

Title 132Y WAC

COMMUNITY COLLEGES—EDMONDS COMMUNITY COLLEGE

Chapters

- 132Y-20 Tuition and fees.
- 132Y-100 Traffic rules.
- 132Y-108 Practice and procedure.
- 132Y-125 Student discipline.
- 132Y-126 Student records.
- 132Y-133 Organization.
- 132Y-136 Facilities scheduling and use rule.
- 132Y-300 Grievance procedure for sex discrimination.
- 132Y-310 Grievance procedure for discrimination based on handicap.
- 132Y-320 Public records policy.
- 132Y-400 Loss of eligibility—Student athletic participation.

6/6/88. Statutory Authority: RCW 28B.50.852 and chapter 28B.52 RCW.

Chapter 132Y-20 WAC TUITION AND FEES

WAC

132Y-20-010 Tuition and fees refund rule.

WAC 132Y-20-010 Tuition and fees refund rule. A refund of tuition and fees is made only when a student officially withdraws from a class. Date of receipt of the withdrawal form in the registration office establishes the rate at which refunds will be made. The tuition and fees (full general fees, operating fees, and service and activities fees) will be refunded on a 100 percent, 50 percent, or no-refund level, according to the schedule set forth below:

- (1) 100% refund of all tuition and fees for withdrawal during the first five instructional days of the quarter.
- (2) 50% refund of all tuition and fees for withdrawal during the first thirty calendar days of the quarter.
- (3) No refund of tuition and fees after the first thirty calendar days of the quarter.
- (4) Tuition and fee refunds on classes which begin at any time other than the first week of the quarter will be made:
 - (a) 100% before the class begins.
 - (b) 50% during the first 30% of the class meeting time providing this time does not exceed thirty calendar days.
- (5) Fees charged for community service, seminars, or other self-supporting courses will be refunded only if withdrawal occurs before the beginning of the class.
- (6) No refund of tuition and fees may be made for any purpose beyond the current quarter.

Refund forms and withdrawal forms may be obtained in the admissions and registration office. A refund on a cancelled class is not automatic. The same refund procedure must be followed. Refunds for cancelled classes will be at 100 percent.

[Statutory Authority: RCW 28B.15.600, 81-17-041 (Resolution No. 81-8-2), § 132Y-20-010, filed 8/14/81.]

Chapter 132Y-100 WAC TRAFFIC RULES

WAC

- 132Y-100-001 Purpose for adopting rules.
- 132Y-100-004 Applicable traffic rules.
- 132Y-100-008 Permits required for employee vehicles in designated lots.
- 132Y-100-012 Valid permit.

DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 132Y-140 POLICY FOR DISMISSAL OF TENURED AND PROBATIONARY FACULTY MEMBERS

- 132Y-140-001 Purpose. [Statutory Authority: RCW 28B.50.140, 28B.50.850, etc. 82-22-064 (Resolution No. 82-10-1), § 132Y-140-001, filed 11/2/82.] Repealed by 88-13-013 (Resolution No. 88-5-3), filed 6/6/88. Statutory Authority: RCW 28B.50.852 and chapter 28B.52 RCW.
- 132Y-140-101 Dismissal for cause. [Statutory Authority: RCW 28B.50.140, 28B.50.850, etc. 82-22-064 (Resolution No. 82-10-1), § 132Y-140-101, filed 11/2/82.] Repealed by 88-13-013 (Resolution No. 88-5-3), filed 6/6/88. Statutory Authority: RCW 28B.50.852 and chapter 28B.52 RCW.
- 132Y-140-102 Reduction in force. [Statutory Authority: RCW 28B.50.140, 28B.50.850, etc. 82-22-064 (Resolution No. 82-10-1), § 132Y-140-102, filed 11/2/82.] Repealed by 85-20-044 (Resolution No. 85-8-3), filed 9/25/85. Statutory Authority: RCW 28B.50.140 and 28B.50.850.
- 132Y-140-104 Reduction in force units and procedure for assignment. [Statutory Authority: RCW 28B.50.140, 28B.50.850, etc. 82-22-064 (Resolution No. 82-10-1), § 132Y-140-104, filed 11/2/82.] Repealed by 85-20-044 (Resolution No. 85-8-3), filed 9/25/85. Statutory Authority: RCW 28B.50.140 and 28B.50.850.
- 132Y-140-108 Order of reduction. [Statutory Authority: RCW 28B.50.140, 28B.50.850, etc. 82-22-064 (Resolution No. 82-10-1), § 132Y-140-108, filed 11/2/82.] Repealed by 88-13-013 (Resolution No. 88-5-3), filed 6/6/88. Statutory Authority: RCW 28B.50.852 and chapter 28B.52 RCW.
- 132Y-140-112 Procedures relating to the dismissal of a tenured or probationary faculty member. [Statutory Authority: RCW 28B.50.140, 28B.50.850, etc. 82-22-064 (Resolution No. 82-10-1), § 132Y-140-112, filed 11/2/82.] Repealed by 88-13-013 (Resolution No. 88-5-3), filed 6/6/88. Statutory Authority: RCW 28B.50.852 and chapter 28B.52 RCW.
- 132Y-140-116 Recall rights of academic employees. [Statutory Authority: RCW 28B.50.140, 28B.50.850, etc. 82-22-064 (Resolution No. 82-10-1), § 132Y-140-116, filed 11/2/82.] Repealed by 88-13-013 (Resolution No. 88-5-3), filed 6/6/88.

132Y-100-016	Transfer of permits.
132Y-100-020	Permit revocation.
132Y-100-024	Right to refuse permit.
132Y-100-028	Issuance of permits.
132Y-100-032	Display of permits.
132Y-100-044	Additional vehicles.
132Y-100-052	Parking permit exceptions.
132Y-100-056	Parking within designated spaces.
132Y-100-060	Locating legal parking space.
132Y-100-064	Motorcycle parking.
132Y-100-066	Carpool parking permit for students.
132Y-100-068	Bicycle parking.
132Y-100-072	Handicapped parking.
132Y-100-076	Disabled or inoperative vehicles.
132Y-100-080	Regulatory signs and directions.
132Y-100-084	Speed.
132Y-100-088	Pedestrian's right of way.
132Y-100-092	Report of accident.
132Y-100-096	Special traffic/parking rules.
132Y-100-100	Issuance of traffic citations.
132Y-100-104	Fines and penalties.
132Y-100-108	Appeal of fines and penalties.
132Y-100-112	Enforcement for students.
132Y-100-116	Liability of college.
132Y-100-120	Severability.

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

132Y-100-010	Voluntary student fee assessment. [Statutory Authority: RCW 28B.50.140(10). 85-18-010 (Resolution No. 85-8-2), § 132Y-100-010, filed 8/23/85.] Repealed by 92-09-055, filed 4/13/92, effective 5/14/92. Statutory Authority: RCW 28B.50.140.
132Y-100-036	Parking permit fees. [Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-036, filed 8/14/81.] Repealed by 92-09-055, filed 4/13/92, effective 5/14/92. Statutory Authority: RCW 28B.50.140.
132Y-100-040	Refund of fees. [Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-040, filed 8/14/81.] Repealed by 92-09-055, filed 4/13/92, effective 5/14/92. Statutory Authority: RCW 28B.50.140.
132Y-100-048	Failure to register. [Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-048, filed 8/14/81.] Repealed by 92-09-055, filed 4/13/92, effective 5/14/92. Statutory Authority: RCW 28B.50.140.

WAC 132Y-100-001 Purpose for adopting rules.

Pursuant to the authority granted by RCW 28B.50.140(10), the board of trustees of Community College District 23 is granted authority to make rules and regulations for pedestrian and vehicular traffic on property owned, operated or maintained by the college district. The rules contained in this chapter are established for the following purposes:

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

[Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-001, filed 8/14/81.]

WAC 132Y-100-004 Applicable traffic rules. The traffic rules which are applicable upon state lands devoted mainly to the educational activities of Edmonds Community College are as follows:

- (1) The motor vehicle and other traffic laws of the state of Washington; and
- (2) The traffic code of Lynnwood, Washington, and Snohomish County; and
- (3) Rules set forth in chapter 132Y-100 WAC.

[Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-004, filed 8/14/81.]

WAC 132Y-100-008 Permits required for employee vehicles in designated lots. Except as provided in WAC 132Y-100-010 and 132Y-100-052 of these rules, no employee shall leave any vehicle unattended in a designated staff lot, upon the campus of the college without a permit issued by the security office of the college, unless such employee is in the process of loading, unloading, or is a registered visitor.

Students and visitors are not required to obtain a permit to park in lots not designated as staff or carpool lots.

[Statutory Authority: RCW 28B.50.140. 92-09-055, § 132Y-100-008, filed 4/13/92, effective 5/14/92. Statutory Authority: RCW 28B.50.140(10). 85-18-010 (Resolution No. 85-8-2), § 132Y-100-008, filed 8/23/85; 83-22-053 (Resolution No. 83-10-2), § 132Y-100-008, filed 11/1/83; 81-17-042 (Resolution No. 81-8-1), § 132Y-100-008, filed 8/14/81.]

WAC 132Y-100-012 Valid permit. A valid permit is: (1) A temporary permit authorized by the security office of Edmonds Community College and displayed in accordance with instructions; or

(2) An unexpired parking permit issued by the security office of the college, which permit must be displayed on the vehicle in accordance with instructions.

[Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-012, filed 8/14/81.]

WAC 132Y-100-016 Transfer of permits. Parking permits are not transferable. If a vehicle is sold or traded, a new permit will be issued to the permit holder at no additional cost if the permit holder does the following:

- (1) Records invalid permit number;
- (2) Removes invalid permit;
- (3) Brings invalid permit or remnant thereof and permit number to the security office. The security office shall then issue the permit holder a new parking permit upon the presentation of proper vehicle registration.

[Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-016, filed 8/14/81.]

WAC 132Y-100-020 Permit revocation. Parking permits are the property of Edmonds Community College and may be recalled by the security office for any of the following reasons:

- (1) When the purpose of which the permit was issued changes or no longer exists;
- (2) When a permit is used by an unregistered vehicle or by an unauthorized individual;
- (3) Falsification on a parking permit application;

- (4) Continued violations of parking rules;
- (5) An accumulation of unpaid parking citations;
- (6) Counterfeiting or altering a parking permit;
- (7) When it is in the best interest of the college.

[Statutory Authority: RCW 28B.50.140(10). 83-22-053 (Resolution No. 83-10-2), § 132Y-100-020, filed 11/1/83; 81-17-042 (Resolution No. 81-8-1), § 132Y-100-020, filed 8/14/81.]

WAC 132Y-100-024 Right to refuse permit. The college reserves the right to refuse the issuance of a parking permit.

[Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-024, filed 8/14/81.]

WAC 132Y-100-028 Issuance of permits. (1) Employees seeking a permit to park in designated staff lots or students seeking a permit to park in designated carpool lots may be issued a parking permit by the security office, upon registration of his/her vehicle with the campus security office at the beginning of employment with the college or, for students, the beginning of the quarter by presenting vehicle make, model, color, year, license number, and payment.

(2) Campus information may issue visitor parking permits when such permits are necessary.

(3) Temporary and special parking permits may be issued when such permits are necessary to enhance the business operation of the college.

(4) Two permits may be issued to one individual provided the applicant presents either title or registration indicating ownership of both vehicles.

[Statutory Authority: RCW 28B.50.140. 92-09-055, § 132Y-100-028, filed 4/13/92, effective 5/14/92. Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-028, filed 8/14/81.]

WAC 132Y-100-032 Display of permits. All permanent parking permits shall be displayed as provided in the directions supplied with the parking permit. Special and temporary parking permits shall be placed within the vehicle where it can be plainly observed. Permits not displayed in accordance with the provisions of this section shall not be valid.

[Statutory Authority: RCW 28B.50.140(10). 83-22-053 (Resolution No. 83-10-2), § 132Y-100-032, filed 11/1/83; 81-17-042 (Resolution No. 81-8-1), § 132Y-100-032, filed 8/14/81.]

WAC 132Y-100-044 Additional vehicles. When a new or different motor vehicle is acquired, it shall be necessary to register that vehicle with Edmonds Community College and a permit issued if the vehicle is to be used in designated staff lots on campus. No additional fee for parking will be required when new or different vehicle is acquired.

[Statutory Authority: RCW 28B.50.140. 92-09-055, § 132Y-100-044, filed 4/13/92, effective 5/14/92. Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-044, filed 8/14/81.]

WAC 132Y-100-052 Parking permit exceptions. Parking permit rules shall not apply to city, county, state, or federally owned vehicles.

[Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-052, filed 8/14/81.]

WAC 132Y-100-056 Parking within designated spaces. (1) Any person parking a vehicle on Edmonds Community College property shall park his/her vehicle in parking areas only.

(2) No vehicle other than those needed for maintenance and landscaping may be parked on any area which has been landscaped or designed for landscaping, and developed college property; and/or cement or asphalt walkway or unpaved pathway intended for pedestrian use.

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

(4) No vehicle may be parked on any area set aside as yellow curb zones, driveways, pedestrian walkways, or loading and service areas.

[Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-056, filed 8/14/81.]

WAC 132Y-100-060 Locating legal parking space.

(1) The responsibility for locating legal parking space rests with the operator of the motor vehicle. Lack of space will not be considered a valid excuse for violating any parking rule.

(2) The fact that a person may park or observe others parked in violation of rules without receiving a citation does not mean that the rule is no longer in effect.

[Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-060, filed 8/14/81.]

WAC 132Y-100-064 Motorcycle parking. Motorcycles shall only be parked in spaces reserved for motorcycles and are not allowed to park in four-wheeled vehicle spaces, on grassed area, sidewalks, or immediately adjacent to or within buildings.

[Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-064, filed 8/14/81.]

WAC 132Y-100-066 Carpool parking permit for students. Students who qualify for a carpool permit shall be allowed to park in the designated lot for carpools. To qualify for a carpool permit, the individual must designate two other regular riders in addition to the driver. This permit may be renewed each quarter. The permit can be obtained from the campus security office.

[Statutory Authority: RCW 28B.50.140. 92-09-055, § 132Y-100-066, filed 4/13/92, effective 5/14/92.]

WAC 132Y-100-068 Bicycle parking. No bicycle shall be parked inside a building, near a building exit, or on a path or sidewalk. Bicycles must be secured to racks as provided and shall be regulated under the traffic rules of the Edmonds Community College. No parking permit is required.

[Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-068, filed 8/14/81.]

WAC 132Y-100-072 Handicapped parking. No vehicle shall park in a handicapped zone without a state issued handicapped permit. Enforcement of handicapped parking is accomplished by either the college or the police department of the city of Lynnwood.

[Statutory Authority: RCW 28B.50.140. 92-09-055, § 132Y-100-072, filed 4/13/92, effective 5/14/92. Statutory Authority: RCW 28B.50.140(10). 83-22-053 (Resolution No. 83-10-2), § 132Y-100-072, filed 11/1/83; 81-17-042 (Resolution No. 81-8-1), § 132Y-100-072, filed 8/14/81.]

WAC 132Y-100-076 Disabled or inoperative vehicles. No disabled or inoperative vehicle shall be parked on the campus without permission from the security office. Vehicles which have been parked in excess of 48 hours and which appear to be inoperative or abandoned may be impounded and stored at the expense of either or both owner and operator thereof.

[Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-076, filed 8/14/81.]

WAC 132Y-100-080 Regulatory signs and directions. Edmonds Community College will erect signs, barricades, and other structures and 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 Edmonds Community College. Such signs, barricades, structures, markings, and directions shall be so made and placed as to be legible and in the opinion of the president or his/her designee will best effectuate the objectives stated in section 001 of these rules.

[Statutory Authority: RCW 28B.50.140(10). 83-22-053 (Resolution No. 83-10-2), § 132Y-100-080, filed 11/1/83; 81-17-042 (Resolution No. 81-8-1), § 132Y-100-080, filed 8/14/81.]

WAC 132Y-100-084 Speed. No vehicle shall be operated on the campus at a speed in excess of ten miles per hour or such lower speed as is posted. No vehicle of any type shall at any time use the campus and/or lands devoted to educational, research, recreational, or parking for Edmonds Community College for testing, racing, or other unlawful activities.

[Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-084, filed 8/14/81.]

WAC 132Y-100-088 Pedestrian's right of way. (1) The operator of a vehicle shall yield to any pedestrian, but no pedestrians shall leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible or unsafe for the driver to yield.

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

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

[Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-088, filed 8/14/81.]

WAC 132Y-100-092 Report of accident. The operator of any vehicle involved in an accident on campus shall within 24 hours report such accident to the campus security office. This does not relieve any person so involved in an accident from his responsibility to file a state of Washington motor vehicle accident report within 24 hours after such accident.

[Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-092, filed 8/14/81.]

WAC 132Y-100-096 Special traffic/parking rules. Upon special occasions and during emergencies, the president is authorized to impose additional traffic and parking rules for the achievement of objectives in WAC 132-100-004 of these rules.

[Statutory Authority: RCW 28B.50.140(10). 83-22-053 (Resolution No. 83-10-2), § 132Y-100-096, filed 11/1/83; 81-17-042 (Resolution No. 81-8-1), § 132Y-100-096, filed 8/14/81.]

WAC 132Y-100-100 Issuance of traffic citations. Upon the violations of any of the rules contained in this document the campus security officers are authorized to issue traffic citations, setting forth the date, the approximate time of violations, permit number, license number, infraction and name of officer. Such traffic citations may be served by attaching or affixing a copy thereof in some prominent place outside such vehicle or by personally serving the operator.

[Statutory Authority: RCW 28B.50.140. 92-09-055, § 132Y-100-100, filed 4/13/92, effective 5/14/92. Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-100, filed 8/14/81.]

WAC 132Y-100-104 Fines and penalties. Campus security officers are authorized to impose the following fines and penalties when:

(1) Vehicles are parked in a manner to obstruct fire lanes, access to and from parking spaces, handicapped parking or causing a disruption in college activities 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. The college and its employees shall not be liable for loss or damage of any kind resulting from impounding and storage.

(2) Vehicles are parked in staff lots without a valid permit.

Except as provided under subsection (1) of this section, fines will be imposed starting the first week of each quarter. The amount of all fines will be determined by the college. Fines are to be paid at the college's cashier's desk.

[Statutory Authority: RCW 28B.50.140. 92-09-055, § 132Y-100-104, filed 4/13/92, effective 5/14/92. Statutory Authority: RCW 28B.50.140(10). 83-22-053 (Resolution No. 83-10-2), § 132Y-100-104, filed 11/1/83; 81-17-042 (Resolution No. 81-8-1), § 132Y-100-104, filed 8/14/81.]

WAC 132Y-100-108 Appeal of fines and penalties. Appeal of fines and penalties must be made in writing, within 48 hours, to a person appointed specifically for this purpose by the president of the college. The owner of the vehicle shall be entitled to a hearing within 48 hours of any impoundment pursuant to WAC 132Y-100-104. The owner may recover the vehicle before hearing by posting a bond in the amount of the sum of any past due fines plus any fine

due for the impoundment infraction plus impoundment cost. In the event that the owner is determined at hearing to be not liable for the impoundment infraction, the amount of the sum of the impoundment fine plus impoundment costs will be returned.

[Statutory Authority: RCW 28B.50.140(10). 83-22-053 (Resolution No. 83-10-2), § 132Y-100-108, filed 11/1/83; 81-17-042 (Resolution No. 81-8-1), § 132Y-100-108, filed 8/14/81.]

WAC 132Y-100-112 Enforcement for students. In the event a student fails to comply with these rules, such student may be declared ineligible to register for additional courses, and/or to obtain a transcript of his/her grades or credits until he/she has otherwise complied with the determination.

[Statutory Authority: RCW 28B.50.140. 92-09-055, § 132Y-100-112, filed 4/13/92, effective 5/14/92. Statutory Authority: RCW 28B.50.140(10). 83-22-053 (Resolution No. 83-10-2), § 132Y-100-112, filed 11/1/83; 81-17-042 (Resolution No. 81-8-1), § 132Y-100-112, filed 8/14/81.]

WAC 132Y-100-116 Liability of college. The college assumes no liability for vehicles parked on campus.

[Statutory Authority: RCW 28B.50.140. 92-09-055, § 132Y-100-116, filed 4/13/92, effective 5/14/92. Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-116, filed 8/14/81.]

WAC 132Y-100-120 Severability. If any provision of chapter 132Y-100 WAC is adjudged by a court to be contrary to law, the remaining provisions of chapter 132Y-100 WAC shall continue in effect.

[Statutory Authority: RCW 28B.50.140. 92-09-055, § 132Y-100-120, filed 4/13/92, effective 5/14/92. Statutory Authority: RCW 28B.50.140(10). 81-17-042 (Resolution No. 81-8-1), § 132Y-100-120, filed 8/14/81.]

Chapter 132Y-108 WAC PRACTICE AND PROCEDURE

WAC

132Y-108-010	Adoption of model rules of procedure.
132Y-108-020	Appointment of presiding officers.
132Y-108-030	Method of recording.
132Y-108-040	Application for adjudicative proceeding.
132Y-108-050	Brief adjudicative procedures.
132Y-108-060	Discovery.
132Y-108-070	Procedure for closing parts of the hearings.
132Y-108-080	Recording devices.

WAC 132Y-108-010 Adoption of model rules of procedure. The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended, are hereby adopted for use at this institution. Those rules may be found in chapter 10-08 WAC. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and procedural rules previously adopted by this institution, the model rules prevail.

[Statutory Authority: RCW 34.05.250. 90-08-022, § 132Y-108-010, filed 3/28/90, effective 4/28/90.]

WAC 132Y-108-020 Appointment of presiding officers. The president or president's designee shall designate a presiding officer for an adjudicative proceeding. The presiding officer shall be an administrative law judge, a member in good standing of the Washington State Bar Association, a panel of individuals, the president or his or her designee, or any combination of the above. Where more than one individual is designated to be the presiding officer, one person shall be designated by the president or president's designee to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.

(1997 Ed.)

[Statutory Authority: RCW 34.05.250. 90-08-022, § 132Y-108-020, filed 3/28/90, effective 4/28/90.]

WAC 132Y-108-030 Method of recording. Proceedings shall be recorded by a method determined by the presiding officer, among those available pursuant to the model rules of procedure in WAC 10-08-170.

[Statutory Authority: RCW 34.05.250. 90-08-022, § 132Y-108-030, filed 3/28/90, effective 4/28/90.]

WAC 132Y-108-040 Application for adjudicative proceeding. An application for adjudicative proceeding shall be in writing. Application forms are available at the following address:

20000 68th Avenue West
Lynnwood, WA 98036

Written application for an adjudicative proceeding should be submitted to the above address within twenty days of the agency action giving rise to the application, unless provided for otherwise by statute or rule.

[Statutory Authority: RCW 34.05.250. 90-08-022, § 132Y-108-040, filed 3/28/90, effective 4/28/90.]

WAC 132Y-108-050 Brief adjudicative procedures. This rule is adopted in accordance with RCW 34.05.482 through 34.05.494, the provisions of which are hereby adopted. Brief adjudicative procedures shall be used in all matters related to:

- (1) Residency determinations.
- (2) Challenges to contents of education records.
- (3) Student conduct proceedings.
- (4) Parking violations.
- (5) Outstanding debts owed by students or employees.
- (6) Loss of eligibility for participation in institution-sponsored athletic events.

[Statutory Authority: RCW 34.05.250. 90-08-022, § 132Y-108-050, filed 3/28/90, effective 4/28/90.]

WAC 132Y-108-060 Discovery. Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall make reference to the civil rules of procedure. The presiding officer shall have the power to control the frequency and nature of discovery permitted, and to order discovery conferences to discuss discovery issues.

[Statutory Authority: RCW 34.05.250. 90-08-022, § 132Y-108-060, filed 3/28/90, effective 4/28/90.]

WAC 132Y-108-070 Procedure for closing parts of the hearings. A party may apply for a protective order to close part of a hearing. The party making the request should state the reasons for making the application to the presiding officer. If the other party opposes the request, a written response to the request shall be made within ten days of the request to the presiding officer. The presiding officer shall determine which, if any, parts of the proceeding shall be closed, and state the reasons therefore in writing within twenty days of receiving the request.

[Statutory Authority: RCW 34.05.250, 90-08-022, § 132Y-108-070, filed 3/28/90, effective 4/28/90]

WAC 132Y-108-080 Recording devices. No cameras or recording devices shall be allowed in those parts of proceedings which the presiding officer has determined shall be closed pursuant to WAC 132Y-108-010, except for the method of official recording selected by the institution.

[Statutory Authority: RCW 34.05.250, 90-08-022, § 132Y-108-080, filed 3/28/90, effective 4/28/90]

Chapter 132Y-125 WAC STUDENT DISCIPLINE

WAC

132Y-125-004 Disciplinary procedures.

WAC 132Y-125-004 Disciplinary procedures. Enrollment in Edmonds Community College carries with it the obligation that the student will be a responsible citizen of the college. At the same time the college has the responsibility of informing students of their rights and responsibilities, defining reasonable standards of behavior, and assuring substantive and procedural due process.

The following procedures apply to the administration of disciplinary action for nonacademic violations.

(1) **Responsibility.** The dean of students is the executive officer of the college with regard to student affairs, including discipline, and shall initiate all disciplinary procedures except those which result from civil rights violations. Discipline as a result of civil rights violations shall be initiated by the vice-president of human resources, the executive officer of the college with responsibility for civil rights compliance. Hereafter, wherever this policy refers to the dean of students, the vice-president of human resources should be substituted if the charge is a civil rights violation.

(2) **Guidelines for student conduct.** The following are guidelines for acceptable student conduct. A student enrolling in the college assumes a responsibility for conduct compatible with the college's function as an educational institution. Although Edmonds Community College is dedicated to an open, free society, there are some actions incompatible with the mission of an institution of higher education.

Grounds for disciplinary action shall include, but not be limited to, the following:

(a) Dishonesty, including, but not limited to, cheating, plagiarism, or knowingly furnishing false information to the college.

(b) Forgery, alteration, or misuse of college documents, records, or identification.

(c) Obstruction or disruption of teaching, institutional or instructional research, administration of the college, disciplinary procedures, or other college activities, including but not limited to, meetings of the board of trustees, community service functions, or other authorized activities on college premises.

(d) Physical and/or verbal abuse of any person on college-owned or controlled property or at college-sponsored or supervised functions or conduct which threatens or endangers the health or safety of any such person; assault and battery; harassment.

(e) Theft of or damage to property of the college or of a member of the college community or of a visitor to the campus.

(f) Unauthorized entry or occupancy of college facilities or blocking access to or egress from such areas.

(g) Unauthorized use of college supplies or equipment.

(h) Violation of college policies or regulations, including, but not limited to, regulations concerning student organizations, the use of college facilities, or the time, place and manner of public expression.

(i) Illegal use, possession, or distribution of drugs on campus or at any college-sponsored event, or appearance on campus or at any college-sponsored event while under the influence of illegally used drugs as described in the college's alcohol and drug policy.

(j) Use, possession or distribution of alcoholic beverages on college property or appearance on campus or at any college-sponsored event while under the influence of alcohol. Use or possession of alcoholic beverages at any college event shall be by approved permit and restricted to persons of legal age as described in the college's alcohol and drug policy.

(k) Disorderly conduct; lewd, indecent, or obscene conduct or expression; breach of the peace; or aiding, abetting, or procuring another to breach the peace on college-owned or controlled property or at college-sponsored or supervised functions.

(l) Failure to comply with directions of college officials acting in the performance of their duties.

(m) Illegal possession or use of firearms, explosives, dangerous chemicals, substances or instruments or other weapons which can be used to inflict bodily harm on any individual or damage upon a building or grounds of the college or college-owned or controlled property or at college-sponsored or supervised functions.

(n) Hazing, whether it is physical or verbal, which interferes with the personal liberty of a fellow student, faculty member, or employee of the college.

(o) Acts or behaviors which discriminate against staff, students or the public on the basis of race, ethnic origin, sex, age, sexual orientation, or disability as described in the college's human rights policies.

(p) Trespass or unauthorized presence through entering or remaining unlawfully, as defined by state law, including computer trespass or using college premises, facilities or property without authority.

(3) **Initiation of disciplinary action.** Anyone may report, orally or in writing, violations to the dean of students, or designee, who may initiate disciplinary procedures.

(a) **Notice.** The student shall be informed of the provisions of the code of student rights and responsibilities. Any student charged with a violation shall receive written notice delivered to the student personally or by registered or certified mail to the student's last known address no later than fifteen business days after a reported violation. (This notice will not be ineffective if presented later due to the student's absence.) This notice shall contain:

(i) The time, date, place, and nature of the alleged misconduct;

(ii) Specific provisions of any policies or regulations allegedly violated;

(iii) The time and date the student is required to meet with the dean of student services, or designee;

(iv) That anything the student says at the meeting with the dean, or designee, may be used against the student;

(v) Inform the student that failure to appear may subject the student to any sanction authorized by this code.

(b) **Summary suspension.** The dean of students or designee may summarily suspend any student from the college for not more than ten academic calendar days pending investigation, action or prosecution of charges of an alleged violation or violations of the guidelines for student conduct, if the dean of students has reason to believe that the student's physical or emotional safety and well-being, or the safety and well-being of other college community members, or the protection of college property requires such suspension.

During the period of summary suspension, suspended students shall not enter the campus of the college other than to meet with the dean of student services or to attend the disciplinary hearing. However, the dean may grant the student special permission to enter for the express purpose of preparation for the hearing.

If the dean of students, or designee, finds it necessary to exercise the authority to summarily suspend a student s/he shall:

(i) Give an oral or written notice of the alleged misconduct and violation(s) of any provision of the guideline for student conduct;

(ii) Give an oral or written explanation of the evidence in support of the charge(s) to the student;

(iii) Give an oral or written explanation of the summary suspension (up to a maximum of ten academic calendar days suspension) which may be imposed on the student;

(iv) **Emergency procedure.** Nothing herein shall prevent faculty members or administrators from taking reasonable summary action as may be necessary to maintain order when they have reason to believe that such action is necessary for the physical safety and well-being of the student or the safety and protection of other students or of college property or where the student's conduct materially and substantially disrupts the educational process. The faculty member or administrator should immediately bring the matter to the attention of the dean of students for appropriate disciplinary action.

(c) **Meeting with the dean of students, or designee.**

(i) After considering the initial evidence and interviewing the student or students involved, the dean of students, or designee, may take any of the following actions: Impose the sanction of written reprimand; exonerate a student or students; refer the case to a hearing before the president; or

dismiss the case (after whatever counseling or advice may be appropriate).

(ii) **Dean's decision notice:** The student shall receive written notice of the dean's decision, as well as a summary of the evidence and notice of the right to appeal within ten days to the president.

(iii) **Action taken by or at the recommendation of the dean of student services, or designee, within the provisions of this section is final unless the student appeals.**

(iv) All recommendations involving disciplinary probation, suspension, or dismissal other than summary suspension will be referred to the college president, or designee.

(4) **Hearing with the president.**

(a) The student shall be given written notice of the time, date, and location of the hearing and the specific charges against the student. The student shall be accorded reasonable access to the case file, which will be retained by the dean of students, or designee.

(b) The student may be represented by counsel of the student's own choosing provided that the student shall bear the cost and shall give three days' notice thereof to the dean of students, or designee.

(c) The college may be represented by the dean of students, or designee, including an assistant attorney general.

(d) A decision shall be made prior to the hearing whether or not the hearing will be tape recorded or transcribed. If a recording or transcription is made, a copy thereof shall be on file at the office of the dean of students. If a recording or transcription is not made, the decision of the president or designee shall include a summary of the testimony.

(e) The president, or designee, shall exercise control over the hearing to avoid needless consumption of time and to prevent the harassment or intimidation of witnesses.

(f) Hearings will be closed to the public, except for the dean and/or designee, immediate members of the student's family, witnesses, and the student's representative. An open hearing may be held, at the discretion of the president, if requested by the student. The president may choose whether or not to let witnesses remain for any part of the hearing which does not include their testimony.

(g) The dean of students, or designees, shall make the first presentation. In the event witnesses are called, they may be questioned by the student or student's representative.

(h) Upon completion of the presentation by the dean of students, or designee, the student may make his/her presentation and may present any witness desired. Either side may offer rebuttal.

(i) The president and the student, or his/her representative, may question any witness.

(j) The president may, upon agreement by both parties, receive sworn written statements in lieu of oral testimony at the hearing. The president has the right to control the number and conduct of witnesses.

(k) After the completion of the presentation by the student, both sides shall then be permitted to make any closing arguments after which the president may ask any questions.

(l) The hearing will then be closed.

(m) The burden of proof shall be on the dean, or designee, who must establish the guilt of the student by a preponderance of the evidence.

(n) Formal rules of evidence and procedures shall not be applicable to disciplinary proceedings conducted pursuant to this code. The president shall admit all matters into evidence which reasonable persons would accept as having probative value in the conduct of their affairs. Unduly repetitious or irrelevant evidence may be excluded.

(o) When a recommendation decision has been reached, the president may reconvene and announce his/her recommendation or let the parties know approximately when they will receive the written decision.

(p) The president's decision shall be final.

(5) **Sanctions.** The following definitions of disciplinary terms have been established and shall be the sanctions imposed upon violators of the code of student rights and responsibilities:

(a) **Warning.** Notice to a student, either verbally or in writing, that the student has been in violation of college rules or regulations or has otherwise failed to meet the college's standards of conduct. Such warnings will include the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

(b) **Reprimand.** Formal action censuring a student for violation of the college rules or regulations or for failure to meet the college's standards of conduct. Reprimands shall be made in writing to the student, with copies filed in the office of the dean of students. A reprimand will include the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

(c) **Restitution.** Any individual student may be required to make a restitution for damage or loss to college or other property and for injury to persons. Failure to make restitution within thirty days will result in suspension for an indefinite period of time as set forth in subsection (5) of this section provided that a student may be reinstated upon payment.

(d) **Disciplinary probation.** Formal action placing conditions upon the student's continued attendance for violation of college rules or regulations or the failure to meet the college standards of conduct. Disciplinary probation will specify, in writing, the period of probation and the conditions, such as limiting the student's participation in extracurricular activities. Disciplinary probation warns the student that any further misconduct will automatically raise the question of suspension from the college. Disciplinary probation may be for a specified period which may extend to graduation or other termination of the student's enrollment in the college.

(e) **Suspension/dismissal.** Temporary, indefinite, or permanent dismissal from the college of a student for violation of college rules and regulations. The notification suspending/dismissing a student will indicate, in writing, the term of the suspension, if applicable, and any special conditions which must be met before readmission. Copies of the notification shall be kept on file in the office of the dean of students and in the student's official educational record. Refund of fees for the quarter in which disciplinary action is taken shall be in accordance with the college's refund policy. Students who are suspended or dismissed from the college may be denied access to all or any part of

the campus or other facility during the duration of the period of suspension.

[Statutory Authority: RCW 28B.50.140. 94-03-010, § 132Y-125-004, filed 1/7/94, effective 2/7/94. Statutory Authority: RCW 28B.19.020. 82-10-013 (Resolution No. 82-4-1), § 132Y-125-004, filed 4/28/82.]

Chapter 132Y-126 WAC STUDENT RECORDS

WAC

132Y-126-001	Purpose.
132Y-126-002	Release of information.
132Y-126-003	Educational records limitations.
132Y-126-004	Exceptions.
132Y-126-005	Amendment of educational records.
132Y-126-006	Fee schedule.
132Y-126-007	Disclosure record.
132Y-126-008	Procedural forms.

WAC 132Y-126-001 Purpose. These rules are designed to implement and be considered with the Family Educational Rights and Privacy Act of 1974. Definitions for all terms are the same as those defined in 45 Code of Federal Register, Section 99.

[Statutory Authority: RCW 28B.50.140(19) and 20 U.S.C., Sec. 1232 G. 84-01-066 (Resolution No. 83-12-1), § 132Y-126-001, filed 12/20/83.]

WAC 132Y-126-002 Release of information. (1) Requests from outside the college.

(a) Unless the student specifically requests otherwise, designated officials of the college may routinely respond to requests for the following directory information about a student:

- (i) Student's name, address
- (ii) Telephone number
- (iii) Date and place of birth
- (iv) Major field of study
- (v) Extra curricular activities
- (vi) Height and weight of athletic team members
- (vii) Dates of attendance
- (viii) Degrees and awards received
- (ix) Other institutions attended
- (x) Veterans status

(b) All rights of inspection and review of educational records at the college and consent required for release of these records are accorded only to and required only of the student in question. A parent wishing to obtain information from these educational records or to grant consent for the release of these records without consent of the student must submit an affidavit stating that the student is a dependent for income tax purposes.

(c) Standard admission and placement test data regarding individual tests required to form a basis for a decision about an individual may be provided at the discretion of the college official with the data in response to a proper request from an institution of higher education.

(d) Designated officials of the college may disclose personally identifiable information from the educational records of a student without the written consent of the student if the disclosure is in connection with financial aid for which a student has applied or which a student has received: *Provided*, That personally identifiable information

from the educational records of the student may be disclosed only as may be necessary for such purposes as:

(i) To determine the eligibility of the student for financial aid

(ii) To determine the amount of the financial aid

(iii) To determine the conditions which will be imposed regarding the financial aid

(iv) To enforce the terms or conditions of the financial aid, or if it is to comply with a judicial order or lawfully issued subpoena: *Provided*, That a reasonable effort has been made to notify the eligible student of the order or subpoena in advance of compliance therewith.

(e) Information obtained during professional medical and psychological treatment or counseling will be released by the professional only in accordance with the ethics of his profession, provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice.

(2) Requests from inside the college. Where required from the performance of responsibilities to the college, faculty and staff may obtain the following information on the basis of need to know without the consent of the student involved:

(a) Academic record and status.

(b) Reports of academic and other campus misconduct, including disciplinary action.

(c) Result of counseling other than professional medical or psychological.

(d) National origin and ethnic background.

(e) Standard test data regarding individual tests for decision about an individual.

(f) Student-produced paper for class assignments.

(g) Financial information including delinquencies, etc.

(h) Evaluative materials about a student, with the consent of the author of the evaluation.

(i) College disciplinary and investigating authorities may have access to all of the information in (a) through (h) above if it is required in the performance of their duties, excepting national origin and ethnic background.

(j) Recognized college student organizations, such as scholastic and service honoraries, may obtain information relating to a student's academic record and status.

Except as noted above, records and reference materials containing evaluations of students may be released only with the consent of both the student and author of the evaluation.

(k) In special circumstances, qualified research personnel may be permitted access to information contained in a student's records where the student's name will not accompany the data.

(l) Registration office records may be obtained by submitting a written and signed request for the desired information and the purpose for which the information is needed, except as noted below.

(i) The following offices will have walk-in access to all registration office records except transcripts.

Veterans

Financial aid

Cashiers

(ii) Supervisors of employees of the above offices must ensure that anyone using registration records understands the Privacy Act of 1974 and follows its requirements.

(iii) Records pulled by employees of the above offices will not leave the office except to be copied and must be immediately returned when removed for copying. These records will be returned to the appropriate refile bin for refile by registration personnel.

(iv) When copies of transcripts are needed by the above offices for the performance of official duties of the college, they may be obtained by submitting the name and student I.D. for those records needed.

(v) Other offices needing address and telephone numbers of currently enrolled students in order to perform official duties of the college may use the quarterly class list. They should contact the telephone/information person immediately inside the door of the registration office. Offices sending students to use these records must send a note identifying the student and the information needed. The supervisor of the requesting office is responsible for observance of the Privacy Act of 1974.

(3) Request from students. Requests by a student to view or secure copies of any of his educational records will be processed as follows:

(a) Through the records division of the registration office

(i) Application for admission

(ii) High school and/or college transcripts

(iii) Standardized test scores—ACT, SAT WPCT

(iv) Quarterly registration forms and receipts

(v) Program change forms

(vi) Quarterly grade reports

(vii) Official college transcripts

(viii) Change of grade forms

(ix) Directory information

(b) Through the counseling office

(i) Interest and aptitude test scores

(c) Through the dean of student services office

(i) Disciplinary records

(d) Through the placement office

(i) Student placement credentials

(e) Through the veterans office

(i) Veterans information for VA eligibilities

(f) Through the financial aid office

(i) Financial aid processing information

A period of time no greater than ten working days may be required by these offices to process a request.

The college is not required to permit a student to inspect and review the following records:

(g) Financial records and statements of his/her parents or any information contained therein.

(h) Confidential letters and confidential statements of recommendation which were placed in the educational records of a student prior to January 1, 1975.

(i) Confidential letters and confidential statements of recommendation which were placed in the educational records of the student after January 1, 1975: *Provided*, That the student has waived his or her right to inspect and review those letters and statements of recommendation:

(i) Respecting admission to an educational institution

(ii) Respecting an application for employment

(iii) Respecting the receipt of an honor or honorary recognition.

[Statutory Authority: RCW 28B.50.140(19) and 20 U.S.C., Sec. 1232 G. 84-01-066 (Resolution No. 83-12-1), § 132Y-126-002, filed 12/20/83.]

WAC 132Y-126-003 Educational records limitations. Transcripts of a student's scholastic records shall contain only information about his academic status and eligibility to continue at the college. Disciplinary records shall be kept separate from academic records and no notation of any disciplinary action shall appear on a student's transcript. Special precautions shall be exercised to insure that information from disciplinary or counseling files is not revealed to unauthorized persons. Provision shall be made for periodic review and routine destruction of noncurrent disciplinary records by the offices maintaining such information.

No records shall be kept which reflect a student's political or ideological beliefs or associations.

[Statutory Authority: RCW 28B.50.140(19) and 20 U.S.C., Sec. 1232 G. 84-01-066 (Resolution No. 83-12-1), § 132Y-126-003, filed 12/20/83.]

WAC 132Y-126-004 Exceptions. The dean of student services will be responsible for reviewing unusual requests for information and assisting in interpretation of the rules and regulations of the Family Educational Rights and Privacy Act of 1974 as published in the 45 Code of Federal Register, Section 99 *et seq.*

[Statutory Authority: RCW 28B.50.140(19) and 20 U.S.C., Sec. 1232 G. 84-01-066 (Resolution No. 83-12-1), § 132Y-126-004, filed 12/20/83.]

WAC 132Y-126-005 Amendment of educational records. (1) Request to amend educational records

(a) The student who believes that information contained in his private educational records is inaccurate or misleading or violates his privacy or other rights may request that the college amend these records.

(b) The college shall decide whether to amend the educational records of the student in accordance with the request, normally within two weeks of receipt of the request.

(c) If the college decides to refuse to amend the educational records of the student in accordance with the request, it shall so inform the eligible student of the refusal and advise the student of the right to a hearing.

(d) A hearing may not be requested by an eligible student to contest the assignment of a grade; however, a hearing may be requested to contest whether or not the assigned grade was recorded accurately in the educational records of the student.

(2) Right to a hearing.

(a) The method for requesting a hearing shall be by written appeal through the dean of student services office.

(b) Conduct of the hearing.

(i) The hearing shall normally be held within two weeks after the receipt of the request for said hearing.

(ii) The hearing shall be conducted and adjudicated by the dean for student services.

(iii) The eligible student may have assistance from, or be represented by, an individual of his/her choice and at his/her own expense, including an attorney, in presenting his/her case.

(iv) A written copy of the decision and rationale shall normally be afforded the student within two weeks after the conclusion of the hearing by the dean for student services.

(c) If the eligible student disagrees with results of the hearing, he/she has the right to place a statement to this

effect, with reasons, in his/her educational records. This statement shall be retained as long as the disputed information is on file and shall be forwarded with this information at any time it is disclosed to an outside agency.

[Statutory Authority: RCW 28B.50.140(19) and 20 U.S.C., Sec. 1232 G. 84-01-066 (Resolution No. 83-12-1), § 132Y-126-005, filed 12/20/83.]

WAC 132Y-126-006 Fee schedule. The college may charge a fee for copies of educational records which are made for the parents of students, students, and eligible students at the rate of ten cents per page.

[Statutory Authority: RCW 28B.50.140(19) and 20 U.S.C., Sec. 1232 G. 84-01-066 (Resolution No. 83-12-1), § 132Y-126-006, filed 12/20/83.]

WAC 132Y-126-007 Disclosure record. All requests for educational records, except those made by parents of students, students, school officials as defined in WAC 132Y-126-002(2) of these guidelines, and requests for directory information, shall be listed with the student's file containing the requested information.

[Statutory Authority: RCW 28B.50.140(19) and 20 U.S.C., Sec. 1232 G. 84-01-066 (Resolution No. 83-12-1), § 132Y-126-007, filed 12/20/83.]

WAC 132Y-126-008 Procedural forms. Attendant forms to implement the procedures are:

- (1) Annual notice to students
- (2) Request to prevent disclosure of directory information
- (3) Public notice designating directory information
- (4) Student request to inspect and review educational records
- (5) Request to review educational records
- (6) Student request for formal hearing

Copies of these forms are available through the dean of students office.

Annual notification.

The college will give annual notification to students of these procedures concerning their educational records. It will be done by notice in the college catalog.

[Statutory Authority: RCW 28B.50.140(19) and 20 U.S.C., Sec. 1232 G. 84-01-066 (Resolution No. 83-12-1), § 132Y-126-008, filed 12/20/83.]

Chapter 132Y-133 WAC

ORGANIZATION

WAC

132Y-133-020 Organization—Operation—Information.

WAC 132Y-133-020 Organization—Operation—Information. (1) Organization. Edmonds Community College, Community College District 23, is established in Title 28B RCW as a public institution of higher education. The institution is governed by a five-member board of trustees, appointed by the governor. The board employs a president, who acts as the chief executive officer of the institution. The president establishes the structure of the administration.

(2) Operation. The administrative office is located at the following address:

20000 68th Avenue West
Lynnwood, WA 98036

The office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays.

(3) Information. Additional and detailed information concerning the educational offerings may be obtained from the catalog, copies of which are available at the following address:

20000 68th Avenue West
Lynnwood, WA 98036

[Statutory Authority: RCW 34.05.220 (1)(b). 90-08-022A, § 132Y-133-020, filed 3/28/90, effective 4/28/90.]

Chapter 132Y-136 WAC

FACILITIES SCHEDULING AND USE RULE

WAC

132Y-136-001	Definitions.
132Y-136-101	Scheduling office—Duties of the scheduling coordinator.
132Y-136-201	Available space.
132Y-136-204	Available space—Listing of space or premises available for leasing or renting.
132Y-136-208	Available space—Priority for use.
132Y-136-212	Available space—Classrooms.
132Y-136-216	Available space—Lease requirement.
132Y-136-220	Available space—Leasing fee or rental rate.
132Y-136-224	Available space—Scheduling deadlines.
132Y-136-228	Available space—Prohibition.
132Y-136-236	Available space—Authority of scheduling coordinator.
132Y-136-304	Use of facilities for campaign purposes—Prohibited.
132Y-136-401	Business sales.
132Y-136-404	Business sales—Restrictions.
132Y-136-501	Library materials and audio-visual equipment—Loans.
132Y-136-540	Library materials and audio-visual equipment—Fines.

WAC 132Y-136-001 Definitions. (1) "Academic facilities" shall mean all college owned and/or operated facilities and realty located within the main campus area which are primarily used for classwork and classroom instruction, including all athletic and intramural facilities.

(2) "Accredited classes" shall mean those classes offered for credit by Edmonds Community College. They include but are not limited to:

- (a) Course offerings which appear in current class schedule booklets, or
- (b) Workshops, or
- (c) Credit and noncredit courses offered through the division of continuing education.

(3) "College organizations" shall mean and include those committees or entities established under college policies, the academic units of the college, the associated students of Edmonds Community College and the student organizations recognized by the associated students of Edmonds Community College.

(4) "Laboratories" are rooms with special purpose equipment for student participation, experimentation, observation, or practice in a field of study. Such rooms include class laboratories, special class laboratories, individual study laboratories, and nonclass laboratories as defined in the higher education facilities inventory and classification manual.

(5) "Noncollege organizations" shall mean and include private entities and other individuals, associations and corporations not directly associated with Edmonds Community College.

(6) "Scheduling coordinator" shall mean the individual responsible for implementing this facilities scheduling and use rule.

[Statutory Authority: RCW 28B.50.140(7). 82-04-018 (Resolution No. 82-1-4), § 132Y-136-001, filed 1/26/82.]

WAC 132Y-136-101 Scheduling office—Duties of the scheduling coordinator. (1) The scheduling office is responsible for coordinating all arrangements relative to meetings, conferences, workshops, social functions and other events involving the use of campus facilities. Advance scheduling as far ahead as a full year is strongly recommended.

(2) Any organization, club or individual with an outstanding balance due the college will not be allowed to schedule until all bills are paid.

(3) In planning various group functions, requests for the following items should be directed to the scheduling office.

- (a) Campus maps.
- (b) Special arrangement of furniture, podiums, and other equipment, construction of special platforms.
- (c) Audio-visual equipment such as movie projectors, tape recorders, public address systems, etc.
- (d) Parking permits.

(4) Any division or college organization may obtain use of college facilities by filing with the scheduling office a request for the use of college facilities at least seven days before the event; provided, however, the time requirement shall be waived whenever reasonable cause is shown.

(5) Scheduling requests shall include the following information:

- (a) The name of the organization or organizations sponsoring the program.
- (b) The name of the speaker and the general topic of address and/or program.
- (c) The number of persons expected to attend.
- (d) Any special facilities or equipment required for the presentation of the program.
- (e) The organization's preferences, if any, for specific facilities.

(6) Upon receiving such information the scheduling office shall within 48 hours assign in writing an appropriate room or space, if available, for the meeting and shall assist the sponsoring organization or organizations in arranging for the special equipment that may be required. In assigning space the scheduling office shall consider the size of the facility required, other events scheduled by prior request, and the preferences of the requesting organization, unless the scheduling office deems the requested facilities to be inappropriate for the proposed use, otherwise unavailable. The scheduling office shall consider all facilities, and after consultation with the office authorized to schedule space in the particular facility, may assign any appropriate facility in the college for speakers or programs.

(7) Individual students, faculty members, and staff may form ad hoc organizations for the express purpose of inviting a particular speaker or program to address them and others

on a specific occasion by filing with the scheduling office a statement of intention and sponsorship. The statement of intention and sponsorship shall be signed by at least three students, faculty members, or staff members and shall state the name of the speaker, the subject of his talk, and the purpose of the sponsors in inviting him. The statement shall also contain a certificate signed by the three sponsors stating that they are acting as individuals and not on behalf of any division or organization. The statement of intention and sponsorship shall be accompanied, when required, by payment in advance of the fee for use of the facility. Each signator is individually liable for any damages, costs, or charges incurred as a result of the scheduled event.

[Statutory Authority: RCW 28B.50.140(7). 82-04-018 (Resolution No. 82-1-4), § 132Y-136-101, filed 1/26/82.]

WAC 132Y-136-201 Available space. The college property available for scheduling and use in accordance with the provisions of this policy shall be limited to:

1. Classrooms
2. Laboratories
3. Conference rooms
4. Gymnasium
5. Dining hall
6. Student lounge
7. Library
8. Playing field
9. Unassigned office space.

[Statutory Authority: RCW 28B.50.140(7). 82-04-018 (Resolution No. 82-1-4), § 132Y-136-201, filed 1/26/82.]

WAC 132Y-136-204 Available space—Listing of space or premises available for leasing or renting. All college space or premises available for leasing or renting under these rules shall be listed in the scheduling coordinator's office, together with the corresponding lease fee or rental rate.

[Statutory Authority: RCW 28B.50.140(7). 82-04-018 (Resolution No. 82-1-4), § 132Y-136-204, filed 1/26/82.]

WAC 132Y-136-208 Available space—Priority for use. Scheduling of academic facilities space shall be on a first in time of application basis: *Provided*, That where a lease has not been executed, college organizations shall have priority over noncollege organizations: *And provided further*, That the academic needs of the institution shall have first priority where a lease has not been executed.

[Statutory Authority: RCW 28B.50.140(7). 82-04-018 (Resolution No. 82-1-4), § 132Y-136-208, filed 1/26/82.]

WAC 132Y-136-212 Available space—Classrooms. Classrooms may be made available for scheduling and use weekdays between the hours of 7:00 a.m. and 10:00 p.m. Monday through Thursday and 7:00 a.m. and 5:00 p.m. on Friday when not in use by accredited classes and weekends between the hours of 8:15 a.m. and 5:00 p.m.: *Provided*, The college has sufficient personnel available to open and close the facilities.

[Statutory Authority: RCW 28B.50.140(7). 82-04-018 (Resolution No. 82-1-4), § 132Y-136-212, filed 1/26/82.]

WAC 132Y-136-216 Available space—Lease requirement. All noncollege persons and organizations desiring to use space in accordance with these rules shall execute a lease with the scheduling coordinator for temporary or short-term use of college space. The lease may include a description of the premises or space leased, the rental rate, the names of the individuals responsible for the debts of the lessee, the nature and purpose of the intended use, time of use, number of people expected, price of admission, if any, amount of deposit, if any, food service charges, special use or set up charges, statement of responsibility for damages, verification of insurance coverage and other pertinent information, including but not limited to, a statement that the lessee agrees to adhere to and abide by all rules and regulations of Edmonds Community College.

[Statutory Authority: RCW 28B.50.140(7). 82-04-018 (Resolution No. 82-1-4), § 132Y-136-216, filed 1/26/82.]

WAC 132Y-136-220 Available space—Leasing fee or rental rate. The leasing fee or rental rate for use of college space available in accordance with these rules shall be available in the office of the college scheduling coordinator. Lease fees or rental rates may be different for college organizations than for noncollege organizations. The lease fee or rental rate shall be established by the president. The college reserves the right to change the rates without notice.

[Statutory Authority: RCW 28B.50.140(7). 82-04-018 (Resolution No. 82-1-4), § 132Y-136-220, filed 1/26/82.]

WAC 132Y-136-224 Available space—Scheduling deadlines. All applications for the leasing or rental of space shall be submitted in writing, together with a written food service guarantee, if any, not less than ten calendar days in advance of the date requested and a lease or rental agreement shall be executed not less than ten calendar days prior to the date requested.

[Statutory Authority: RCW 28B.50.140(7). 82-04-018 (Resolution No. 82-1-4), § 132Y-136-224, filed 1/26/82.]

WAC 132Y-136-228 Available space—Prohibition. College organizations or members of the staff, faculty, students or administration of Edmonds Community College shall not be permitted to assume cosponsorship for another group or individual in order to affect favorable scheduling priority or to reduce the costs otherwise chargeable to such other group or individual.

[Statutory Authority: RCW 28B.50.140(7). 82-04-018 (Resolution No. 82-1-4), § 132Y-136-228, filed 1/26/82.]

WAC 132Y-136-236 Available space—Authority of scheduling coordinator. The scheduling coordinator of Edmonds Community College may impose special conditions or additional requirements where necessary to meet proper health or safety standards, or to assure compliance with college rules, upon any organization as a condition precedent to the scheduling, leasing or renting of college facilities.

[Statutory Authority: RCW 28B.50.140(7). 82-04-018 (Resolution No. 82-1-4), § 132Y-136-236 (codified as WAC 132Y-136-236), filed 1/26/82.]

WAC 132Y-136-304 Use of facilities for campaign purposes—Prohibited. College facilities or services may not be used to establish or maintain an office or headquarters for a political candidate or partisan political cause. Rules, regulations, policies, procedures and practices regarding the use of college facilities shall not discriminate or promote discrimination among political parties or groups solely on the basis of their particular political viewpoint.

[Statutory Authority: RCW 28B.50.140(7). 82-04-018 (Resolution No. 82-1-4), § 132Y-136-304, filed 1/26/82.]

WAC 132Y-136-401 Business sales. The soliciting, selling, exposing for sale, or offering to sell of any goods, services, articles, wares, or merchandise of any nature whatsoever, within the boundaries of Edmonds Community College property is prohibited except by written permission of the president unless between individuals where no general or public solicitation, exposure for sale or offer to sell is involved.

[Statutory Authority: RCW 28B.50.140(7). 82-04-018 (Resolution No. 82-1-4), § 132Y-136-401, filed 1/26/82.]

WAC 132Y-136-404 Business sales—Restrictions. Edmonds Community College property and facilities may not be used for the activities set forth in WAC 132Y-136-401 unless such activities serve the purposes and needs of the college and are sponsored by a college department, agency, or recognized organization. Such activities should only be permitted where they complement the services provided by local businesses.

[Statutory Authority: RCW 28B.50.140(7). 82-04-018 (Resolution No. 82-1-4), § 132Y-136-404, filed 1/26/82.]

WAC 132Y-136-501 Library materials and audio-visual equipment—Loans. (1) The Edmonds Community College library-media center (LMC) loans library materials and audio-visual equipment to various users. It does not rent or lease audio-visual equipment to organizations and individuals except as part of a facility rental agreement. The users include and are limited to:

(a) Currently registered students of Edmonds Community College. For audio-visual equipment loans students need an instructor's authorization.

(b) Current academic staff, classified staff, administrative staff, and members of the board of trustees.

(c) Students and staff from institutions that contract with Edmonds Community College for services and facilities. Students from these institutions must have an instructor's authorization before checking out equipment.

(d) Holders of currently valid community courtesy cards. This group includes community residents of District XXIII as well as other individuals who show a particular need for specialized items in the LMC collections which are unavailable elsewhere. Holders of community courtesy cards may not check out equipment, and must be at least sophomores in high school. There is no charge for courtesy cards.

(e) Students from other institutions with which the Edmonds Community College LMC has a reciprocal lending agreement. This group may not borrow equipment.

(f) Other libraries and organizations through the interlibrary loan process. Equipment is not loaned to other

libraries or organizations unless the LMC has a reciprocal lending agreement.

(2) All borrowers are subject to certain loan periods, and to such restrictions as apply to reference books, reserve materials, and audio-visual items and equipment. Each borrower must present proper identification before checking out LMC resources.

[Statutory Authority: RCW 28B.50.140(7). 82-04-018 (Resolution No. 82-1-4), § 132Y-136-501, filed 1/26/82.]

WAC 132Y-136-540 Library materials and audio-visual equipment—Fines. (1) No fines are levied for material returned after the designated due date, except for reserved items. When materials are not returned, or fines not paid, holds are placed on the transcript records and registration for classes and further borrowing is not permitted for those involved until such deficiencies are cleared through the LMC.

(2) When damage or loss of materials and equipment occurs, the borrower is assessed the replacement cost, plus a processing fee.

[Statutory Authority: RCW 28B.50.140(7). 82-04-018 (Resolution No. 82-1-4), § 132Y-136-540, filed 1/26/82.]

Chapter 132Y-300 WAC GRIEVANCE PROCEDURE FOR SEX DISCRIMINATION

WAC

132Y-300-001	Preamble.
132Y-300-002	Informal procedure.
132Y-300-003	Formal procedure.
132Y-300-004	Other remedies.

WAC 132Y-300-001 Preamble. Community College District XXIII is covered by Title IX of the Civil Rights Act of 1964 prohibiting sex discrimination in education. Any applicant for admission, enrolled student, applicant for employment or employee of Edmonds Community College who believes she/he has been discriminated against on the basis of sex may lodge an institutional grievance by following the procedures below.

[Statutory Authority: Chapter 28B.19 RCW. 89-04-008 (Resolution No. 88-12-2), § 132Y-300-001, filed 1/20/89.]

WAC 132Y-300-002 Informal procedure. All employees and students should feel free to discuss perceived discrimination with the individual immediately in charge, such as the first-line supervisor or instructor, to see if the situation can be resolved informally. Employees and students may also consult directly with the college affirmative action officer without making a formal written complaint, and this consultation will be considered confidential. Employees and students are not required to use the informal process and may go directly to the formal procedure.

Any college official receiving a discrimination complaint shall contact the affirmative action officer or designee as soon as reasonably convenient. The college official shall arrange for the complainant to receive a copy of the complaint procedure.

[Statutory Authority: Chapter 28B.19 RCW. 89-04-008 (Resolution No. 88-12-2), § 132Y-300-002, filed 1/20/89.]

WAC 132Y-300-003 Formal procedure. Step one: Employees and students must make a written complaint concerning discriminatory behavior to the affirmative action officer or designee.

(1) Complaints will be held in confidence. No action against the person accused will be taken on behalf of the complainant unless the complainant consents to be identified to the one accused in connection with the investigation.

(2) The complainant may bring a person of his or her choice to the initial or subsequent complaint meetings.

(3) The affirmative action officer or designee shall give a copy of these regulations and the board policy to any person making a formal complaint and to the accused.

(4) The result of that consultation and any investigation made will be communicated to the complainant before any further action is taken.

(5) An informal hearing may be substituted for investigation if the complainant and the accused agree. The affirmative action officer or designee will be responsible for investigating the complaint and discussing the complaint with the one accused. The affirmative action officer will make a written recommendation to the president within a reasonable time following the close of the investigation or hearing.

(6) Appropriate corrective measures will be decided by the president of the college upon consultation with the affirmative action officer and the appropriate administrators or supervisors involved. If an accused employee or student disagrees with the determination or appropriateness of the corrective measures, that individual may contest those measures through the formal faculty or classified grievance procedures, if they are covered by an agreement, or the student disciplinary code.

(7) Information will be entered in the personnel or student file only to the extent that a formal reprimand or other disciplinary action has been taken. If no disciplinary action is taken, the affirmative action officer will keep a record of the investigation accessible to the president, the complainant and the accused for a period of three years and then that record will be destroyed. If a formal complaint is filed with an outside state or federal agency, files will be maintained until the complaint is resolved. When such files are used, written notice will be placed in the file indicating the person using the file and the date used.

[Statutory Authority: Chapter 28B.19 RCW. 89-04-008 (Resolution No. 88-12-2), § 132Y-300-003, filed 1/20/89.]

WAC 132Y-300-004 Other remedies. These procedures outlined in WAC 132Y-300-001 through 132Y-300-003, are internal college procedures and, as such, serve to resolve complaints within the college's administrative framework. These procedures do not replace an individual's timely complaint with an external agency such as the Office of Civil Rights, Equal Employment Opportunity Commission, or the Washington state human rights commission.

[Statutory Authority: Chapter 28B.19 RCW. 89-04-008 (Resolution No. 88-12-2), § 132Y-300-004, filed 1/20/89.]

Chapter 132Y-310 WAC

GRIEVANCE PROCEDURE FOR DISCRIMINATION BASED ON HANDICAP

WAC

132Y-310-010	Preamble.
132Y-310-020	Informal procedure.
132Y-310-030	Formal procedure.
132Y-310-040	Other remedies.

WAC 132Y-310-010 Preamble. Community College District XXIII is covered by section 504 of the Rehabilitation Act of 1973 prohibiting discrimination on the basis of handicap in education. Any applicant for admission, enrolled student, applicant for employment or employee of Edmonds Community College who believes she/he has been discriminated against on the basis of handicap may lodge an institutional grievance by following the procedures below.

[Statutory Authority: Chapter 28B.19 RCW. 89-12-056 (Resolution No. 89-5-3), § 132Y-310-010, filed 6/6/89.]

WAC 132Y-310-020 Informal procedure. All employees and students should feel free to discuss perceived discrimination with the individual immediately in charge, such as the first-line supervisor or instructor, to see if the situation can be resolved informally. Employees and students may also consult directly with the college affirmative action officer or coordinator for disabled student services without making a formal written complaint, and this consultation will be considered confidential. Employees and students are not required to use the informal process and may go directly to the formal procedure.

Any college official receiving a discrimination complaint shall contact the affirmative action officer or designee as soon as reasonably convenient. The college official shall arrange for the complainant to receive a copy of the grievance procedure.

[Statutory Authority: Chapter 28B.19 RCW. 89-12-056 (Resolution No. 89-5-3), § 132Y-310-020, filed 6/6/89.]

WAC 132Y-310-030 Formal procedure. Step one: Employees and students must make a written complaint concerning discriminatory behavior to the affirmative action officer or designee.

(1) Complaints will be held in confidence. No action against the person accused will be taken on behalf of the complainant unless the complainant consents to be identified to the one accused in connection with the investigation.

(2) The complainant may bring a person of his or her choice to the initial or subsequent complaint meetings.

(3) The affirmative action officer or designee shall give a copy of these regulations and the board policy to any person making a formal complaint and to the accused.

(4) The result of that consultation and any investigation made will be communicated to the complainant before any further action is taken.

(5) An informal hearing may be substituted for investigation if the complainant and the accused agree. The affirmative action officer or designee will be responsible for investigating the complaint and discussing the complaint with the one accused. The affirmative action officer will make a

written recommendation to the president within a reasonable time following the close of the investigation or hearing.

(6) Appropriate corrective measures will be decided by the president of the college upon consultation with the affirmative action officer and the appropriate administrators or supervisors involved. If an accused employee or student disagrees with the determination or appropriateness of the corrective measures, that individual may contest those measures through the formal faculty or classified grievance procedures, if they are covered by an agreement, or the student disciplinary code.

(7) Information will be entered in the personnel or student file only to the extent that a formal reprimand or other disciplinary action has been taken. If no disciplinary action is taken, the affirmative action officer will keep a record of the investigation accessible to the president, the complainant and the accused for a period of three years and then that record will be destroyed. If a formal complaint is filed with an outside state or federal agency, files will be maintained until the complaint is resolved. When such files are used, written notice will be placed in the file indicating the person using the file and the date used.

[Statutory Authority: Chapter 28B.19 RCW. 89-12-056 (Resolution No. 89-5-3), § 132Y-310-030, filed 6/6/89.]

WAC 132Y-310-040 Other remedies. These procedures, outlined in WAC 132Y-310-010 through 132Y-310-030, are internal college procedures and, as such, serve to resolve complaints within the college's administrative framework. These procedures do not replace an individual's timely complaint with an external agency such as the Office of Civil Rights, Equal Employment Opportunity Commission, or the Washington state human rights commission.

[Statutory Authority: Chapter 28B.19 RCW. 89-12-056 (Resolution No. 89-5-3), § 132Y-310-040, filed 6/6/89.]

Chapter 132Y-320 WAC PUBLIC RECORDS POLICY

WAC

132Y-320-010	Purpose.
132Y-320-020	Definitions.
132Y-320-030	Description of central and field organization of Community College District No. 23.
132Y-320-040	Operations and procedures.
132Y-320-050	Public records available.
132Y-320-060	Public records officer.
132Y-320-070	Office hours.
132Y-320-080	Requests for public records.
132Y-320-090	Copying.
132Y-320-100	Exemptions.
132Y-320-110	Review of denials of public records requests.
132Y-320-120	Protection of public records.
132Y-320-130	Records index.
132Y-320-990	Appendix A—Request for public record to Community College District No. 23.

WAC 132Y-320-010 Purpose. The purpose of this chapter shall be to ensure compliance by Community College District No. 23 with the provisions of chapter 42.17 RCW, commonly called Initiative No. 276, and in particular with RCW 42.17.250 - 42.17.340 of that act dealing with public records.

(1997 Ed.)

[Statutory Authority: Chapter 28B.19 RCW. 89-12-057 (Resolution No. 89-5-4), § 132Y-320-010, filed 6/6/89.]

WAC 132Y-320-020 Definitions. (1) "Public records" include any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) "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. 23" is an agency organized by statute pursuant to RCW 28B.50.040 and shall hereinafter be referred to as the "district." Where appropriate, the term district also refers to the board of trustees and employees of the district.

[Statutory Authority: Chapter 28B.19 RCW. 89-12-057 (Resolution No. 89-5-4), § 132Y-320-020, filed 6/6/89.]

WAC 132Y-320-030 Description of central and field organization of Community College District No. 23. District No. 23 is a community college district organized under RCW 28B.50.040. The administrative office of the district and its staff is located at 20000 68th Avenue West, Lynnwood, Washington 98036.

[Statutory Authority: Chapter 28B.19 RCW. 89-12-057 (Resolution No. 89-5-4), § 132Y-320-030, filed 6/6/89.]

WAC 132Y-320-040 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 exercise the powers and duties granted them under RCW 28B.50.140.

[Statutory Authority: Chapter 28B.19 RCW. 89-12-057 (Resolution No. 89-5-4), § 132Y-320-040, filed 6/6/89.]

WAC 132Y-320-050 Public records available. All public records of the district, as defined in WAC 132Y-320-020, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310 and WAC 132Y-320-100, Exemptions.

[Statutory Authority: Chapter 28B.19 RCW. 89-12-057 (Resolution No. 89-5-4), § 132Y-320-050, filed 6/6/89.]

WAC 132Y-320-060 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 offices 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

[Title 132Y WAC—page 15]

public records disclosure requirements of chapter 42.17 RCW.

[Statutory Authority: Chapter 28B.19 RCW. 89-12-057 (Resolution No. 89-5-4), § 132Y-320-060, filed 6/6/89.]

WAC 132Y-320-070 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.

[Statutory Authority: Chapter 28B.19 RCW. 89-12-057 (Resolution No. 89-5-4), § 132Y-320-070, filed 6/6/89.]

WAC 132Y-320-080 Requests for public records. In accordance with requirements of chapter 42.17 RCW 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 offices 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.

[Statutory Authority: Chapter 28B.19 RCW. 89-12-057 (Resolution No. 89-5-4), § 132Y-320-080, filed 6/6/89.]

WAC 132Y-320-090 Copying. No fee shall be charged for the inspection of public records. The district shall charge a fee of ten cents 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.

[Statutory Authority: Chapter 28B.19 RCW. 89-12-057 (Resolution No. 89-5-4), § 132Y-320-090, filed 6/6/89.]

[Title 132Y WAC—page 16]

WAC 132Y-320-100 Exemptions. (1) The district reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132Y-320-080 is exempt under the provisions of chapter 42.17 RCW.

(2) In addition, pursuant to RCW 42.17.310, the district reserves the right to delete identifying details when it makes available or publishes any public record in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The public records officer will fully justify such deletion in writing.

(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.

[Statutory Authority: Chapter 28B.19 RCW. 89-12-057 (Resolution No. 89-5-4), § 132Y-320-100, filed 6/6/89.]

WAC 132Y-320-110 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.

[Statutory Authority: Chapter 28B.19 RCW. 89-12-057 (Resolution No. 89-5-4), § 132Y-320-110, filed 6/6/89.]

WAC 132Y-320-120 Protection of public records. Requests for public records shall be made in the administration building of Edmonds Community College. 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 Edmonds Community College. If copying facilities are not available at the college, the college will arrange to have copies made commercially according to the provisions of WAC 132Y-320-090, Copying.

[Statutory Authority: Chapter 28B.19 RCW. 89-12-057 (Resolution No. 89-5-4), § 132Y-320-120, filed 6/6/89.]

WAC 132Y-320-130 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

(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 states an opinion of, or is asked to determine or state an opinion of, the rights of the state, the public, a subdivision of state government, or 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.

[Statutory Authority: Chapter 28B.19 RCW. 89-12-057 (Resolution No. 89-5-4), § 132Y-320-130, filed 6/6/89.]

WAC 132Y-320-990 Appendix A—Request for public record to Community College District No. 23.

APPENDIX A

REQUEST FOR PUBLIC RECORD TO COMMUNITY COLLEGE DISTRICT NO. 23 EDMONDS COMMUNITY COLLEGE

Signature Name (please print)
Name of Organization
Mailing Address of Applicant Phone Number
Date Request Made at Community College District No. 23 Time of Day of Request
Nature of Request
Identification Reference on Current Index (please describe)

Description of record or matter requested, if not identifiable by reference to current index of Community College District No. 23.

Request Approved Date By Public Records Officer

Request Denied Reasons for Denial

Referred to Date

[Statutory Authority: Chapter 28B.19 RCW. 89-12-057 (Resolution No. 89-5-4), § 132Y-320-990, filed 6/6/89.]

Chapter 132Y-400 WAC

LOSS OF ELIGIBILITY—STUDENT ATHLETIC PARTICIPATION

WAC

- 132Y-400-010 Grounds for ineligibility.
132Y-400-020 Suspension procedure—Right to informal hearing.
132Y-400-030 Hearing.
132Y-400-040 Decision.

WAC 132Y-400-010 Grounds for ineligibility. Any student found by the college to have violated chapter 69.41 RCW by virtue of a criminal conviction or otherwise insofar as it prohibits the possession, use, or sale of legend drugs, including anabolic steroids, will be disqualified from participation for one year in any school-sponsored athletic event or activity.

[Statutory Authority: RCW 28B.50.140 and chapter 69.41 RCW. 91-05-012, § 132Y-400-010, filed 2/8/91, effective 3/11/91.]

WAC 132Y-400-020 Suspension procedure—Right to informal hearing. Any student notified of a claimed violation of WAC 132Y-400-010 shall have the right to a brief adjudicative hearing if a written request for such a hearing is received by the president within three days after receipt of the declaration of further athletic ineligibility. If no written request is received within three days after receipt of the declaration of athletic ineligibility, the student will be deemed to have waived any right to a brief adjudicative hearing and will be declared ineligible from further participation in school-sponsored athletic events for the remainder of the school year.

[Statutory Authority: RCW 28B.50.140 and chapter 69.41 RCW. 91-05-012, § 132Y-400-020, filed 2/8/91, effective 3/11/91.]

WAC 132Y-400-030 Hearing. If a timely written request for a hearing is made, the president shall designate a hearing officer who shall be a college officer who is not involved with the athletic program to conduct the brief adjudicative hearing. The hearing officer shall promptly

conduct the hearing and permit affected parties to explain both the college's view of the matter and the student's view of the matter. The brief adjudicative proceeding shall be conducted in accordance with the Administrative Procedure Act, RCW 34.05.482 through 34.05.494.

[Statutory Authority: RCW 28B.50.140 and chapter 69.41 RCW. 91-05-012, § 132Y-400-030, filed 2/8/91, effective 3/11/91.]

WAC 132Y-400-040 Decision. The college official who acts as hearing officer shall issue a written decision which shall include a brief statement of the reasons for the decision and a notice that judicial review may be available. All documents presented, considered, or prepared by the hearing officer shall be maintained as the official record of the brief administrative proceeding. A decision must be promptly rendered after the conclusion of the brief adjudicative hearing and in no event later than twenty days after the request for hearing is received by the president.

[Statutory Authority: RCW 28B.50.140 and chapter 69.41 RCW. 91-05-012, § 132Y-400-040, filed 2/8/91, effective 3/11/91.]