

(2) Are nineteen years of age or older on the date of issuance; or

(3) Have been adjudged by a district as possessing a substantial and warranted reason for leaving the regular high school education program.

(4) Have completed a program of home-based instruction in compliance with RCW 28A.225.010(4) and chapter 28A.220 RCW.

(5) Are active members of the military, national guard, or reserves.

(6) Are adjudicated youth under the director of prisons, jails, detention centers, parole and probation offices, and other corrections facilities and so ordered by a court or officer of the court.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-110, filed 10/21/93, effective 11/21/93.]

WAC 131-48-120 Identification necessary to take the GED test. All persons taking the GED test must provide picture identification utilizing one of the following:

(1) State-issued driver's license or a state-issued identification card with a photograph.

(2) United States passport.

(3) Certificate of United States citizenship.

(4) Certificate of naturalization.

(5) Unexpired foreign passport.

(6) Alien registration card with photograph.

(7) Armed forces identification card.

(8) Other forms of comparable identification which the GED examiner judges to be credible including, but not limited to, one or more of the following:

(a) Other forms of picture identification;

(b) Birth certificates in combination with other sources that confirm identity; and

(c) Confirmation of identity by a law enforcement, social service, or penal agency.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-120, filed 10/21/93, effective 11/21/93.]

WAC 131-48-130 Application form for certificate of educational competence. The state board for community and technical colleges shall supply each official GED testing center with forms for applicants to request certificates of educational competence. Such forms shall request data necessary for processing of the application, including the applicant's scores on the GED test certified by an appropriate official of the GED testing center, the applicant's Social Security number and such additional information as the state board for community and technical colleges administrator for GED testing program deems necessary for any authorized research project associated with the implementation or administration of this chapter.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-130, filed 10/21/93, effective 11/21/93.]

WAC 131-48-140 Effect of certificate of educational competence. The award by the state board for community and technical colleges and superintendent of public instruction of a certificate of educational competence shall not preclude such persons from returning to high school to obtain a regular high school diploma if changes in the

person's personal situation allow completion of a regular high school education program. However, the GED certificate or test scores may not be used as a means of awarding academic credit (e.g., Carnegie units) or as part or all of the requirements for completing the regular high school diploma.

Receipt of a certificate of educational competence also shall not preclude such persons from enrolling in an adult high school completion program at one of the state's community or technical colleges. However, the GED certificate or test scores may not be used as a means of awarding academic credit or as part or all of the requirements for completing the adult high school completion program and receiving the adult high school diploma.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-140, filed 10/21/93, effective 11/21/93.]

Title 132D WAC

COMMUNITY COLLEGES—SKAGIT VALLEY COLLEGE

Chapters

132D-120	Student rights and responsibilities.
132D-125	Student education records.
132D-130	Student records.
132D-140	Policy on the use of college facilities.
132D-280	Family Educational Rights and Privacy Act.
132D-300	Grievance procedure—Sexual harassment, sex discrimination, and handicapped discrimination.

Chapter 132D-120 WAC

STUDENT RIGHTS AND RESPONSIBILITIES

WAC

132D-120-040	Student rights.
132D-120-230	Student grievances.
132D-120-260	Informal grievance procedure.
132D-120-270	Informal grievance procedure—Sex and handicapped discrimination.

WAC 132D-120-040 Student rights. The following enumerated rights are guaranteed to each student within the limitations of statutory law and college policy which are deemed necessary to achieve the educational goals of the college:

(1) Academic freedom.

(a) Students are guaranteed the rights of free inquiry, expression, and assembly upon and within college facilities that are generally open and available to the public.

(b) Students are free to pursue appropriate educational objectives from among the college's curricula, programs and services, subject to the limitations of RCW 28B.50.090 (3)(b).

(c) Students shall be protected from academic evaluation which is arbitrary, prejudiced or capricious, but are responsi-

ble for meeting the standards of academic performance established by each of their instructors.

(d) Students have the right to a learning environment which is free from unlawful discrimination, inappropriate, and disrespectful conduct, and any and all harassment, including sexual harassment.

(2) Due process.

(a) The rights of students to be secure in their persons, quarters, papers and effects against unreasonable searches and seizures is guaranteed.

(b) No disciplinary sanction may be imposed on any student without notice to the accused of the nature of the charges.

(c) A student accused of violating this code of student rights and responsibilities is entitled, upon request, to procedural due process as set forth in this chapter.

(3) Distribution and posting. Students may distribute or post printed or published material subject to official procedures printed and available in the office of student programs and activities.

(4) Off-campus speakers. Recognized student organizations shall have the right to invite outside speakers to speak on campus subject to the availability of campus facilities, funding, and compliance with the college procedures available in the office of student affairs.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-120-040, filed 12/6/93, effective 1/6/94; 88-24-014 (Order 88-01), § 132D-120-040, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-230 Student grievances. 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 students' 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.

Skagit Valley College is committed to protecting the rights and dignity of each individual in the campus community. Therefore, the college will not tolerate discrimination of any kind, at any level.

Further, it is the policy of Skagit Valley College to provide an environment in which students can work and study free from sexual harassment or sexual intimidation. Sexual harassment 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 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; and/or (b) submission to or rejection of such conduct by an individual is used as the basis for academic decisions 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. Students may follow procedures found at

WAC 132D-300-040 and/or may file complaints with outside agencies, as referenced in WAC 132D-300-040(9).

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-120-230, filed 12/6/93, effective 1/6/94; 88-24-014 (Order 88-01), § 132D-120-230, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-260 Informal grievance procedure.

(1) A student wishing to pursue an informal resolution to his or her grievance may first contact the student activities office. That office will serve as a source of information and direction for grievants and shall advise students as to the most effective means of resolving their grievance. This service is optional.

(2) A student may instead, as a first step in the informal grievance procedure, contact the faculty or staff member with whom he or she has a grievance and attempt to resolve the matter through direct discussion.

(3) If direct discussion does not resolve the grievance to the student's satisfaction, the student shall take the matter to the faculty/staff member's immediate supervisor. The supervisor shall serve as a mediator and will attempt to resolve the matter promptly and fairly.

(4) If the efforts of the supervisor also fail to satisfy the grievant, the supervisor shall forward the complaint to the appropriate associate dean who shall, within three working days, decide how best to resolve the grievance. The associate dean shall issue a written opinion.

(5) The student shall be notified of this decision and shall also be informed of his or her right to file a petition to have the grievance heard before the grievance review committee.

(6) The informal grievance procedure shall be completed in fifteen working days unless all parties agree to more time.

(7) Any student alleging a violation of Title IX of the 1972 Education Amendments concerning sexual harassment may avail himself or herself of the procedures in chapter 132D-300 WAC.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-120-260, filed 12/6/93, effective 1/6/94; 88-24-014 (Order 88-01), § 132D-120-260, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-270 Informal grievance procedure—Sex and handicapped discrimination.

(1) Any student alleging a violation of Title IX of the Education Amendments of 1972 (sex discrimination) or section 504 of the Rehabilitation Act of 1973 (handicapped discrimination) shall, as a first step in the informal grievance procedure, contact the Title IX/Sec. 504 officer. The student may contact the student activities office for the name and location of the Title IX/Sec. 504 officer. Any student alleging a violation of Title IX of the 1972 Education Amendments concerning sexual harassment may avail himself or herself of the procedures in chapter 132D-300 WAC.

(2) The Title IX/Sec. 504 officer shall:

(a) Provide information about informal and formal options within and outside the college.

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

(3) If the Title IX/Sec. 504 officer 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 all appeals beyond that committee.

(4) Consultations with the Title IX/Sec. 504 officer shall be strictly confidential until the Title IX/Sec. 504 officer begins to act as mediator.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-120-270, filed 12/6/93, effective 1/6/94; 88-24-014 (Order 88-01), § 132D-120-270, filed 12/1/88, effective 1/1/89.]

Chapter 132D-125 WAC

STUDENT EDUCATION RECORDS

WAC

132D-125-010	Purpose.
132D-125-020	Definitions.
132D-125-025	Direction to college offices retaining student education records.
132D-125-030	Access to education records.
132D-125-035	Access to education records—Limitations on access.
132D-125-040	Right to copy education records.
132D-125-045	Request for explanation or interpretation of record.
132D-125-050	Challenges—To content of education records—To release of education records—Or to denial of access to education records.
132D-125-055	Challenges—Informal proceedings.
132D-125-060	Challenges—Hearing before grievance review committee.
132D-125-070	Release of personally identifiable information or education records.
132D-125-075	Release of personally identifiable information or education records—Nature of consent required.
132D-125-080	Release of personally identifiable information or education records—Exceptions to consent requirement.
132D-125-085	Release of information in emergencies.
132D-125-090	Directory information.
132D-125-095	Destruction of student records.
132D-125-100	Notification of rights under this chapter.

WAC 132D-125-010 Purpose. The purpose of this student records policy is to establish rules and procedures that appropriately implement the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. § 1232g). Skagit Valley College is committed to safeguarding appropriate access to student educational records as well as to maintaining individual student privacy. This chapter replaces WAC 132D-130 (Student records) and 132D-280 (Family Educational Rights and Privacy Act).

(1) Generally, students have the right to review and copy their education records. Students also have the right to challenge the content of, the release of, or denial of access to their education records.

(2) The college normally will not permit access to or release of the student's education records to the public without authorization by the student, though some exceptions exist. Please see below for a complete description of the policy.

(3) The college may release directory information concerning a student unless the student requests in writing that directory information not be released.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-125-010, filed 12/6/93, effective 1/6/94.]

WAC 132D-125-020 Definitions. For purposes of this chapter, the following terms shall have the indicated meanings:

(1) "Student" shall mean any person who is or has been officially registered at and attending Skagit Valley College and with respect to whom the college maintains education records or personally identifiable information.

(2) "Education records" shall refer:

(a) To those records, files, documents, and other materials maintained by Skagit Valley College or by a person acting for Skagit Valley College which contain information directly related to a student;

(b) To records relating to an individual in attendance at the college who is employed as a result of his or her status as a student.

However, records made and maintained by the college in the normal course of business which relate exclusively to a person's capacity as an employee are not education records.

(3) The term "education records" does not include the following:

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

(b) Records of the college's department of safety and security, maintained solely for law enforcement purposes, disclosed only to law enforcement officials, and maintained separately from education records in subsection (2) of this section, but only if said law enforcement personnel do not have access to the records under WAC 132D-125-080; or

(c) Records concerning a student which are created or maintained by a physician, psychiatrist, psychologist, or other 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, except that such records may be personally reviewed by a physician or other appropriate professional of the student's choice.

(4) "Personally identifiable information" shall refer to data or information which includes either:

(a) The name of a student, the student's parent, or other family member;

(b) The address of the student;

(c) The address of the student's family;

(d) A personal identifier, such as the student's Social Security number or student number;

(e) A list of personal characteristics which would make it possible to identify the student with reasonable certainty; or

(f) Other information which would make it possible to identify the student with reasonable certainty.

(5) "Dean of administrative and student services" shall refer to the dean of administrative and student services or his or her designee.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-125-020, filed 12/6/93, effective 1/6/94.]

WAC 132D-125-025 Direction to college offices retaining student education records. All college individuals or offices having custody of education records will develop procedures in accordance with WAC 132D-125-030 through 132D-125-100. Any supplementary regulations found necessary by departments will be filed with the college's records committee, which will be responsible for periodic review of policy and procedures.

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

(2) No records shall be kept that reflect a student's political or ideological beliefs or associations.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-125-025, filed 12/6/93, effective 1/6/94.]

WAC 132D-125-030 Access to education records.

(1) Except as provided in WAC 132D-125-035, each student at Skagit Valley College shall have access to his or her education records. The right of access shall include the right to inspect, review, and obtain copies of education records.

(2) The dean of administrative and student services shall prepare and maintain a list of the types of student education records which are maintained by Skagit Valley College.

(3) A student wishing access to his or her education records shall submit a written request for access to the dean of administrative and student services. A request for access shall be acted upon by the dean of administrative and student services within a reasonable period of time, not to exceed ten days.

(4) The dean of administrative and student services shall provide students for the college with an opportunity for reasonable access to education records, provided that the dean of administrative and student services shall be responsible for taking appropriate measures to safeguard and ensure the security and privacy of the institution's records while being inspected by students.

(5) The dean of administrative and student services will inform in writing a student who has requested access to his or her education records of the nature of any records which are being withheld from the student on the basis of the exceptions set forth in WAC 132D-125-080 and 132D-125-085. A student may challenge a decision by the dean of administrative and student services to withhold certain of the student's records by filing an appeal with the grievance review committee, WAC 132D-125-060.

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

(7) Students have the right to obtain copies of their education records. Charges for the copies shall not exceed the cost normally charged by the college (except in cases where charges have previously been board of trustee action for certain specified services), such as transcripts and grade sheets.

(8) The section shall not prohibit the college registrar from providing a student with a copy of the student's academic transcript without prior clearance from the dean of administrative and student services.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-125-030, filed 12/6/93, effective 1/6/94.]

WAC 132D-125-035 Access to education records—Limitations on access. (1) Skagit Valley College shall not make available to a student the following types of materials:

(a) The financial records of the student's parents or any information contained therein.

(b) Letters or statements of recommendation, evaluation, or comment which were provided to the college in confidence, either expressed or implied, prior to January 1, 1975, provided that such letters or statements shall not be used for purposes other than those for which they were originally intended.

(c) If a student has signed a waiver of the student's right of access in accordance with subsection (2) of this section, confidential records relating to the following:

- (i) Admission to any educational agency or institution;
- (ii) An application for employment; or
- (iii) The receipt of an honor or honorary recognition.

(2) A student, or a person applying for admission to the college, may waive his or her right of access to the type of confidential records referred to in subsection (1)(c) of this section, provided that such waiver shall apply only if the student is, upon request, notified of the names of all persons making confidential recommendations, and such recommendations are used solely for the specific purpose for which the waiver has been granted. The college is not allowed to require such waivers as a condition for admission to, receipt of financial aid from, or receipt of other services or benefits from the college.

(3) If any material or document in the education record of a student includes information concerning more than one student, the student shall only have the right either to inspect and review that portion of the material or document which relates to the student or to be informed of the specific information contained in that portion of the material or document.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-125-035, filed 12/6/93, effective 1/6/94.]

WAC 132D-125-040 Right to copy education records. (1) The dean of administrative and student services shall, at the request of a student, provide the student with copies of the student's education records. The fees for providing such copies shall not exceed the actual cost to the university of providing the copies.

(2) Official copies of transcripts from other educational institutions, such as high school or other college transcripts, will not be provided to students by the college.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-125-040, filed 12/6/93, effective 1/6/94.]

WAC 132D-125-045 Request for explanation or interpretation of record. The dean of administrative and student services shall respond to reasonable requests for

explanations or interpretations of the contents of student education records.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-125-045, filed 12/6/93, effective 1/6/94.]

WAC 132D-125-050 Challenges—To content of education records—To release of education records—Or to denial of access to education records. (1) Any student who believes that inaccurate, misleading, or otherwise inappropriate data is contained within his or her education records shall be permitted to have included within the record a written explanation by the student concerning the content of the records.

(2) A student shall have the right, in accordance with the procedures set forth in WAC 132D-125-055 and 132D-125-060, to:

(a) Challenge the content of education records in order to ensure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the students;

(b) Have the opportunity to correct or delete inaccurate, misleading, or otherwise inappropriate data contained within education records;

(c) Challenge the release of education records to specific persons as contrary to the provisions of this chapter; and

(d) Challenge a decision by the college to deny the student access to particular types of records.

(3) A student shall not be permitted under this chapter to challenge the validity of grades given in academic courses, except on the grounds that, as a result of clerical error, the student's records fail to accurately reflect the grades actually assigned by an instructor.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-125-050, filed 12/6/93, effective 1/6/94.]

WAC 132D-125-055 Challenges—Informal proceedings. A student wishing to exercise the rights set forth in WAC 132D-125-050(2) shall first discuss with the dean of administrative and student services the nature of the corrective action sought by the student. Failing resolution, the student may seek formal corrective action under WAC 132D-125-030(5).

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-125-055, filed 12/6/93, effective 1/6/94.]

WAC 132D-125-060 Challenges—Hearing before grievance review committee. (1) If informal proceedings fail to resolve the complaint of a student, the student may file with the dean of administrative and student services a written request for a hearing before the grievance review committee of the college.

(2) Within a reasonable time after submission of a request for hearing, the student rights and responsibilities committee shall conduct a hearing concerning the student's request for corrective action.

The student and the college shall be given a full opportunity to present relevant evidence at the hearing before the student rights and responsibilities committee.

(3) If a student demonstrates that the student's education records are inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the student

rights and responsibilities committee shall have authority to order the correction or deletion of inaccurate, misleading, or otherwise inappropriate data contained in the records.

(4) If a student demonstrates that the release of the student's education records would be improper under this chapter, the student rights and responsibilities committee shall have authority to order that the records not be released.

(5) If a student demonstrates that the student is entitled to access to particular documents under this chapter, the student rights and responsibilities committee shall have authority to order that the student be permitted access to the records.

(6) The decision of the student rights and responsibilities committee shall be rendered in writing within a reasonable period of time after the conclusion of the hearing.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-125-060, filed 12/6/93, effective 1/6/94.]

WAC 132D-125-070 Release of personally identifiable information or education records. The college shall not permit access to or the release of a student's education records or personally identifiable information contained therein to any person without the written consent of the student, except as provided in WAC 132D-125-080, 132D-125-085, or 132D-125-090.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-125-070, filed 12/6/93, effective 1/6/94.]

WAC 132D-125-075 Release of personally identifiable information or education records—Nature of consent required. Where the consent of a student is required under WAC 132D-125-070 for the release of education records or personally identifiable materials contained therein, the student's consent shall be in writing, shall be signed and dated by the student, and shall include a specification of the records to be released, the reasons for such release, and the names of the parties to whom the records may be released.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-125-075, filed 12/6/93, effective 1/6/94.]

WAC 132D-125-080 Release of personally identifiable information or education records—Exceptions to consent requirement. (1) The college may permit the access to or release of a student's education records or personally identifiable information contained therein without the written consent of the student to the following parties:

(a) College officials, including faculty members, when the information is required for a legitimate educational purpose within the scope of the recipient's official responsibilities with the college and will be used only in connection with the performance of those responsibilities;

(b) Federal or state officials requiring access to education records in connection with the audit or evaluation of federally or state-supported educational programs or in connection with the enforcement of federal or state legal requirements relating to such programs. In such cases, the information required shall be protected by the federal or state officials in a manner which shall not permit the personal identification of students or their parents to other than those officials, and such personally identifiable data shall be

destroyed when no longer needed for the purposes for which was provided;

(c) Agencies or organizations requesting information in connection with a student's application for, or receipt of, financial aid;

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

(e) Accrediting organizations in order to carry out their accrediting functions;

(f) Any person or entity authorized by judicial order or lawfully issued subpoena to receive such records or information, upon condition that the student is notified of all such orders or subpoenas in advance of compliance therewith by the college. Any college employee or official receiving a subpoena or judicial order for education records or personally identifiable information contained therein shall immediately notify the assistant attorney general representing the college; or

(g) An alleged victim of any crime of violence (as defined in 18 U.S.C. § 16), so long as the information disclosed is the result of a disciplinary proceeding for the crime conducted by the college against the alleged perpetrator.

(2) Education records of a student or personally identifiable information contained therein which are released to third parties, with or without the consent of the student involved, shall be conditioned upon a written agreement indicating that the information cannot subsequently be released in a personally identifiable form to any other party without the written consent of the student involved.

(3) The college shall maintain a record, kept with the education records of each student, indicating all parties, other than those parties specified in subsection (1)(a) of this section, which have requested or obtained access to the student's education records, and indicating the legitimate interest that each such party has in obtaining the records or information contained therein. This record of access shall be available only to the student, to the employees of the college responsible for maintaining the records, and to the parties identified under subsection (1)(a) and (c) of this section.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-125-080, filed 12/6/93, effective 1/6/94.]

WAC 132D-125-085 Release of information in emergencies. (1) The dean of administrative and student services or his or her designee may, without the consent of a student, release the student's education records or personally identifiable information contained therein to appropriate parties in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of the student or other persons.

(2) The following factors should be taken into consideration in determining whether records may be released under this section:

(a) The seriousness of the threat to the health or safety of the student or other persons;

(b) The need for personally identifiable information concerning the student to meet the emergency;

(c) Whether the parties to whom the records or information are released are in a position to deal with the emergency; and

(d) The extent to which time is of the essence in dealing with the emergency.

(3) If the college, pursuant to subsection (1) of this section, releases personally identifiable information concerning a student without the student's consent, the college shall notify the student as soon as possible of the identity of the parties and to whom the records or information have been released and of the reasons for the release.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-125-085, filed 12/6/93, effective 1/6/94.]

WAC 132D-125-090 Directory information. (1) The college may release "directory information" concerning a student to the public unless the student requests in writing of the dean of administrative and student services that the student's directory information not be released except as provided in WAC 132D-125-070, 132D-125-080, or 132D-125-085.

(2) The term "directory information" shall include information relating to the student's name; local and home telephone number; local and home address; date and place of birth; major field of study, dates of attendance, and degrees and awards received; participation in officially recognized sports and activities; weight and height if a member of an athletic team; and the most recent previous educational institution attended.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-125-090, filed 12/6/93, effective 1/6/94.]

WAC 132D-125-095 Destruction of student records. Except as otherwise provided by law, the college shall not be prevented under this chapter from destroying all or any portion of a student's education records in accordance with established records retention schedules, provided that no education record to which a student has requested access shall be removed or destroyed by the college prior to providing the student with the requested access.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-125-095, filed 12/6/93, effective 1/6/94.]

WAC 132D-125-100 Notification of rights under this chapter. The college shall annually notify students currently in attendance of their rights under this chapter and the Family Educational Rights and Privacy Act.

The notice shall include a statement of the following student rights:

(1) Inspect and review his or her education records;

(2) Request an amendment of the education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;

(3) Allow or deny disclosures of personally identifiable information contained in the student's education records, except to the extent that these regulations and the regulations

promulgated pursuant to the Family Educational Rights and Privacy Act allow;

(4) File a complaint with the United States Department of Education under 34 C.F.R. 99.64 concerning alleged failures by the college to comply with the requirements of the act;

(5) Access information concerning the cost to be charged for reproducing copies of the student's records; and

(6) Access a copy of the regulations in this chapter.

The notice shall indicate the places where copies of these regulations are located.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-125-100, filed 12/6/93, effective 1/6/94.]

Chapter 132D-130 WAC STUDENT RECORDS

WAC

132D-130-010 through 132D-130-100 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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| <p>132D-130-010 Purpose. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-010, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.</p> <p>132D-130-020 Definitions. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-020, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.</p> <p>132D-130-030 Access to records. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-030, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.</p> <p>132D-130-035 Access to records—Limitations on access. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-035, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.</p> <p>132D-130-040 Right to copy records. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-040, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.</p> <p>132D-130-045 Request for explanation or interpretation of record. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-045, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.</p> <p>132D-130-050 Challenges—To content of records—To release of records—Or to denial of access to records. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-050, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.</p> <p>132D-130-055 Challenges—Informal proceedings. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-055, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.</p> <p>132D-130-060 Challenges—Hearing before grievance review committee. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, §</p> | <p>132D-130-060, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.</p> <p>132D-130-070 Release of personally identifiable information or education records. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-070, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.</p> <p>132D-130-075 Release of personally identifiable information or education records—Nature of consent required. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-075, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.</p> <p>132D-130-080 Release of personally identifiable information or education records—Exceptions to consent requirement. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-080, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.</p> <p>132D-130-085 Release of information in emergencies. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-085, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.</p> <p>132D-130-090 Directory information. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-090, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.</p> <p>132D-130-095 Destruction of student records. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-095, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.</p> <p>132D-130-100 Notification of rights under this chapter. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-100, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.</p> | <p>132D-130-060, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.</p> |
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WAC 132D-130-010 through 132D-130-100 Repealed. See Disposition Table at beginning of this chapter.

Chapter 132D-140 WAC

POLICY ON THE USE OF COLLEGE FACILITIES

WAC

132D-140-090 Smoking on campus.

WAC 132D-140-090 Smoking on campus. Skagit Valley College desires to provide a healthful environment for its students, staff, and guests. Smoking shall not be permitted in college buildings or vehicles.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-140-090, filed 12/6/93, effective 1/6/94.]

Chapter 132D-280 WAC

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

WAC

132D-280-010 through 132D-280-040 Repealed.

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

132D-280-010	Confidentiality of student records. [Statutory Authority: RCW 28B.50.140. 89-11-044 (Order 89-09), § 132D-280-010, filed 5/16/89.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
132D-280-020	Education records—Students' right to inspect. [Statutory Authority: RCW 28B.50.140. 89-11-044 (Order 89-09), § 132D-280-020, filed 5/16/89.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
132D-280-025	Requests and appeal procedures. [Statutory Authority: RCW 28B.50.140. 89-11-044 (Order 89-09), § 132D-280-025, filed 5/16/89.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
132D-280-030	Release of personally-identifiable records. [Statutory Authority: RCW 28B.50.140. 89-11-044 (Order 89-09), § 132D-280-030, filed 5/16/89.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
132D-280-035	College records. [Statutory Authority: RCW 28B.50.140. 89-11-044 (Order 89-09), § 132D-280-035, filed 5/16/89.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
132D-280-040	Review of records requests and requests to amend. [Statutory Authority: RCW 28B.50.140. 89-11-044 (Order 89-09), § 132D-280-040, filed 5/16/89.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.

WAC 132D-280-010 through 132D-280-040 Repealed. See Disposition Table at beginning of this chapter.

**Chapter 132D-300 WAC
GRIEVANCE PROCEDURE—SEXUAL
HARASSMENT, SEX DISCRIMINATION, AND
HANDICAPPED DISCRIMINATION**

WAC

132D-300-010	Statement of policy.
132D-300-020	Jurisdiction.
132D-300-030	Grievance procedure.
132D-300-040	Definition—Sexual harassment.

WAC 132D-300-010 Statement of policy. Skagit Valley Community College is covered by Title IX of the Education Amendments of 1972 prohibiting sex discrimination in education and Section 504 of the Rehabilitation Act of 1973 prohibiting discrimination on the basis of handicap. Section 703, Title VII of the Civil Rights Act of 1964 and chapter 49.60 RCW prohibit discrimination on the basis of race, color, religion, national origin, or sex. The college is committed to protecting the rights and dignity of each individual in the campus community and so will not tolerate illegal discrimination of any kind, at any level.

It shall be the policy of Skagit Valley College that harassment directed at any individual or group on the basis of gender, marital status, or sexual orientation is in violation of the mission and purpose of Skagit Valley College and shall not be condoned. Any employee or student who feels that she/he has been sexually harassed is encouraged to deal with the situation as outlined in the following procedure.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-300-010, filed 12/6/93, effective 1/6/94; 89-11-038 (Order 89-10), § 132D-300-010, filed 5/15/89.]

WAC 132D-300-020 Jurisdiction. This chapter shall serve as a Title VII/Section 504 grievance procedure for all employees of Skagit Valley Community College including classified staff, faculty, and administrators. Students may use the grievance procedure provided at WAC 132D-120-270 to resolve Title IX and Section 504 grievances, other than claims of sexual harassment, which may be dealt with through the procedures in this chapter.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-300-020, filed 12/6/93, effective 1/6/94; 89-11-038 (Order 89-10), § 132D-300-020, filed 5/15/89.]

WAC 132D-300-030 Grievance procedure. Any applicant for employment or employee of Skagit Valley Community College who believes he/she has been illegally discriminated against by reason of race, religion, national origin, sex, veteran status, or handicap may lodge a formal institutional grievance according to the procedures in subsection (1) of this section. An employee who feels she/he has experienced sexual harassment should follow the procedures in WAC 132D-300-040.

(1) Steps in procedures.

(a) Informal meeting. The complainant may request an informal meeting with the individual believed to have committed the discriminatory act in an attempt to informally resolve the concern.

(b) Official hearing. If not satisfied by the results of the informal meeting (or as a first step in the procedure), the complainant shall request a meeting with the college Title IX/handicap officer.

(i) The request for an official hearing must be made in writing and must stipulate the specific grievance(s) the complainant wishes to raise.

(ii) Within thirty calendar days of receiving the written request, the college Title IX/handicap officer shall arrange a meeting to hear the complaint. It shall be at the discretion of the complainant to determine whether the officer will meet with the complainant and the person to whom the complaint has been directed separately or in a single meeting. If the complainant requests a single meeting, the meeting shall be attended by the complainant, the person to whom the complaint is directed, and the college officer, who will chair the meeting.

(iii) Following the hearing and within thirty calendar days of receiving the written request, the college officer will report his/her findings in writing to both the complainant and the person to whom the complaint has been directed.

(c) Presidential appeal. If the complaint is not resolved as a result of the hearing conducted by the college Title IX/handicap officer, either the complainant or the person to whom the complaint is directed may request an appeal to the college president.

(i) The request must be made in writing within ten days after receipt of the written results of the official hearing.

(ii) Within fifteen days after receiving the request, the college president or the president's designee will conduct the presidential appeal hearing and report the findings in writing to both the complainant and the person to whom the complaint is directed.

(iii) Attendance at the presidential appeal hearing shall be limited to the college president or designee, the Title IX/

handicap officer, the complainant, and the person to whom the complaint is directed unless otherwise mutually agreed by the parties. The college president or presidential designee shall preside.

(iv) Either the complainant or the person to whom the complaint is directed may call witnesses at the discretion of the person presiding.

(v) The written findings of the presidential appeal will be considered final. No further intra-institutional appeal exists if the findings indicate that the person against whom the complaint is lodged engaged in sexual harassment or other discriminatory act, disciplinary proceedings may be commenced against the person pursuant to appropriate procedures, depending on whether the person is a member of classified staff, administrative exempt, or faculty.

(2) If desired, inquiries or appeals beyond the institutional level may be directed to:

(a) The Equal Opportunity Commission, 1321 - Second Avenue, 7th Floor, Seattle, Washington 98101.

(b) The Human Rights Commission (HRC), 1515 Second Avenue, Columbia Building Suite 400, Seattle, WA 98101.

[Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-300-030, filed 12/6/93, effective 1/6/94; 89-11-038 (Order 89-10), § 132D-300-030, filed 5/15/89.]

WAC 132D-300-040 Definition—Sexual harassment.

(1) Sexual harassment is an illegal activity and will not be tolerated at Skagit Valley College. Sexual harassment will be defined as any behavior or action, either physical or verbal, which is sexual in nature, is uninvited, unwanted, or nonreciprocal, and:

(a) Submission to sexual harassment is either an implicit or explicit condition of employment or educational opportunity; or

(b) Submission to, or rejection of, sexual harassment is used as a basis for employment or educational decisions; or

(c) Sexual harassment has the purpose or effect of negatively interfering with the individual's work or educational performance or of creating an intimidating, hostile, or offensive work or educational environment.

(2) Sexual harassment may include, but is not limited to, the following:

(a) Unwelcome or repeated sexual advances;

(b) Offensive, disparaging remarks about one's gender, marital status, sexual orientation, or appearance;

(c) Jokes about gender-specific traits;

(d) Remarks about one's physical appearance which imply sexual interest;

(e) Subtle pressure for sexual activity, including sexual propositions;

(f) Unnecessary brushes or touches, including pinching, patting, or grabbing;

(g) Displayed offensive sexual graffiti, gestures, cartoons, or materials;

(h) Sexual innuendos or obscene gestures;

(i) Written communications with sexual overtones;

(j) Sexually offensive remarks disguised as humor;

(k) Unwanted gifts, staring, leering, or unwanted attention.

(3) Investigation by ombudspersons. Skagit Valley College will investigate all allegations of sexual harassment. Students or district employees who feel they have been victims of sexual harassment by a district employee or student are encouraged to file an informal complaint within one hundred eighty days of the incident or pattern or behavior. The college will carry out any investigation in such a way as to protect the rights of both the complainant and the alleged offender. Maximum confidentiality and support for both parties shall be maintained at each step of the procedure.

The district shall have four ombudspersons: A female and male shall be appointed for both the Mount Vernon and Whidbey campuses. Appointment will be by the president of the SVCEA, the president of CSA, and the president of ASSVC. Appointment shall be for staggered three-year terms.

Ombudspersons shall be responsible for receiving complaints under the informal procedure, for receiving and giving training to all members of the college community on sexual harassment, and for conducting awareness activities for all college groups. They shall report directly to the vice-president for educational services, who shall be directly responsible for the implementation of this policy.

When a person believes that she/he has been sexually harassed, the complainant may contact one of the district's ombudspersons. Faculty and staff shall assist the complainant in contacting an ombudsperson. The ombudsperson will provide the complainant with procedures and suggestions to enable the complainant to resolve the problem or to initiate the appropriate complaint process, either formal or informal. All complaints, formal or informal, shall be initiated no later than one hundred eighty days of the most recent incident.

(4) Informal complaint, step 1. When an ombudsperson receives an informal complaint of sexual harassment, she/he will discuss the complaint with the alleged offender. Such informal complaints may come from an individual who was the target of the action or a third party. Complainants may bring a person of their choice to any meeting. The intent of the informal procedure shall be to resolve the complaint in an informal manner, based on the consent of the parties involved, within thirty calendar days of receiving the complaint. The ombudsperson shall keep a written record of this complaint and any action taken, including the nature of the resolution, if one is reached, and shall provide notification to all parties involved. The rights of the complainant and the alleged offender will be protected. Maximum confidentiality and support will be provided for both parties to the extent legally possible.

(5) Informal complaint, step 2. In the event the severity of the case merits other intervention or is not resolved to the satisfaction of the complainant, the following procedures will be followed:

(a) The complainant, within ten working days of the conclusion of the Informal Step 1 process, shall file a written complaint with the ombudsperson stating the times, dates, places, and circumstances surrounding the allegations. The ombudsperson will forward a copy of the complaint to the alleged offender within five working days.

(b) Within the same ten working days period, the ombudsperson is empowered to file a written complaint

stating the times, dates, places, and circumstances surrounding allegations which have been reported by a complainant or third parties. The ombudsperson will forward a copy of the complaint to the alleged offender within five working days.

(c) Within the same five working days period, the ombudsperson will notify the appropriate supervisor in writing, who will speak informally with the alleged offender. The ombudsperson shall also provide a copy of the written complaint to the vice-president for educational services, the dean of administrative and student services, or the personnel officer, as appropriate, as part of the effort to resolve the complaint. The ombudsperson shall keep a written record of all actions taken in an effort to resolve the complaint; if resolution is reached, the ombudsperson shall complete a written report of this resolution and submit copies to all parties involved.

(d) The ombudsperson involved shall transmit copies of all written materials to the vice-president for educational services, who will keep them in a confidential manner for a minimum of five years.

(e) The rights of the complainant and the alleged offender will be protected. Maximum confidentiality and support will be provided for both parties to the extent legally possible.

(f) The entire informal procedure will be completed within sixty calendar days of the first complaint.

(6) Formal complaint procedures. If no satisfactory resolution can be achieved at the informal level, or when the severity of the complaints makes it appropriate, the complainant may file a formal written complaint with the appropriate designated college officer, who will conduct an investigation. The appropriate designated college officer shall be:

(a) The vice-president for educational services when the complainant of infractions of this policy is an employee of the college or when a student is complaining against an employee. When a student is involved, the dean of administrative and student services will co-chair the investigation. However, the vice-president for educational services will assume the ultimate responsibility to see the process to conclusion.

(b) The dean of administrative and student services when the complainant of infractions of this policy is a student complaining against another student.

(c) In the event the alleged offender is the vice-president for educational services or the dean of administrative and student services, the designated college officer shall be the president. In the event the alleged offender is the president, the designated college officer shall be the chair of the board of trustees.

During all parts of the investigative action, due process as provided by Washington personnel resources board procedures for classified staff, the negotiated agreement for faculty, and student rights and responsibilities for students shall be followed. These same documents also specify the appropriate procedures for internal appeals. All informal and formal procedures shall be concluded within one hundred eighty days of the original complaint.

(7) Appropriate disciplinary action. Findings of discrimination in the form of sexual harassment will result in

immediate and appropriate disciplinary action, which may include but is not limited to the following:

- (a) Findings placed in personnel or student file;
- (b) Reprimand;
- (c) Suspension;
- (d) Dismissal.

In cases of suspension or employment termination, existing procedures for student, administrative, faculty, or classified staff shall be followed. Administrators, paraprofessionals, vendors, and other college employees and agents shall be subject to discipline as deemed appropriate by the designated college officer.

(8) Repeated offenses. When a complaint is made against someone who has been found in the past to have been in violation of the sexual harassment policy, the person receiving the complaint may determine whether the complaint could be a formal complaint. Disciplinary measures chosen for repeat offenders should take into account the repeated lack of compliance by the offender and should be more severe.

(9) Nondistrict options. At any point during these proceedings, the complainant may file concurrently with an outside agency. Complainants are encouraged to use the internal complaint procedures first. Students may file complaints with the Office of Civil Rights, U.S. Department of Education, 2901 Third Avenue, M/S 106, Seattle, WA 98121. Employees may file complaints with the Equal Employment Opportunity Commission (EEOC), 1321 Second Avenue, 7th Floor, Arcade Plaza, Seattle, WA 98101, or the Human Rights Commission, 1515 Second Avenue, Columbia Bldg., Suite 400, Seattle, WA 98101.

[Statutory Authority: RCW 28B.50.140, 94-01-028, § 132D-300-040, filed 12/6/93, effective 1/6/94.]

Title 132G WAC

COMMUNITY COLLEGES—SHORELINE COMMUNITY COLLEGE

Chapters

132G-116 Parking and traffic rules.

Chapter 132G-116 WAC

PARKING AND TRAFFIC RULES

WAC

132G-116-010	Repealed.
132G-116-020	Purpose.
132G-116-025	Authority.
132G-116-030	Traffic rules and regulations.
132G-116-035	Definitions.
132G-116-040	Repealed.
132G-116-045	Liability of Shoreline Community College.
132G-116-050	Repealed.
132G-116-055	Authorized use of campus roads/parking facilities.
132G-116-060	Repealed.
132G-116-080	Regulatory signs and directions.
132G-116-090	Pedestrians—Right of way.
132G-116-095	Traffic accidents.