordance with the provisions of section 9(3) of this act;

(3) Shall employ for a period to be fixed by the board a college president for each community college, a director for each vocational-technical institute or school operated by a community college, a district president in the event there is more than one college and/or separated institute or school located in the district, members of the faculty and such other administrative officers and other employees as may be necessary or appropriate and fix their salaries and duties;

(4) May establish, under the approval and direction of the college board, new facilities as community needs and interests demand.

(5) May establish or lease, operate, equip and maintain dormitories, food service facilities, bookstores and other self-supporting facilities connected with the operation of the community college;

(6) May, with the approval of the college board, issue and sell revenue bonds for the construction, reconstruction, erection, equipping with permanent fixtures, (demolition and major alteration of buildings or other capital assets,) and the acquisition of sites, rights-of-way, easements, improvements or appurtenances, for dormitories, food service facilities, and other self-supporting facilities connected with the operation of the community college in accordance with the provisions of RCW 28.76.180 through 28.76.210 [RCW 28B.10.300—28B.10.330] where applicable;

(7) May establish fees and charges for the facilities authorized hereunder, including reasonable rules and regulations for the government thereof, not inconsistent with the rules and regulations of the college board; each board of trustees operating a community college may enter into agreements, subject to rules and regulations of the college board, with owners of facilities to be used for housing regarding the management, operation, and government of such facilities, and any board entering into such an agreement may:

(a) Make rules and regulations for the government, management and operation of such housing facilities deemed necessary or advisable; and

POLICIES & PROCEDURES MANUAL 1114.00-2
Board of Trustees
Community College Act of 1967
Powers & Duties of the Board of Trustees

(b) Employ necessary employees to govern, manage and operate the same.

(8) May receive such gifts, grants, conveyances, devises and bequests of personal property from private sources, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the community college programs as specified by law and the regulations of the state college board; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof according to the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof;

(9) May establish and maintain night schools whenever in the discretion of the board of trustees it is deemed advisable, and authorize classrooms and other facilities to be used for summer or night schools or for public meetings and for any other uses consistent with the use of such classrooms or facilities for community college purposes;

(10) May make rules and regulations for pedestrian and vehicular traffic on property owned, operated, or maintained by the community college district;

(11) Shall prescribe, with the assistance of the faculty, the course of study in the various departments of the community college or colleges under its control, and notwithstanding any other provision of law, publish such catalogues and bulletins as may become necessary;

(12) May grant to every student, upon graduation or completion of a course of study, a suitable diploma, nonbaccalaureate degree or certificate;

(13) Shall enforce the rules and regulations prescribed by the state board for community college education for the government of community colleges, students and teachers, and promulgate such rules and regulations and perform all other acts not inconsistent with law or rules and regulations of the state board for community college education as the board of trustees may in its discretion deem necessary or appropriate to the administration of community college districts: *Provided*, That such rules and regulations shall include, but not be limited to, rules and regulations relating to housing, scholarships and discipline: *Provided further*, That the board of trustees may suspend or expel from community colleges students who refuse to obey any of the duly promulgated rules and regulations;

POLICIES & PROCEDURES MANUAL 1114.00-3
Board of Trustees
Community College Act of 1967
Powers & Duties of the Board of Trustees

(14) May, by written order filed in its office, delegate to the president or district president any of the powers and duties vested in or imposed upon it by this act. Such delegated powers any duties may be exercised in the name of the district board.

(15) May perform such other activities consistent with this act and not in conflict with the directives of the college board; and

(16) Shall perform any other duties and responsibilities imposed by law or rule and regulation of the state board.

NEW SECTION. Section 15. Any resident of the state may enroll in any program or course maintained or conducted by a community college district upon the same terms and conditions regardless of the district of his residence.

[Statutory Authority: RCW 28B.50.140; 86-15-020 (Order 86-1, Resolution No. 86-1), § 132K-995-990, filed 7/11/86; Appendix (codified as WAC 132K-995-990), filed 9/20/67.]