

Title 174 WAC

THE EVERGREEN STATE COLLEGE

Chapters

- 174-108 Model rules of procedure.
- 174-116 Parking regulations.
- 174-120 Social contract—Student conduct code—
Grievance and appeals process.
- 174-121 Social contract—College philosophy.
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of 1974.
- 174-400 Loss of eligibility—Student athletic participa-
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- 174-12-99001 Exhibit II—Equal employment opportunity activity report. [Order 174-12, Exhibit II (codified as WAC 174-12-99001), filed 11/5/71.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-12-99002 Exhibit III—The Evergreen State College minority/female employee report. [Order 174-12, Exhibit III (codified as WAC 174-12-99002), filed 11/5/71.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.

Chapter 174-104 REGULAR AND SPECIAL MEETINGS OF THE BOARD OF TRUSTEES

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 Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87.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 Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87.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

DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 174-12 EQUAL OPPORTUNITY POLICY AND PROCEDURES— AFFIRMATIVE ACTION PROGRAMS

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 Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87.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 Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87.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

Chapter 174-107 GOVERNANCE AND DECISION MAKING

- 174-107-100 Definitions. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-100, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-110 The social contract—General. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-110, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-120 The social contract—Purpose. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-120, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-130 The social contract—Freedom and civility. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-130, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-140 The social contract—Individual and institutional rights. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-140, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-150 The social contract—Society and the college. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-150, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-160 The social contract—Prohibition against discrimination. [Statutory Authority: RCW 28B.40.120(11). 83-16-009

	(Order 83-3, Resolution No. 83-32), § 174-107-160, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).	174-107-290	The Evergreen council—Community access. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-290, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
174-107-170	The social contract—Right to privacy. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-170, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).	174-107-300	The Evergreen council—The agenda. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-300, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
174-107-180	The social contract—Intellectual freedom and honesty. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-180, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).	174-107-310	The Evergreen council—Meetings. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-310, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
174-107-190	The social contract—Open forum and access to information. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-190, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).	174-107-320	The Evergreen council—Minutes of meetings. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-320, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
174-107-200	The social contract—Political activities. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-200, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).	174-107-330	The Evergreen council—Actions of council. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-330, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
174-107-210	The legal nature and status of The Evergreen State College. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-210, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).	174-107-340	The Evergreen council—Relationship with administrators. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-340, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
174-107-220	Standards for decision making and governance at Evergreen. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-220, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).	174-107-350	The Evergreen council—Appeals from and notification of decisions or findings. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-350, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).
174-107-230	Implementation of governance policies and procedures: The Evergreen council. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-230, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).	174-107-360	Conflict resolution, general. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-360, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
174-107-240	The Evergreen council—Membership. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-240, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).	174-107-370	Mediation/mediator. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-370, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
174-107-250	The Evergreen council—The executive committee. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-250, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).	174-107-380	Mediator of legal issues. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-380, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
174-107-260	The Evergreen council—Subcommittees. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-260, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).	174-107-400	Hearing board procedures. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-400, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
174-107-270	The Evergreen council—Ad hoc committees. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-270, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).	174-107-410	Petition for hearing and preliminary procedures. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-410, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
174-107-280	The Evergreen council—Standing committees and consultative constituency groups. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-280, filed 7/22/83.] Repealed by 85-21-051 (Order 85-3, Resolution No. 85-32), filed 10/15/85, effective 1/1/86. Statutory Authority: RCW 28B.40.120(11).	174-107-420	Hearing board chairperson. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-420, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
		174-107-430	Requirements of disputants. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No.

- 83-32), § 174-107-430, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-440 Guidelines—The hearing. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-440, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-450 Admissible documents. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-450, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-460 Components of hearings. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-460, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-470 Challenges to board members. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-470, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-500 Presentation of evidence. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-500, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-510 Timelines for hearing. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-510, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-520 Hearing board deliberations and decisions. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-520, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-530 Appeals from hearing decisions. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-530, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-540 Amending procedure for governance document. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-540, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-107-550 Evaluation of governance. [Statutory Authority: RCW 28B.40.120(11). 83-16-009 (Order 83-3, Resolution No. 83-32), § 174-107-550, filed 7/22/83.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- Chapter 174-109**
AFFIRMATIVE ACTION POLICY
- 174-109-010 Preamble. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-010, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-020 Legal basis of affirmative action program. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-020, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-030 Definitions. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-030, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-040 Purpose. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-040, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-050 Responsibility for implementation. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-050, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-060 Policy dissemination. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-060, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-070 Hiring procedures. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-070, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-080 Goals and timetables. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-080, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-090 Corrective employment. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-090, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-100 Other policies. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-100, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-200 Education and training of campus community. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-200, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-300 Academic program and activities policies. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-300, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-400 Monitoring, evaluation, and improvement. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-400, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-109-500 Grievance procedures. [Statutory Authority: RCW 28B.40.120(11). 84-17-108 (Order 84-3, Resolution No. 84-20), § 174-109-500, filed 8/21/84.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- Chapter 174-112**
PERSONNEL RULES
- 174-112-010 Policy. [Order 73-1, § 174-112-010, filed 6/20/73; Order 72-4, § 174-112-010, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-112-020 Credit programs. [Order 73-1, § 174-112-020, filed 6/20/73; Order 72-4, § 174-112-020, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.

- 174-112-030 Noncredit programs. [Order 73-1, § 174-112-030, filed 6/20/73; Order 72-4, § 174-112-030, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-112-070 Release of personnel information—General policy. [Order 72-5, § 174-112-070, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-112-080 Release of personnel information—Practices and procedures. [Order 72-5, § 174-112-080, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-112-090 Release of personnel information—Information on race, creed, and politics. [Order 72-5, § 174-112-090, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-112-130 Employment of relatives concerning conflict of interest—General policy. [Order 72-6, § 174-112-130, filed 10/27/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-112-140 Employment of relatives concerning conflict of interest—Procedure. [Order 72-6, § 174-112-140, filed 10/27/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-112-150 Employment of relatives concerning conflict of interest—Definition. [Order 72-6, § 174-112-150, filed 10/27/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- Chapter 174-124**
SOCIAL CONTRACT AMONG THE MEMBERS OF THE
COMMUNITY OF THE EVERGREEN STATE COLLEGE—
COMMUNITY CODE OF CONDUCT
- 174-124-010 Introduction—Declarations of college policy. [Order 2, § 174-124-010, filed 2/22/72.] Repealed by 78-11-092 (Order 78-3, Motion No. 78-50), filed 11/1/78. Statutory Authority: RCW 28B.40.120(11).
- 174-124-020 Basic purposes—Individual responsibility of members of the college community. [Statutory Authority: RCW 28B.40.120(11). 78-11-092 (Order 78-3, Motion No. 78-50), § 174-124-020, filed 11/1/78; Order 2, § 174-124-020, filed 2/22/72.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-124-030 Individual rights of members of the Evergreen community. [Statutory Authority: RCW 28B.40.120(11). 78-11-092 (Order 78-3, Motion No. 78-50), § 174-124-030, filed 11/1/78; Order 2, § 174-124-030, filed 2/22/72.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-124-040 Conditions of learning—Freedom—Privacy—Honesty. [Statutory Authority: RCW 28B.40.120(11). 78-11-092 (Order 78-3, Motion No. 78-50), § 174-124-040, filed 11/1/78; Order 2, § 174-124-040, filed 2/22/72.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-124-050 Institutional rights and obligations. [Statutory Authority: RCW 28B.40.120(11). 78-11-092 (Order 78-3, Motion No. 78-50), § 174-124-050, filed 11/1/78; Order 2, § 174-124-050, filed 2/22/72.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- 174-124-060 The issue of strikes—Boycotts—Sanctions. [Order 2, § 174-124-060, filed 2/22/72.] Repealed by 78-11-092 (Order 78-3, Motion No. 78-50), filed 11/1/78. Statutory Authority: RCW 28B.40.120(11).
- 174-124-070 Judicial action. [Order 2, § 174-124-070, filed 2/22/72.] Repealed by 78-11-092 (Order 78-3, Motion No. 78-50), filed 11/1/78. Statutory Authority: RCW 28B.40.120(11).
- 174-124-080 Informal mediation. [Order 2, § 174-124-080, filed 2/22/72.] Repealed by 78-11-092 (Order 78-3, Motion No. 78-50), filed 11/1/78. Statutory Authority: RCW 28B.40.120(11).
- 174-124-090 Formal mediation—Community service list. [Order 2, § 174-124-090, filed 2/22/72.] Repealed by 78-11-092 (Order 78-3, Motion No. 78-50), filed 11/1/78. Statutory Authority: RCW 28B.40.120(11).
- 174-124-100 Appeal procedure—Board of judgment. [Order 2, § 174-124-100, filed 2/22/72.] Repealed by 78-11-092 (Order 78-3, Motion No. 78-50), filed 11/1/78. Statutory Authority: RCW 28B.40.120(11).
- 174-124-110 Off-campus offenses or convictions—All-campus hearing board. [Order 2, § 174-124-110, filed 2/22/72.] Repealed by 78-11-092 (Order 78-3, Motion No. 78-50), filed 11/1/78. Statutory Authority: RCW 28B.40.120(11).
- 174-124-120 Procedural review—Subsequent modification of the social contract. [Statutory Authority: RCW 28B.40.120(11). 78-11-092 (Order 78-3, Motion No. 78-50), § 174-124-120, filed 11/1/78; Order 2, § 174-124-120, filed 2/22/72.] Repealed by 88-17-069 (Order 88-1, Motion No. 88-25), filed 8/18/88. Statutory Authority: RCW 28B.40.120(12).
- Chapter 174-126**
USE OF HUMAN SUBJECTS
- 174-126-010 General policy. [Statutory Authority: RCW 28B.40.120(11). 79-07-003 (Order 79-2, Motion 79-31), § 174-126-010, filed 6/7/79.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-126-020 Practices and procedures. [Statutory Authority: RCW 28B.40.120(11). 79-07-003 (Order 79-2, Motion 79-31), § 174-126-020, filed 6/7/79.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-126-030 Human subjects review board. [Statutory Authority: RCW 28B.40.120(11). 79-07-003 (Order 79-2, Motion 79-31), § 174-126-030, filed 6/7/79.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- Chapter 174-128**
FACULTY MEMBERSHIP, APPOINTMENT AND EVALUATION
- 174-128-010 Philosophy. [Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-010, filed 11/22/78.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-128-020 Categories of faculty membership. [Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-020, filed 11/22/78.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-128-030 Philosophy. [Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-030, filed 11/22/78.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-128-040 Recruitment of regular faculty. [Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-040, filed 11/22/78.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-128-042 Procedures for hiring associate faculty. [Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-042, filed 11/22/78.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-128-044 Resource faculty. [Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-044, filed 11/22/78.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-128-046 Staff faculty. [Statutory Authority: RCW 28B.40.120(11). 78-12-040 (Order 78-5, Motion 78-55), § 174-128-046, filed 11/22/78.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.

- 174-128-050 Philosophy. [Statutory Authority: RCW 28B.40.120(11), 78-12-040 (Order 78-5, Motion 78-55), § 174-128-050, filed 11/22/78.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-128-060 The appointment and evaluation cycles. [Statutory Authority: RCW 28B.40.120(11), 78-12-040 (Order 78-5, Motion 78-55), § 174-128-060, filed 11/22/78.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-128-062 Faculty seminars. [Statutory Authority: RCW 28B.40.120(11), 78-12-040 (Order 78-5, Motion 78-55), § 174-128-062, filed 11/22/78.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-128-064 The faculty portfolio. [Statutory Authority: RCW 28B.40.120(11), 78-12-040 (Order 78-5, Motion 78-55), § 174-128-064, filed 11/22/78.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-128-066 Faculty evaluation schedule. [Statutory Authority: RCW 28B.40.120(11), 78-12-040 (Order 78-5, Motion 78-55), § 174-128-066, filed 11/22/78.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-128-070 The dean's role in the evaluation process. [Statutory Authority: RCW 28B.40.120(11), 78-12-040 (Order 78-5, Motion 78-55), § 174-128-070, filed 11/22/78.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-128-080 Reappointment and nonreappointment. [Statutory Authority: RCW 28B.40.120(11), 78-12-040 (Order 78-5, Motion 78-55), § 174-128-080, filed 11/22/78.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-128-090 Academic freedom and tenure. [Statutory Authority: RCW 28B.40.120(11), 78-12-040 (Order 78-5, Motion 78-55), § 174-128-090, filed 11/22/78.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-128-990 Appendix I—Diagram of faculty recruitment and hiring procedure. [Statutory Authority: RCW 28B.40.120(11), 78-12-040 (Order 78-5, Motion 78-55), § 174-128-990, filed 11/22/78.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-148-050 Monitoring and auditing. [Order 75-6, § 174-148-050, filed 11/5/75; Order 74-1, § 174-148-050, filed 5/17/74; Order 72-10, § 174-148-050, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-060 Practices problem areas identification. [Order 74-1, § 174-148-060, filed 5/17/74; Order 72-10, § 174-148-060, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-070 Utilization analysis. [Order 74-1, § 174-148-070, filed 5/17/74.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-080 Goals and timetables. [Order 74-1, § 174-148-080, filed 5/17/74.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-085 Pregnancy and maternity leave. [Order 76-2, § 174-148-085, filed 3/2/76.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-090 Grievance procedure. [Order 74-1, § 174-148-090, filed 5/17/74.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-100 Incorporation by reference. [Order 74-1, § 174-148-100, filed 5/17/74.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-110 Legal basis. [Order 74-1, § 174-148-110, filed 5/17/74.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-120 Definitions. [Order 75-6, § 174-148-120, filed 11/5/75; Order 74-1, § 174-148-120, filed 5/17/74.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.

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

- 174-157-600 Purpose and definition. [Order 75-1, § 174-157-600, filed 2/6/75.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-157-610 Banquet permit policy. [Order 75-1, § 174-157-610, filed 2/6/75.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-157-620 Banquet permit procedures. [Order 75-1, § 174-157-620, filed 2/6/75.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-157-990 Form—Exhibit I—Request for approval of banquet permit. [Order 75-1, Form—Exhibit I (codified as WAC 174-157-990), filed 2/6/75.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.

Chapter 174-160**ADMISSIONS PROCEDURES**

- Chapter 174-148**
EQUAL OPPORTUNITY POLICY AND PROCEDURES—
AFFIRMATIVE ACTION PROGRAM
- 174-148-010 General. [Order 75-6, § 174-148-010, filed 11/5/75; Order 75-3, § 174-148-010, filed 8/12/75; Order 74-1, § 174-148-010, filed 5/17/74; Order 72-10, § 174-148-010, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-015 Policy and program dissemination. [Order 75-3, § 174-148-015, filed 8/12/75.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-020 Legal basis. [Order 72-10, § 174-148-020, filed 10/27/72.] Repealed by Order 75-3, filed 8/12/75. See WAC 174-148-110, Order 74-1, filed 5/17/74.
- 174-148-030 Additional communication of policy and program. [Order 74-1, § 174-148-030, filed 5/17/74; Order 72-10, § 174-148-030, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-148-040 Responsibility for implementation. [Order 75-6, § 174-148-040, filed 11/5/75; Order 74-1, § 174-148-040, filed 5/17/74; Order 72-10, § 174-148-040, filed 10/27/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-160-010 Closing date and enrollment limitations. [Order 72-11, § 174-160-010, filed 10/27/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-160-020 Procedures. [Order 72-11, § 174-160-020, filed 10/27/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-160-030 Notification. [Order 72-11, § 174-160-030, filed 10/27/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-160-040 Credentials. [Order 72-11, § 174-160-040, filed 10/27/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.

Chapter 174-108 WAC
MODEL RULES OF PROCEDURE

WAC

174-108-910 Practice and procedure.

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

- 174-108-010 Introduction—Guidelines to governance and decision making. [Order 77-2, § 174-108-010, filed 11/14/77; Order 74-3, § 174-108-010, filed 6/18/74; Order 1, § 174-108-010, filed 2/22/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-020 The legal nature and status of The Evergreen State College. [Order 77-2, § 174-108-020, filed 11/14/77; Order 74-3, § 174-108-020, filed 6/18/74; Order 1, § 174-108-020, filed 2/22/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-030 Information, communications and recordkeeping. [Order 77-2, § 174-108-030, filed 11/14/77; Order 74-3, § 174-108-030, filed 6/18/74; Order 1, § 174-108-030, filed 2/22/72.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-040 The information and communications center. [Order 1, § 174-108-040, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-04001 Patterns of administrative decision making. [Order 74-3, § 174-108-040 (codified as WAC 174-108-04001), filed 6/18/74.] Repealed by Order 77-2, filed 11/14/77.
- 174-108-041 Evergreen council and DTFs. [Order 77-2, § 174-108-041, filed 11/14/77.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-050 The college forum. [Order 1, § 174-108-050, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-05001 Initiative processes. [Order 74-3, § 174-108-050 (codified as WAC 174-108-05001), filed 6/18/74.] Repealed by Order 77-2, filed 11/14/77.
- 174-108-051 Administrative evaluation. [Order 77-2, § 174-108-051, filed 11/14/77.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-060 The college sounding board. [Order 1, § 174-108-060, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-06001 Mediation and adjudication of disputes, grievances, and appeals. [Order 77-2, § 174-108-06001, filed 11/14/77; Order 76-5, § 174-108-06001, filed 9/22/76; Order 74-3, § 174-108-060 (codified as WAC 174-108-06001), filed 6/18/74.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-06003 Informal mediation procedures. [Order 77-2, § 174-108-06003, filed 11/14/77.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-06005 Formal hearing procedures. [Order 77-2, § 174-108-06005, filed 11/14/77.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-06007 Guidelines for the operation of the formal hearing board. [Order 77-2, § 174-108-06007, filed 11/14/77.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-06009 Procedure of hearing and deliberations. [Order 77-2, § 174-108-06009, filed 11/14/77.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-06011 Further grievance procedures. [Order 77-2, § 174-108-06011, filed 11/14/77.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-070 Accomplishment of objectives—Patterns of administrative decision making. [Order 1, § 174-108-070, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-07001 Evaluation of governance. [Order 77-2, § 174-108-07001, filed 11/14/77; Order 74-3, § 174-108-070 (codified as WAC 174-108-07001), filed 6/18/74.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-080 Three major avenues for consultation and advice. [Order 1, § 174-108-080, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-08001 Conclusion. [Order 74-3, § 174-108-080 (codified as WAC 174-108-08001), filed 6/18/74.] Repealed by 88-01-047 (Order 87-4, Motion No. 87-38), filed 12/14/87. Statutory Authority: RCW 28B.40.120(12) as amended by 1985 c 370 § 95.
- 174-108-090 Initiative processes. [Order 1, § 174-108-090, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-100 Adjudication of disputes, grievances, and appeals. [Order 1, § 174-108-100, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-110 All-campus hearing board. [Order 1, § 174-108-110, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-120 Evaluation of governance. [Order 1, § 174-108-120, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-130 Fundamental principles of decision making—Evaluation—Appeals. [Order 1, § 174-108-130, filed 2/22/72.] Repealed by Order 75-5, filed 8/12/75.
- 174-108-170 Definition of public record. [Order 73-2, § 174-108-170, filed 9/27/73.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-108-180 Description of central and field organization at The Evergreen State College. [Order 73-2, § 174-108-180, filed 9/27/73.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-108-190 General course and method of decision making. [Order 73-2, § 174-108-190, filed 9/27/73.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-108-200 Informal procedures regarding the general course and methods of decision. [Order 73-2, § 174-108-200, filed 9/27/73.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-108-210 Designation of public records officers. [Order 73-2, § 174-108-210, filed 9/27/73.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-108-220 Availability for public inspection and copying of public records. [Order 73-2, § 174-108-220, filed 9/27/73.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-108-230 Requests for public records. [Order 73-2, § 174-108-230, filed 9/27/73.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-108-240 Charges for copying. [Order 73-2, § 174-108-240, filed 9/27/73.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-108-250 Determination regarding exempt records. [Order 73-2, § 174-108-250, filed 9/27/73.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-108-260 Review of denials for public records requests. [Order 73-2, § 174-108-260, filed 9/27/73.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.

- 174-108-900 Form—Request for public records. [Order 73-2, Form (codified as WAC 174-108-900), filed 9/27/73.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-108-90001 Form—Public records request for copies. [Order 73-2, Form (codified as WAC 174-108-90001), filed 9/27/73.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-108-90002 Form—Request for review—Public records request. [Order 73-2, Form (codified as WAC 174-108-90002), filed 9/27/73.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-116-070 Speed. [Statutory Authority: RCW 28B.40.120(11), 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-070, filed 9/22/83; Order 72-7, § 174-116-070, filed 10/27/72.] Repealed by 87-14-020 (Order 87-2, Resolution No. 87-13), filed 6/24/87. Statutory Authority: RCW 28B.40.120(11).
- 174-116-090 Motor vehicle registration. [Order 72-7, § 174-116-090, filed 10/27/72.] Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-100 Parking permits required. [Order 72-7, § 174-116-100, filed 10/27/72.] Repealed by Order 73-4, filed 11/27/73. Later promulgation, see WAC 174-116-105.
- 174-116-105 Valid parking permits required. [Order 77-3, § 174-116-105, filed 12/16/77; Order 75-2, § 174-116-105, filed 8/12/75. Formerly WAC 174-116-100.] Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-110 Parking permits. [Order 72-7, § 174-116-110, filed 10/27/72.] Repealed by Order 73-4, filed 11/27/73. Later promulgation, see WAC 174-116-115.
- 174-116-115 Parking permit regulations. [Statutory Authority: RCW 28B.40.120(11), 81-19-092 (Order 81-3, Motion No. 81-36), § 174-116-115, filed 9/18/81; 80-06-034 (Order 80-2, Motion No. 80-13), § 174-116-115, filed 5/9/80, effective 9/1/80; Order 77-3, § 174-116-115, filed 12/16/77; Order 75-2, § 174-116-115, filed 8/12/75. Formerly WAC 174-116-110.] Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-120 Parking permit valid. [Order 72-7, § 174-116-120, filed 10/27/72.] Repealed by Order 73-4, filed 11/27/73. Later promulgation, see WAC 174-116-125.
- 174-116-130 Display of parking permits. [Order 72-7, § 174-116-130, filed 10/27/72.] Repealed by Order 73-4, filed 11/27/73. Later promulgation, see WAC 174-116-135.
- 174-116-135 Parking permits displayed. [Order 75-2, § 174-116-135, filed 8/12/75. Formerly WAC 174-116-130.] Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-140 Parking areas. [Order 75-2, § 174-116-140, filed 8/12/75; Order 73-4, § 174-116-140, filed 11/27/73; Order 72-7, § 174-116-140, filed 10/27/72.] Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-150 Violation, penalty, impounding. [Statutory Authority: RCW 28B.40.120(11), 78-08-088 (Order 78-2, Motion 78-26), § 174-116-150, filed 7/31/78; Order 75-2, § 174-116-150, filed 8/12/75; Order 73-4, § 174-116-150, filed 11/27/73; Order 72-7, § 174-116-150, filed 10/27/72.] Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-160 Bicycle parking. [Order 72-7, § 174-116-160, filed 10/27/72.] Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-170 Bicycle travel. [Order 72-7, § 174-116-170, filed 10/27/72.] Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-180 Bicycle equipment, brakes, lights. [Order 72-7, § 174-116-180, filed 10/27/72.] Repealed by 83-20-016 (Order 83-4, Resolution No. 83-42), filed 9/22/83. Statutory Authority: RCW 28B.40.120(11).
- 174-116-190 Pedestrian right of way. [Order 72-7, § 174-116-190, filed 10/27/72.] Repealed by 87-14-020 (Order 87-2, Resolution No. 87-13), filed 6/24/87. Statutory Authority: RCW 28B.40.120(11).
- 174-116-260 Fines and penalties. [Statutory Authority: RCW 28B.40.120(11), 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-260, filed 9/22/83.] Repealed by 87-14-020 (Order 87-2, Resolution No. 87-13), filed 6/24/87. Statutory Authority: RCW 28B.40.120(11).

WAC 174-108-910 Practice and procedure. 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 The Evergreen State College. Those rules may be found at chapter 10-08 WAC. Other procedural rules adopted in this title and this chapter are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and these procedural rules, the procedural rules adopted by The Evergreen State College shall govern.

[Statutory Authority: Chapter 34.05 RCW, 90-04-011, § 174-108-910, filed 1/26/90, effective 2/26/90.]

**Chapter 174-116 WAC
PARKING REGULATIONS**

WAC

- 174-116-010 Purpose.
- 174-116-011 Regulations.
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- 174-116-091 Special parking and traffic regulations and restrictions authorized.
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- 174-116-121 Election to pay or contest a notice of infraction.
- 174-116-122 Appeal/hearing procedure.
- 174-116-123 Establishment of infraction review committee.
- 174-116-124 Jurisdiction of the infraction review committee.
- 174-116-125 Appeal/hearing procedure—Rules of evidence.
- 174-116-126 Appeal/hearing—Procedure—Review decision.
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**DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER**

- 174-116-045 Parking permits—Housing residents. [Statutory Authority: RCW 28B.40.120(11), 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-045, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-045, filed 9/22/83.] Repealed by 88-19-097 (Order 88-3, Resolution No. 88-32), filed 9/20/88. Statutory Authority: RCW 28B.40.120(12).

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

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

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

(4) To protect and control vehicular traffic.

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

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

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

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

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

(3) The authority and powers conferred upon the director of public safety by these regulations may be delegated to subordinates.

[Statutory Authority: RCW 28B.10.560 (1)(a). 95-16-093, § 174-116-020, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(12). 88-19-097 (Order 88-3, Resolution No. 88-32), § 174-116-020, filed 9/20/88. Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-020, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-020, filed 9/22/83; Order 72-7, § 174-116-020, filed 10/27/72.]

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

[Statutory Authority: RCW 28B.10.560 (1)(a). 95-16-093, § 174-116-030, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-030, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-030, filed 9/22/83; Order 72-7, § 174-116-030, filed 10/27/72.]

WAC 174-116-040 Parking permits—General information. (1) Parking permits are issued by the parking office following application and the payment of the appropriate fees. All privately-owned motor vehicles parked or left standing unattended on college property are required to display a currently valid Evergreen parking permit during the hours of 7:00 a.m. to 9:00 p.m., Monday through Friday throughout the calendar year. The college maintains the authority to sell and require the display of special event parking permits during times and days established by the college. Vehicles parked on campus pursuant to these regulations are required to display valid parking permits at all times and days of the week as established by these rules.

(2) Fees for parking permits are as follows:

	Automobile	Motorcycle
Quarterly	25.00	12.50
Annual	75.00	37.00
Academic year	65.00	35.00
Daily	1.00	1.00
Special event parking	1.00	1.00

[Statutory Authority: RCW 28B.10.560 (1)(a). 95-16-093, § 174-116-040, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(12). 88-19-097 (Order 88-3, Resolution No. 88-32), § 174-116-040, filed 9/20/88. Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-040, filed 6/24/87; 85-03-048 (Order 85-1, Resolution No. 85-5), § 174-116-040, filed 1/14/85; 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-040, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-040, filed 9/22/83; Order 72-7, § 174-116-040, filed 10/27/72.]

WAC 174-116-041 Parking permits—Special exceptions. All persons parking vehicles on campus will park in available space as established by The Evergreen State College parking regulations and will pay the established parking fee except as follows:

(1) Vehicles with government tax exempt licenses will be allowed to park without charge.

(2) Vehicles owned by contractors and their employees working on campus construction may be parked within available construction sites or designated areas without charge when displaying a construction permit issued by a TESC project manager through the parking office.

(3) Members of the press, television, radio and wire services, on official business, after obtaining a permit from the parking office, may park without charge.

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

[Statutory Authority: RCW 28B.10.560 (1)(a). 95-16-093, § 174-116-041, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-041, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-041, filed 9/22/83.]

WAC 174-116-042 Parking permits—Special permits. (1) Permanently and temporarily disabled persons may request parking permits from the parking office. Vehicles parked in handicapped spaces must display a valid paid parking permit and a state of Washington "disabled person parking permit" if the user is permanently disabled.

(2) Service providers may be issued a parking permit upon request from the division or unit benefiting from the services provided. Complimentary parking on campus will not be provided to persons intending to make personal solicitations from, or personal sales to, college employees or students.

(3) Extended period parking clearance may be obtained from the public safety or parking office for disabled vehicles, vehicles left for field trips, or other valid reasons that may necessitate leaving a vehicle on campus for more than a day.

[Statutory Authority: RCW 28B.10.560 (1)(a). 95-16-093, § 174-116-042, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-042, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-042, filed 9/22/83.]

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

(2) Car pool permits may be purchased by faculty, staff and students. One transferable permit will be issued by the parking office for each car pool. The permit is transferable only among the registered members of the car pool. The permit must be displayed on the dashboard of the car pool vehicle being used.

(3) Annual and quarterly parking permits must be displayed in the rear window area of the vehicle with the following exceptions:

(a) Convertible and truck permits may be affixed to the lower left corner of the front windshield.

(b) Motorcycle permits must be displayed so as to be readily visible.

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

(5) A parking permit application must be submitted to the parking office for each vehicle displaying a permit. Ownership of permits is not transferable except when approved by the parking office. If a registered vehicle is sold, the permit must be removed and surrendered to the parking office for a replacement or any refunds.

(6) Persons not residing on campus may apply for a duplicate permit for a second car either personally, family, or employer owned. Proof of ownership or appropriate authorization must be presented prior to issuance of a second permit. Two vehicles bearing the same numbered permit may not be parked on campus at the same time unless one also displays a valid daily permit.

(7) Vehicles displaying a valid permit may be parked in any designated campus parking lot. Vehicle parking in the modular housing area and F parking lot is restricted to residents. F lot parking permits are valid in B, C and F lots: Modular housing permits are valid in all of the campus parking lots.

(8) Permit holders may obtain a complimentary temporary permit at the parking booth for a vehicle being used as a temporary replacement.

[Statutory Authority: RCW 28B.10.560 (1)(a). 95-16-093, § 174-116-043, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(12). 88-19-097 (Order 88-3, Resolution No. 88-32), § 174-116-043, filed 9/20/88. Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-

2, Resolution No. 87-13), § 174-116-043, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-043, filed 9/22/83.]

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

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

(3) Daily parking permits shall be valid from the time purchased until 9:00 p.m. on the date of purchase.

[Statutory Authority: RCW 28B.10.560 (1)(a). 95-16-093, § 174-116-044, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-044, filed 6/24/87; 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-044, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-044, filed 9/22/83.]

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

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

(2) When a permit is used in an unauthorized manner.

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

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

[Statutory Authority: RCW 28B.10.560 (1)(a). 95-16-093, § 174-116-046, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(11). 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-046, filed 9/22/83.]

WAC 174-116-050 Responsibility and presumption in reference to illegal parking. (1) The registered owner or permit holder shall be responsible for all parking violations involving the vehicle on which the permit is displayed.

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

[Statutory Authority: RCW 28B.10.560 (1)(a). 95-16-093, § 174-116-050, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-050, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-050, filed 9/22/83; Order 72-7, § 174-116-050, filed 10/27/72.]

WAC 174-116-060 Designated and assigned parking areas. (1) The motor vehicle laws of the state of Washington and any rules stated herein shall be applicable at all times in areas covered under the scope of this policy including all college-owned property.

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

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

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

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

[Statutory Authority: RCW 28B.10.560 (1)(a), 95-16-093, § 174-116-060, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(11), 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-060, filed 9/22/83; Order 72-7, § 174-116-060, filed 10/27/72.]

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

(2) No vehicle shall park, stop or stand in a location likely to interfere with traffic flow except momentarily to pick up or discharge passengers.

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

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

(a) No valid permit	10.00
(b) Overtime parking	10.00
(c) Improper position	10.00
(d) Unauthorized parking in disabled space	25.00
(e) Parked at painted curb	10.00
(f) Parked in prohibited zone	10.00
(g) Obstructing traffic	10.00
(h) Parked in bus zone	25.00
(i) Parked in fire lane	25.00
(m) Altered permit	25.00

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

[Statutory Authority: RCW 28B.10.560 (1)(a), 95-16-093, § 174-116-071, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(11), 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-071, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-071, filed 9/22/83.]

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

public safety or parking office of the vehicle's location and estimated time of removal or repair.

(2) Any vehicle parked upon property of The Evergreen State College in violation of these regulations, including the motor vehicle and other traffic laws of the state of Washington, may be impounded and removed to such place for storage as the director of public safety selects. The expense of such impounding and storage shall rest solely on the owner or operator of the vehicle. Vehicles in violation of campus regulations or state traffic laws may also be impounded in place. Release from in-place impounds is contingent on payment of all outstanding fines and charges prior to release of the impounded/immobilized vehicle. The college and its employees shall not be liable for loss or damage of any kind resulting from such impounding and/or storage services provided by a private vendor.

[Statutory Authority: RCW 28B.10.560 (1)(a), 95-16-093, § 174-116-072, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(11), 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-072, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-072, filed 9/22/83.]

WAC 174-116-080 Access. Privately owned motor vehicles shall be driven only on those roadways designed and built for their use. Marked "service" drives shall be used only by college employees conducting official business, emergency vehicles, and authorized delivery vehicles. All other vehicles are prohibited from traveling or parking in these areas.

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

[Statutory Authority: RCW 28B.10.560 (1)(a), 95-16-093, § 174-116-080, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(11), 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-080, filed 9/22/83; Order 72-7, § 174-116-080, filed 10/27/72.]

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

[Statutory Authority: RCW 28B.10.560 (1)(a), 95-16-093, § 174-116-091, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(11), 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-091, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-091, filed 9/22/83.]

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

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

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

[Statutory Authority: RCW 28B.10.560 (1)(a), 95-16-093, § 174-116-092, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(11), 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-092, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-092, filed 9/22/83.]

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

(a) Persons cited for violation of these regulations are required to pay a fine within ten days of the date of notice of infraction.

(b) All fines are payable at the parking office. Fines may be paid in person during normal business hours or by mail. The notice of infraction must accompany any fine payment.

(2) Unpaid fines.

If any fine remains unpaid after ninety days from the date of the notice of infraction, the account will be referred to the controller's office for collection and the following actions may be taken:

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

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

(c) The college has authority to contract with collection agencies in order to collect public debts according to RCW 19.16.500.

(d) A vehicle accumulating three or more unpaid citations with one or more being ninety days delinquent in payment, may be impounded in-place until the outstanding fines are paid.

[Statutory Authority: RCW 28B.10.560 (1)(a), 95-16-093, § 174-116-119, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(12), 88-19-097 (Order 88-3, Resolution No. 88-32), § 174-116-119, filed 9/20/88. Statutory Authority: RCW 28B.40.120(11), 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-119, filed 6/24/87; 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-119, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-119, filed 9/22/83.]

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

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

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

[Statutory Authority: RCW 28B.10.560 (1)(a), 95-16-093, § 174-116-121, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(11), 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-121, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-121, filed 9/22/83.]

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

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

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

[Statutory Authority: RCW 28B.10.560 (1)(a), 95-16-093, § 174-116-122, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(11), 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-122, filed 6/24/87; 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-122, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-122, filed 9/22/83.]

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

(1) One faculty member appointed by the vice-president and provost;

(2) One exempt staff member appointed by the president;

(3) One classified staff member appointed by the executive vice-president for finance and administration;

(4) Two currently enrolled students appointed by the student communications center under the direction of the vice-president for student affairs.

[Statutory Authority: RCW 28B.10.560 (1)(a), 95-16-093, § 174-116-123, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(11), 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-123, filed 6/24/87; 85-21-067 (Order 85-4, Resolution No. 85-32), § 174-116-123, filed 10/18/85, effective 1/1/86; 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-123, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-123, filed 9/22/83.]

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

[Statutory Authority: RCW 28B.10.560 (1)(a), 95-16-093, § 174-116-124, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(11), 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-124, filed 9/22/83.]

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

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

WAC 174-116-126 Appeal/hearing—Procedure—Review decision. Upon conclusion of the review and/or appeal, the chairperson of the infraction review committee shall render the decision of the review committee as to appropriateness of the assessed fines. The decision shall be

recorded in the records maintained by the parking office and the secretary of the infraction review committee shall endorse his/her signature therein, certifying the record to be correct.

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

WAC 174-116-127 Appeal/hearing—Mitigation and suspension of fines. Upon the showing of good cause or mitigating circumstances, the infraction review committee may impose any lesser fine than those established in WAC 174-116-260 of these regulations or may dismiss the fine. The chairperson may grant an extension of time within which to comply with the review and/or appeal decision. A person charged with a parking infraction who deems himself or herself aggrieved by the final decision in an internal adjudication may, within ten calendar days after written notice of the final decision, appeal further by filing a written notice with the parking office indicating their intention to pursue the infraction through the civil courts. Documents relating to the appeal shall be maintained for such court process.

[Statutory Authority: RCW 28B.10.560 (1)(a). 95-16-093, § 174-116-127, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(11). 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-127, filed 6/24/87; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-127, filed 9/22/83.]

Chapter 174-120 WAC

SOCIAL CONTRACT—STUDENT CONDUCT CODE—GRIEVANCE AND APPEALS PROCESS

WAC

174-120-015	Purpose.
174-120-025	Definitions.
174-120-035	Student conduct code—Specific examples of student conduct code violations.
174-120-045	Student conduct code—Levels of resolution.
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174-120-075	Student conduct code—Examples of corrective action.
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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

174-120-010	Definitions. [Statutory Authority: Chapter 34.05 RCW. 89-21-073, § 174-120-010, filed 10/17/89, effective 11/17/89. Statutory Authority: RCW 28B.40.120(12). 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-010, filed 8/18/88.] Repealed by 96-13-086, filed 6/18/96, effective 7/19/96. Statutory Authority: RCW 28B.40.120(12).
174-120-020	The social contract—College philosophy. [Statutory Authority: RCW 28B.40.120(12). 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-020, filed 8/18/88.] Repealed by 89-21-073, filed 10/17/89, effective 11/17/89. Statutory Authority: Chapter 34.05 RCW.
174-120-030	Student conduct code—Specific examples of social contract violations. [Statutory Authority: Chapter 34.05 RCW. 89-21-073, § 174-120-030, filed 10/17/89, effective 11/17/89. Statutory Authority: RCW 28B.40.120(12). 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-030, filed 8/18/88.] Repealed by 96-13-

086, filed 6/18/96, effective 7/19/96. Statutory Authority: RCW 28B.40.120(12).

174-120-040	Student conduct code—Corrective action. [Statutory Authority: Chapter 34.05 RCW. 89-21-073, § 174-120-040, filed 10/17/89, effective 11/17/89. Statutory Authority: RCW 28B.40.120(12). 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-040, filed 8/18/88.] Repealed by 96-13-086, filed 6/18/96, effective 7/19/96. Statutory Authority: RCW 28B.40.120(12).
174-120-050	Student conduct code—Informal conflict resolution. [Statutory Authority: Chapter 34.05 RCW. 89-21-073, § 174-120-050, filed 10/17/89, effective 11/17/89. Statutory Authority: RCW 28B.40.120(12). 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-050, filed 8/18/88.] Repealed by 96-13-086, filed 6/18/96, effective 7/19/96. Statutory Authority: RCW 28B.40.120(12).
174-120-060	Student conduct code—Grievance officer. [Statutory Authority: Chapter 34.05 RCW. 89-21-073, § 174-120-060, filed 10/17/89, effective 11/17/89. Statutory Authority: RCW 28B.40.120(12). 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-060, filed 8/18/88.] Repealed by 96-13-086, filed 6/18/96, effective 7/19/96. Statutory Authority: RCW 28B.40.120(12).
174-120-070	Student conduct code—Formal hearing notice and rights. [Statutory Authority: Chapter 34.05 RCW. 89-21-073, § 174-120-070, filed 10/17/89, effective 11/17/89. Statutory Authority: RCW 28B.40.120(12). 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-070, filed 8/18/88.] Repealed by 96-13-086, filed 6/18/96, effective 7/19/96. Statutory Authority: RCW 28B.40.120(12).
174-120-080	Student conduct code—Formal procedures. [Statutory Authority: Chapter 34.05 RCW. 89-21-073, § 174-120-080, filed 10/17/89, effective 11/17/89. Statutory Authority: RCW 28B.40.120(12). 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-080, filed 8/18/88.] Repealed by 96-13-086, filed 6/18/96, effective 7/19/96. Statutory Authority: RCW 28B.40.120(12).
174-120-090	Academic appeals. [Statutory Authority: RCW 28B.40.120(12). 88-17-069 (Order 88-1, Motion No. 88-25), § 174-120-090, filed 8/18/88.] Repealed by 96-13-086, filed 6/18/96, effective 7/19/96. Statutory Authority: RCW 28B.40.120(12).

WAC 174-120-015 Purpose. The purpose of this chapter is to provide currently enrolled students, faculty and staff with a process to address grievances related to student conduct. If the person wishing to file a grievance against a student is not an enrolled student, staff or faculty, but is here at the invitation of the college, they may contact the campus grievance officer, who will decide whether or not to take on the case on behalf of the college. Students at The Evergreen State College enjoy the basic rights of all members of society. At the same time, students have an obligation to fulfill the responsibilities incumbent upon all citizens as well as the responsibilities of their particular roles within the academic community. Students may be accountable to civil and criminal authorities and to the college for acts occurring on or off campus which constitute violations of law. Students may be accountable to civil and criminal authorities and to the college for acts occurring on college premises and at college sponsored events.

[Statutory Authority: RCW 28B.40.120(12). 96-13-086, § 174-120-015, filed 6/18/96, effective 7/19/96.]

WAC 174-120-025 Definitions. For the purposes of these rules the following terms have the meanings indicated:
(1) "Adjudicative hold" means a notification by the campus grievance officer or vice-president for student affairs

that a student will not be allowed to register for classes until he/she gets a clearance from the grievance officer.

(2) "Binding arbitration" means a process in which parties in conflict submit their differences to the judgment of an impartial third party appointed by the campus mediator with the consent of both parties.

(3) "Calendar day" means all days of the month not just working days. In cases where a specified due date falls on a weekend or holiday, the working day closest to the date due will be used (i.e., if the tenth day deadline falls on Saturday, the document will be done on Friday).

(4) "Campus grievance officer" means a faculty or staff person who shall be appointed by and accountable to the vice-president for student affairs. The grievance officer is responsible for determining if violations of this policy have occurred, for investigating and initiating formal disciplinary action on behalf of the college, and for keeping all records specified in these hearings procedures.

(5) "College facilities/premises" means property owned, leased, operated, controlled, or supervised by the college.

(6) "College-sponsored event or activity" means activities or events involving planning or funding or other approved or authorized participation by the college.

(7) "Default judgment" means a decision made by the trier of fact that, due to the appealing student's failure to appear, the proposed sanctions of the campus grievance officer will be adopted by the trier of fact.

(8) "Evergreen community" means currently enrolled students and currently employed faculty and staff members.

(9) "Exception to trier of fact's findings" means a written request by either the campus grievance officer or the student requesting a review of the findings by the reviewing officer.

(10) "Hearing board" means five community members appointed by and from the different sectors of the college community, which includes one faculty; one classified or exempt staff; and three students; to hear appeals of the campus grievance officer's findings. The vice-president for student affairs shall be responsible for ensuring that hearing board members and their alternates are appointed. The vice-president for student affairs will appoint the chair of the hearing board, who, with technical and clerical assistance of the vice-president for student affairs' office, will write and issue the board's finding. An assistant attorney general, an administrative law judge, or any qualified community member may serve as a nonvoting advisor to the hearing board on the hearing process.

(11) "Housing grievance officer" means the director of housing or his/her designee. The housing grievance officer is responsible for determining if violations of the housing policy have occurred, for investigating and initiating formal disciplinary action on behalf of the college, and for keeping all records specified in the procedures.

(12) "Mediator" means an impartial, neutral third party who helps disputants reach their own mutually agreeable settlement. Trained volunteer mediators are available through the campus center for mediation services, which also provides telephone conciliation and resource referral. In addition, the dean of student and academic support service is the campus mediator and has been appointed by the vice-president for student affairs. Any third party may serve as a mediator if mutually agreed upon by the parties in conflict.

(13) "Preponderance of the evidence" means the greater weight of evidence or evidence more convincing to the mind than not.

(14) "Reviewing officer" means an individual designated by the president to provide a review of the trier of fact's findings, conclusions, and sanctions, if any.

(15) "Student" means a person enrolled for any amount of credit at the college. On-leave students, i.e., those admitted but not currently enrolled, may have their enrollment eligibility withdrawn if they do not abide by the student conduct code while on campus and are accountable to civil and criminal authorities.

(16) "Trier of fact" means the hearing board, administrative law judge, or any other individual(s) designated by the vice-president for student affairs and responsible for hearing appeals of the campus grievance officer's findings and proposed corrective action.

[Statutory Authority: RCW 28B.40.120(12). 96-13-086, § 174-120-025, filed 6/18/96, effective 7/19/96.]

WAC 174-120-035 Student conduct code—Specific examples of student conduct code violations. (1) Academic dishonesty: Cheating, facilitating academic dishonesty and plagiarism are violations of the academic honesty policy and if persistent or severe may be treated as violations of the student conduct code.

(2) Destroying or damaging property: Intentionally, recklessly and/or persistently destroying or damaging college property or the property of others on college premises or at college-sponsored events.

(3) Disrupting college functions: Intentionally, recklessly and/or persistently interfering with normal college or college-sponsored activities, including but not limited to studying, teaching, research, college administration, fire, police, emergency services, or public safety.

(4) Drugs: Using, possessing, or distributing of any controlled substance or illegal drug on college premises or at college-sponsored activities (as defined in the Uniform Controlled Substances Act chapter 69.50 RCW, as amended). Public appearance on campus or at any college-sponsored event while under the influence of illegal drugs will be considered a violation.

(5) False accusations: Intentionally making false charges against another member of the college community to harass, harm, defame and/or intimidate that individual.

(6) False alarms: Intentionally causing a false police or fire alarm that involves college property or a college-sponsored event.

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

(8) Harm/harassment: Discriminating against, sexually harassing, and threatening or intimidating against another person by word or gesture, or physically molesting or assaulting another person which substantially harms or causes reasonable apprehension of such harm to that person or which is intended to harm him or her. This includes, but is not limited to, physical, psychological or sexual harm/harassment or harassment based on religion, nationality, ability/disability, gender, sexual orientation, racial or

ethnic origin, cultural identity or political affiliation. This provision in the codes is intended to protect members of the college community against damage or threat of damage to property and injury or threat of injury to physical person or psychological well-being.

(9) Hazing: According to chapter 28B.10 RCW hazing is defined as any method of initiation into a student organization or living group, or any pastime or amusement engaged in with respect to such an organization or living group that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm.

(10) Housing contract violations: Violation of residence hall contracts.

(11) Interfering with the adjudicative process: Harassment of students, faculty or staff involved in the adjudicative process. Violation of any agreement made during the adjudicative process, including but not limited to no-contact orders. Perjury or retaliatory or disruptive behavior will also be grounds for further disciplinary action.

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

(13) Refusal to desist from prohibited conduct: Refusal of students to desist from conduct prohibited by these rules.

(14) Smoking: Smoking in an area not designated as a smoking area as defined by college rules. (WAC 174-136-160 to 174-136-170, as amended.)

(15) Theft or conversion: Deprivation of another's property, including college property or services, without that individual's or the college's authorization.

(16) Violation of published campus policies: Violation of published campus policies including, but not limited to, the academic honesty policy, the habitation policy, the sexual harassment policy, the discrimination policy, the hazing policy and the pet policy.

(17) Weapons, firearms, explosives and dangerous chemicals: Firearms and weapons, as defined by state law, are prohibited on campus. Unauthorized use, possession or storage of any explosives, dangerous chemicals, substances or instruments which may be used to inflict bodily harm on another individual or damage upon college premises or at a college-sponsored event are prohibited.

These examples of student conduct code violations are not designed to define violations in exhaustive terms. The student conduct code does not supplant other existing policies.

[Statutory Authority: RCW 28B.40.120(12). 96-13-086, § 174-120-035, filed 6/18/96, effective 7/19/96.]

WAC 174-120-045 Student conduct code—Levels of resolution. (1) Voluntary mediation: Community members who come into conflict with one another should make a determined effort to resolve problems peacefully and constructively between themselves. To facilitate this objective, the college encourages voluntary mediation through mediators. The mediators will assist the two parties

to reach resolution. If successful, the parties will sign an agreement stating that resolution has been reached. If unsuccessful, both parties may agree to binding arbitration or either party may file a grievance with the campus grievance officer. The accuser may bypass mediation/arbitration and file a complaint directly with the campus grievance officer. If voluntary mediation is not agreed to and the matter is referred to the campus grievance officer, the case becomes a disciplinary matter between the accused and the college. The complainant serves as a witness during the college's presentation of evidence, if a hearing occurs.

(2) Campus grievance officer review: The basic role of the campus grievance officer is to seek justice and educate the students about their rights and responsibilities. The campus grievance officer is responsible for determining if violations of the student conduct code have occurred, handling investigations in a thorough and timely manner, proposing corrective action on behalf of the college if warranted and for keeping all records specified in these grievance procedures. Exceptions:

(a) Students presenting imminent danger to others, college property, and/or the educational process may be immediately suspended from the college by the president, vice-president for student affairs, or their designee(s).

(b) In cases involving violations of the housing contract, the director of housing or his/her designee shall act as the campus grievance officer.

[Statutory Authority: RCW 28B.40.120(12). 96-13-086, § 174-120-045, filed 6/18/96, effective 7/19/96.]

WAC 174-120-055 Student conduct code—Grievance officer review process. (1) Reaching a settlement agreement: If the campus grievance officer decides to pursue a case in the name of the college, the student may accept or deny responsibility for the violation. If the student accepts responsibility, she or he may propose a sanction in writing to resolve the case. The campus grievance officer may also propose a sanction. If agreement on responsibility and sanction(s) are reached, the settlement agreement shall be made in writing and signed by the student and the campus grievance officer. The student may withdraw the settlement by submitting a written statement of withdrawal which is received by the office of the vice-president for student affairs within twenty-four hours after being signed by the student.

(2) Settlement agreement: An agreement on responsibility and sanctions, if appropriate, shall be written and contain:

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

(b) The agreed upon sanction, if any;

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

(3) Temporary no-contact order: The campus grievance officer may impose a temporary order to restrict contact between parties or access to facilities for the duration of the student conduct code grievance and appeals process.

(4) Failure to respond to the campus grievance officer's request for a meeting: Failure to respond to a request for a meeting will result in an adjudicator hold on a student's registration file and could result in more serious sanctions.

(5) Decision by campus grievance officer of no cause finding: If the campus grievance officer determines, based on the evidence collected, that the accused has not violated the student conduct code, the accuser may request in writing within twenty calendar days that the vice-president for student affairs review the process and evidence collected by the campus grievance officer. No further review will be allowed if the vice-president for student affairs agrees that the process followed by the campus grievance officer was appropriate and that the act did not constitute a violation of the student conduct code.

(6) Failure to reach a settlement agreement: If the campus grievance officer is satisfied that sufficient evidence exists to substantiate a violation and if a settlement has not been reached, he/she shall send to the student a notice of the formal charges, recommended corrective action, and the right to a hearing. If a student is not charged with a violation potentially punishable by emergency suspension, he/she must petition the vice-president for student affairs for a formal hearing within twenty calendar days after receipt of the campus grievance officer's charges. If the student fails to petition the vice-president for student affairs for a formal hearing, the recommended disciplinary action shall go into effect (unless emergency suspension has already occurred).

Except in cases of emergency suspension, the student's status at the college shall not be altered until the final opportunity for appeal has passed.

[Statutory Authority: RCW 28B.40.120(12). 96-13-086, § 174-120-055, filed 6/18/96, effective 7/19/96.]

WAC 174-120-065 Student conduct code—Formal hearing notice, process and rights. (1) Formal hearings will be subject to the following:

(a) Students have a right to a fair and impartial hearing on any charge of prohibited conduct and the right to confer with a representative present during the hearing.

(b) Pursuant to state law, the college president authorizes the vice-president for student affairs to determine the trier of fact.

(c) Unless the vice-president for student affairs determines otherwise, the trier of fact conducting a formal hearing shall be a hearing board.

(d) Any such hearing shall be conducted pursuant to state law, RCW 34.05.410 through 34.05.494, as amended or superseded.

(e) Hearings will be closed to the public and shall be deemed confidential.

(f) The student may request the presence of his/her representative.

(g) An open hearing may be held, at the discretion of the trier of fact with the consent of the student.

(h) In cases of emergency suspension, the process will be modified as set forth in WAC 174-120-075 (Student conduct code—Examples of corrective action).

(2) Default judgment process: The failure of the appealing party to appear may result in a default judgment. In cases of default judgment, the student has a minimum of seven calendar days in which to file a written motion requesting that the order be set aside and stating the grounds for this request. The trier of fact must respond to this request in writing within seven calendar days. The student

or campus grievance officer may appeal the trier of fact's response to the reviewing officer as set forth in WAC 174-120-080 (6) and (7).

(3) Hearing process: Notice of the hearing, including a statement of the particular rules involved and matters asserted, shall be provided at least ten calendar days before any hearing. The appealing student and campus grievance officer shall inform each other of witnesses and, if applicable, representatives (through the office of the vice-president for student affairs) at least three calendar days before the hearing. Failure to provide a list of witnesses and/or the name(s) of their representatives at least three calendar days before the hearing will most likely result in disqualification of those witnesses and/or representatives. Both parties may submit brief written position statements to the designated trier of fact. Both parties have the right to:

(a) Question witnesses and have a representative advise them throughout the process. The parties shall inform each other of their witnesses (with a maximum of one character witness) and representatives at least three calendar days before the hearing. Representatives may not appear in lieu of the student charged.

(b) Have subpoena(s) issued by the vice-president for student affairs and/or trier of fact, subject to a convincing showing of the general relevance and reasonable scope of the evidence sought.

(c) Petition for disqualification of a member of the hearing board.

(d) Challenge any hearing board member based on cause, such as personal bias. The unchallenged hearing board members shall hear the challenge for cause and make a finding. If cause is found, the vice-president for student affairs shall fill the vacancy forthwith. If the hearing board has an advisor, he/she may also challenge a hearing board committee member. Except for petitions for disqualification, hearing board members may be disqualified upon majority vote of the remaining board members.

(4) The trier(s) of fact should not discuss the case outside of the hearing, and shall base their decision upon the evidence presented at the hearing.

(5) The burden of proof shall be on the college which must establish, by a preponderance of the evidence, that the student is responsible for a violation of the student conduct code.

(6) Formal judicial rules of evidence shall not be applicable, nor shall harmless procedural errors necessarily invalidate a decision or proceeding, unless significant prejudice to the rights of the student or the college would result. The trier of fact shall recognize rules of confidentiality and privilege, but shall otherwise admit all matters into evidence which reasonable persons would accept as having probative value in the conduct of their affairs.

(7) Undue repetitious or irrelevant evidence may be excluded.

(8) Illegally obtained evidence cannot be used.

(9) The trier of fact shall reach a final decision within thirty calendar days of receipt of the petition or within fifteen calendar days of the close of the hearing, whichever is greater. Decisions of the trier of fact shall be by majority vote of the members present and voting. The trier of fact's written findings and conclusions shall be delivered to the

accused student by hand or certified mail to his/her last known address.

[Statutory Authority: RCW 28B.40.120(12). 96-13-086, § 174-120-065, filed 6/18/96, effective 7/19/96.]

WAC 174-120-075 Student conduct code—

Examples of corrective action. The primary purpose for imposing corrective measures is to educate, deter and protect. Notification of corrective action shall be in writing, and shall indicate the terms of any suspension or termination and any special conditions which must be met before readmission. Students who have been sanctioned are expected to fulfill their sanctions as prescribed. A student who has been sanctioned for violating the student conduct code will be required to complete the sanctions prior to the award of the degree by the board of trustees. Factors to be considered in mitigation shall be the present demeanor and past disciplinary record of the student, as well as the nature of the offense and the severity of any damage, injury, or harm resulting from it. Repeated or aggravated violations of any rule may result in greater corrective measures, such as expulsion or suspension, as may be appropriate. A student's off-campus criminal conduct may also be considered in determining what discipline is warranted for similar on-campus conduct.

(1) Emergency suspension: Students presenting immediate danger to others, college property, and/or the educational process may be immediately suspended from the college by the president, vice-president for student affairs, or their designee(s). A hearing will be scheduled within twenty calendar days unless otherwise waived by the student. At the hearing, the trier of fact will determine whether or not the summary suspension shall remain in effect throughout the duration of the grievance and appeals process. At the time of the suspension, the student shall be notified in writing if possible, and otherwise orally, of the basis for the emergency suspension and of his/her right to a formal hearing. If oral notification is given at the time of the emergency suspension, written notification shall be delivered or sent to the student's last known address within twenty-four hours. At least three days before the hearing, the grievance officer shall notify the student of her/his findings, proposed sanctions, witnesses to be called at the hearing and, if intended, representative. Except as noted here, the process will be followed as set forth in 174-120-065 (Student conduct code—Formal hearing notice, process and rights).

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

(3) Probation: A trial period during which the student's conduct is monitored. Any additional violations of the student conduct code during this period may be subject to exceptional disciplinary action.

(4) Reprimand: Warning(s) that further misconduct may result in more severe sanctions.

(5) Restitution: Payment may be made to the college or to other persons, groups, or organizations for damages incurred as a result of prohibited conduct.

(6) Suspension: Temporary dismissal from the college and temporary termination of community membership for a

stated period of time, but no longer than one year. The student shall not participate in any college-sponsored activity and may be barred from college premises. Suspension implies that the student may eventually return if evidence or other assurances are presented that convincingly ensure that prohibited conduct will not be repeated.

(7) Temporary ejection from the premises: Students on college property who willfully refuse to obey an order of the president, the president's designees, or law enforcement officers to desist from conduct prohibited by the college's rules and regulations may be ejected from the premises for a specified period of time not to exceed forty-eight hours. After a temporary ejection takes place, the campus grievance officer will conduct an investigation to determine if a violation of the student conduct code has occurred and, if so, what additional corrective action should be proposed. Refusal to obey the temporary ejection order will subject the student to arrest under state criminal trespass laws, in addition to such other sanctions as may be applicable.

(8) Other sanctions and conditions for enrollment: Other sanctions or conditions may be imposed if related to the violation. Sanctions could include, but are not limited to: Limiting extracurricular activities, restricting registration of motor vehicles, assigning community service. Students may also be removed from college housing for contract violations. Conditions for enrollment could include, but are not limited to: A psychological assessment and/or counseling.

[Statutory Authority: RCW 28B.40.120(12). 96-13-086, § 174-120-075, filed 6/18/96, effective 7/19/96.]

WAC 174-120-085 Student conduct code—

Procedural appeals. Within ten calendar days of receipt of the trier of fact's findings and conclusions, either the campus grievance officer or the student may submit to the president (L3109, ext. 6100) a written appeal. The president will appoint a reviewing officer who will conduct a procedural review. The reviewing officer will review the written and audio taped record. Within fifteen calendar days of the filing of the appeal, the reviewing officer must render a final written order. No further agency appeal is required or provided.

If the accuser is a victim of conduct which is considered violent, she/he is entitled, according to the Federal Education Rights to Privacy Act, to receive the results of the process, upon request, after the final opportunity for appeal has passed.

[Statutory Authority: RCW 28B.40.120(12). 96-13-086, § 174-120-085, filed 6/18/96, effective 7/19/96.]

Chapter 174-121 WAC

SOCIAL CONTRACT—COLLEGE PHILOSOPHY

WAC

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

WAC 174-121-010 The social contract—College philosophy. (1) **General:** Evergreen is an institution and a community that continues to organize itself so that it can clear away obstacles to learning. In order that both creative

and routine work can be focused on education, and so that the mutual and reciprocal roles of campus community members can best reflect the goals and purposes of the college, a system of governance and decision-making consonant with those goals and purposes is required.

(2) Purpose:

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

(b) The Evergreen community should support experimentation with new and better ways to achieve Evergreen's goals. Specifically, it must attempt to emphasize the sense of community and require members of the campus community to play multiple, reciprocal, and reinforcing roles in both the teaching/learning process and in the governance process.

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

(4) Individual and institutional rights: Each member of the community must protect:

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

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

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

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

(5) Society and the college:

(a) Members of the Evergreen community recognize that the college is part of the larger society as represented by the state of Washington, which funds it, and by the community of greater Olympia, in which it is located. Because the Evergreen community is part of the larger society, the

campus is not a sanctuary from the general law or invulnerable to general public opinion.

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

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

(6) Prohibition against discrimination: There may be no discrimination at Evergreen with respect to race, sex, age, handicap, sexual orientation, religious or political belief, or national origin in considering individuals' admission, employment, or promotion. To this end the college has adopted an affirmative action policy approved by the state human rights commission and the higher education personnel board. Affirmative action complaints shall be handled in accordance with state law, as amended (e.g., chapter 49.74 RCW; RCW 28B.16.100; chapter 251-23 WAC).

(7) Right to privacy:

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

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

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

(8) Intellectual freedom and honesty:

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

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

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

(9) Open forum and access to information:

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

(b) As an institution, Evergreen has the obligation to provide open forum for the members of its community to present and to debate public issues, to consider the problems

of the college, and to serve as a mechanism of widespread involvement in the life of the larger community.

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

(d) In the Evergreen community, individuals should not feel intimidated or be subject to reprisal for voicing their concerns or for participating in governance or policy making.

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

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

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

Chapter 174-122 WAC

MID-CONTRACT TERMINATION WITH ADEQUATE CAUSE

WAC

174-122-010	Preamble.
174-122-020	Informal procedures.
174-122-030	Formal hearing procedures.
174-122-040	Summary suspension.

WAC 174-122-010 Preamble. (1) Termination of a contract with a property-interest, or of a provisional contract before the end of the specified term, may be effected by the institution only for adequate cause. The burden of proof of adequate cause rests on the institution.

(a) It is the policy of The Evergreen State College that no faculty member will be separated from the college because of his/her written or spoken views, according to the guarantees of the first amendment to the Constitution of the United States. The Evergreen State College subscribes to the American Association of University Professors statement of principles on academic freedom and tenure as modified by the college's faculty reappointment policy.

(b) If termination takes the form of a dismissal for adequate cause, it shall be pursuant to the procedures specified in this policy. This policy allows the institution to terminate the contract of a faculty member for committing an action(s) which is grounds for termination even if the faculty member's action(s) can be ascribed to his/her medical condition. However, a faculty member's contract cannot be terminated because she/he has a particular medical condition. Termination of any faculty member's contract before the end of the specified term for reasons of institutional financial

exigency are not covered by this policy but by the college's reduction in force policy.

(2) Adequate cause for initiating hearings. The trustees and their designees in consultation with the members of the college community are charged to monitor policies which define the role and mission of the college. Of necessity, actions which materially and substantially affect or impede the ability of the college to implement its role and mission concern them. When actions of a faculty member appear to interfere materially and substantially with the ability of the college to implement its role and mission, the provost, with authority designated to him or her from the president and the trustees, may initiate procedures which could result in the mid-contract termination of the faculty member or in some lesser sanction. It is not possible to make an exhaustive listing of the actions or conduct which might materially and substantially interfere with the implementation of the role and mission of the college. However, three classes of action or conduct are likely to trigger the hearing procedures of this policy. Those three classes are as follows:

(a) Unfitness of the faculty member to continue in their professional capacities at the institution.

(b) Serious violation of the published standards to which the college holds all faculty as set forth in the *Faculty Handbook*, as amended, and of the published institutional rules, particularly in the social contract, the sexual harassment policy, the human subjects review policy, and the faculty reappointment policy. Such serious violations include but are not limited to the following:

(i) Presenting the work of another as one's own;

(ii) Discrimination in the awarding of credit on the basis of race, sex, national origin, religious or political belief, marital status, sexual preference, age, handicap, or Vietnam era or disabled veteran status (see *Faculty Handbook*, Social Contract 3.100, p. 3 and Affirmative Action Policy 3.300);

(iii) Making or denying awards of credit or contents of evaluations of students or colleagues dependent on sexual favors (see *Faculty Handbook*, Sexual Harassment Policy 3,500, p. 1);

(iv) Serious violation of the "informed consent" provisions of the use of human subjects policy (see *Faculty Handbook* 7.700, p. 1);

(v) Flagrant neglect of one's responsibility to submit student evaluations in a timely manner.

(c) Illegal acts which seriously affect the faculty member's ability to carry out his/her professional work at the institution or the college's ability to carry out its role and mission. The college shall not initiate termination procedures solely on the grounds that a faculty member has been convicted, on or off campus, of violation of a state or federal law. However, violation by a member of the faculty of a criminal law is a legitimate interest of the college and shall constitute grounds for initiating termination procedures when the violation seriously affects the ability of the faculty member or college to carry out their professional or institutional roles. In the case where college proceedings determine a violation by a member of the faculty, on or off the campus, the college may consider, but is not bound by, any action taken in regard to the conviction by city, state, or federal courts. Neither dismissal nor lesser sanctions shall be used to restrain faculty members in their exercise of academic freedom or other rights of American citizens.

These rights exist in equal measure for each member of the faculty regardless of type of contract or acceptability of views or opinions advocated.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-122-010, filed 1/26/90, effective 2/26/90.]

WAC 174-122-020 Informal procedures. (1) Conciliation. When the provost has received information suggesting that a faculty member has taken action(s) which are grounds for termination, she/he shall attempt to reach a mutual settlement of the matter through discussion with the faculty member and other appropriate persons of either party's choosing who might contribute to a mutual settlement. If the origins of the alleged conduct appear to be due to developing physical or mental incapacities, appropriate responses involving sick leave or medical help should be explored.

If a mutual settlement cannot be reached, the provost may request an informal hearing (pursuant to RCW 34.05.413) before a faculty inquiry committee. If the provost wants such a hearing, the provost shall issue a statement of charges and simultaneously request the president to constitute a faculty inquiry committee.

(2) Statement of charges. Upon deciding that efforts at mutual settlement between his/her office and the faculty member are futile, the provost may issue a statement of charges. This statement shall specify the standards of performance and conduct which the faculty member has allegedly violated, referencing the particular institutional rules involved, and shall describe the alleged violation. If the matters cannot be stated in detail at the time the statement of charges is served, the initial statement of charges may be limited to a statement of the issues involved. Thereafter, upon request of the faculty inquiry committee or the hearing officer, a more explicit and detailed statement of charges shall be furnished by the provost.

The statement of charges shall be served personally on the faculty member.

(3) Faculty inquiry committee. A pool of twenty-five faculty members who have taught at least three years at The Evergreen State College shall be appointed by the faculty agenda committee at the beginning of each academic year and confirmed by the faculty in its first meeting each academic year to serve on faculty inquiry committees for that year. Upon the request of the provost, simultaneous with the issuance of a statement of charges, the president shall choose five members of this pool to serve on such a committee. (As far as is possible, a faculty member shall not be asked to serve on more than one such committee each year.) Members deeming themselves disqualified for bias or interest, shall remove themselves from the committee. Both the faculty member involved in the issue and the provost shall have a maximum of two challenges without stated cause and additional challenges for cause satisfactory to the faculty agenda committee. It is the responsibility of the chair of the faculty to facilitate the constitution of a full committee in a reasonable time period which should not exceed eight working days from receipt of the request from the provost for a committee.

(4) Informal conciliation and hearings. The faculty inquiry committee shall attempt to reach a satisfactory resolution of the matter through conciliation.

(a) Serving a statement of charges initiates an informal "brief adjudicative proceeding," and procedures contained in the Administrative Procedure Act governing such cases shall apply (RCW 34.05.482). Statements, testimony, and all other evidence given at an informal proceeding shall be confidential and shall not be subject to discovery or released to anyone unless required by law or otherwise specified in this policy.

(b) The committee's work is intended to be an informal process and certainly not a trial. The committee's procedures may well include direct discussion between the parties involved concerning the alleged misconduct.

(c) Both the faculty member and the provost have the right to secure legal counsel, and their attorneys may accompany them to meetings with the faculty inquiry committee. However, because the likelihood of informal resolution is greatly enhanced if only the key players are present and seldom enhanced by the presence of legal authorities, attorneys, if present, may not speak at these meetings except to the party they represent in order to provide the party advice. Should the faculty member obtain legal counsel, payment of all attorney fees shall be the responsibility of the faculty member.

(d) If satisfactory resolution is attained through the faculty inquiry committee's work, there shall be no further action. Such informal resolution may include the sanctions defined in this policy in WAC 174-122-030(5) titled "Findings of fact, decisions, and sanctions" or other sanctions but no sanctions shall be part of the resolution unless they have been agreed to by the faculty member.

(e) If the informal hearings result in a sanction, the provost's letter explaining the charge and the sanctions shall be included in the faculty member's portfolio. If the informal hearings result in a mutually satisfactory settlement without sanctions, a brief statement written by the faculty inquiry committee describing the issue in dispute and the resolution achieved shall, at the request of the faculty member, be included in the faculty member's portfolio required by the college's reappointment policy.

(5) Moving to a formal hearing. (A formal hearing herein embraces an "adjudicative proceeding" as provided in RCW 34.05.010(1).)

(a) Failing to reach a mutual settlement through informal conciliation procedures, the faculty inquiry committee may recommend to the provost whether or not a formal hearing as set forth below should be undertaken. If its recommendation is that no formal hearing be held, and if the provost agrees with this recommendation, there shall be no further proceedings. If the recommendation is for a formal hearing, and if the provost agrees, the formal hearing procedures described below shall be instituted.

(b) If the provost does not agree with the faculty inquiry committee's recommendations, she/he shall discuss the recommendations with the committee before deciding whether to hold a formal hearing.

(c) If the provost decides to hold a formal hearing, she/he shall promptly notify the faculty member, the faculty inquiry committee and the president, and this notice shall be accompanied by a statement of charges.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-122-020, filed 1/26/90, effective 2/26/90.]

WAC 174-122-030 Formal hearing procedures. (1) Hearing by an administrative law judge. The hearing shall be conducted by and the case heard by an administrative law judge. The college will pay all of the costs/fees of the administrative law judge. It shall be the judge's decision whether the faculty member has violated the college's standards of performance and conduct such as to warrant sanction and her/his decision as to what sanction(s) to impose. The standard of judgment shall be that of clear and convincing proof. The severity of sanctions imposed shall correspond to the seriousness of the violation(s) established in the hearing.

Upon receiving a request for a formal hearing from the provost, the president shall promptly initiate procedures for the appointment of an administrative law judge to the case.

(2) Notice of hearing. Notice of hearing with specific charges in writing shall be served by the administrative law judge on the faculty member and on the provost not less than twenty days prior to the hearing. Upon request, the faculty member shall be granted one additional ten-day period in which to prepare a defense. The notice shall include the following, and comply with RCW 34.05.434:

(a) A statement of the time, place, and nature of the hearing.

(b) A statement that the hearing is to be conducted under the authority of the Administrative Procedure Act of the state of Washington, chapter 34.05 RCW, the statutes pertaining to the powers and authority of The Evergreen State College, and college rules.

(c) A statement of the specific standards of performance and conduct, as they appear in this policy and the Faculty Handbook which the faculty member has allegedly violated.

(d) A short and plain statement of the matters asserted. If the matters cannot be stated in detail at the time the statement is served, the initial statement may be limited to a statement of the issues involved. Thereafter, upon request, a more definite and detailed statement shall be furnished.

(3) Faculty member response to hearing notice. The faculty member may waive his/her right to a formal hearing. The faculty member must waive this right in writing to the president no more than seven days after receipt of the notice of hearing.

After receipt of a waiver, the provost shall consult with the faculty inquiry committee about the sanction(s) he or she intends to impose on the faculty member. The provost shall also consult with this committee in preparing a statement which:

(a) Specifies the standards of performance and conduct which the faculty member has violated, referencing the particular institutional rules involved;

(b) Describes the violation(s); and

(c) Reports the sanction(s) imposed. This statement shall be included in the faculty member's portfolio.

(4) Conduct of the formal hearing.

(a) The hearing officer may, with the consent of the parties concerned, hold joint prehearing meetings with the parties concerned in order to:

(i) Clarify the issues;

(ii) Effect stipulations of facts;

(iii) Provide for the exchange of documentary or other information; and

(iv) Achieve such other appropriate prehearing objectives as will make the hearing fair, effective, and expeditious.

(b) The hearing shall be conducted with as much dispatch as possible while recognizing the need for the parties to have sufficient opportunity to prepare their cases. Normally, hearings should not exceed sixty days after the faculty member has received a statement of charges.

(c) The hearing is open to public observation, pursuant to RCW 34.05.449(5) with exceptions therein.

(d) During the proceedings both parties shall have the right to have the advice and presence of any third party including legal counsel, at their own expense.

(e) A hearing record, which shall be a verbatim type-written transcript and/or a tape, and exhibits and other material used during the hearing shall be maintained at the expense of the institution. A taped record, if made, and exhibits and other material used during the hearing shall be made available on request to the faculty member, the hearing officer, and the institution on an equitable basis.

(f) The hearing officer shall grant postponements to enable either party to investigate evidence concerning which a valid claim of surprise is made. She/he may grant postponements whenever in her/his judgment such postponement will contribute to her/his deliberations.

(g) The contesting parties in the case shall be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration of the institution and the administrative law judge shall, insofar as it is possible for it to do so, secure the cooperation of such witnesses and make available necessary documents and other evidence within its control.

(h) The faculty member and representatives of the institution shall have the right to confront and cross-examine all witnesses. Subpoena power may be exercised in accordance with RCW 34.05.446.

(i) The hearing officer shall not be bound by strict rules of legal evidence but shall consider all evidence that is of probative value in determining the issues involved (RCW 34.05.452).

(j) Except for such simple announcements as may be required covering the time of the hearing and similar matters, public statements and publicity about the case by the faculty member, administrative officers of the institution, or other participants in the formal hearing shall be avoided as far as possible, until the proceedings have been completed.

(5) Findings of fact, decisions, and sanctions.

(a) The burden of proof that the faculty member has violated the standards of performance and conduct as defined in this policy rests with the institution and shall be satisfied only by clear and convincing evidence in the record considered as a whole.

(b) The findings of fact and the decision shall be based solely on the hearing record.

(c) Sanctions shall be imposed only for adequate cause. Adequate cause must be related, directly and substantially, to the standards of performance and conduct for faculty members as defined in this policy. Sanctions or the threat thereof shall not be used to restrain faculty members in their exercise of academic freedom or other rights.

(d) The sanctions available once adequate cause is established are limited to one of the following:

(i) A written reprimand from the provost which specifies the standards of performance and conduct which the faculty member has violated and describes the violation shortly and plainly. This reprimand shall be included in the faculty member's portfolio required in the college's reappointment policy;

(ii) Suspension - any one of, or combination of, the following:

(A) Temporary release of a faculty member from assigned responsibilities;

(B) Reduction of assigned responsibilities;

(C) Reduction or suspension of pay;

(D) Suspension of an opportunity for a salary increase;

or

(E) Denial or postponement of an opportunity for professional leave;

(iii) Dismissal - termination, for adequate cause, of the employment of any faculty member before the end of the specified term of contract.

(A) The president, provost, and the faculty member shall be notified in writing of the hearing officer's findings of fact, conclusions as to the alleged violation, decision as to sanctions, and supporting arguments within thirty days of the completion of the hearing. The conclusions as to guilt and the decision as to sanctions, made by the hearing officer, are binding on the college. This report by the hearing officer concludes the proceedings.

(B) If the hearing officer concludes that adequate cause for sanction has not been established, a statement clearing the faculty member will be prepared by the hearing officer, countersigned by the provost, and given to the faculty member. It is the decision of the faculty member whether to include the hearing officer's record in his/her portfolio required by the college's reappointment policy.

If the hearing officer concludes that adequate cause for sanction has been established, the provost shall impose the sanctions decided upon by the hearing officer, and the hearing officer's findings shall be included in the faculty member's portfolio required by the college's reappointment policy.

(C) In the event of dismissal for adequate cause, the hearing officer shall decide after consideration of the provost's suggestions, the dismissal date and compensation, if any, to be paid. The hearing officer's decisions are binding on the college and shall be implemented by the provost.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-122-030, filed 1/26/90, effective 2/26/90.]

WAC 174-122-040 Summary suspension. (1) Summary suspension is the responsibility of the provost. She/he shall suspend a faculty member or assign him/her to other duties in lieu of suspension only if immediate harm to the faculty member or others of the campus community is threatened. Salary shall continue during such summary suspensions.

(2) The notice of summary suspension shall be served on the faculty member in person. The notice shall indicate that the suspension is for an emergency purpose in accor-

dance with this policy. If personal service is not feasible, the notice shall be sent by certified mail. If there is to be a restriction on the faculty member's privilege to be present on college property, the faculty member shall be notified of that constraint, such notice not necessarily to be simultaneous with the notice of summary suspension.

(3) In all such emergency cases, the faculty member is thereafter entitled to the same due process as provided in this policy. There shall be the same need for a statement of charges, with the provost as the initiating party. Informal procedures to be conducted by the faculty inquiry committee shall begin within five working days from a summary suspension. The faculty member has the right to waive the informal procedures and to request a formal hearing.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-122-040, filed 1/26/90, effective 2/26/90.]

Chapter 174-130 WAC TUITION AND FEES

WAC

174-130-010 Tuition and fee schedules.
174-130-020 Location of schedules.

WAC 174-130-010 Tuition and fee schedules. Authority. Chapter 28B.15 RCW sets the parameters for tuition and fee levels at state colleges and universities. The legislature then establishes current biennium tuition and fee rates. Based on this legislation, the specific amounts to be charged are transmitted to The Evergreen State College by the higher education coordinating board.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-130-010, filed 1/26/90, effective 2/26/90.]

WAC 174-130-020 Location of schedules. Additional and detailed information and specific amounts to be charged for each of five categories of students (resident undergraduates, resident graduates, nonresident undergraduates, nonresident graduates, and veterans of Southeast Asia) will be found in the college catalog and in the following locations on The Evergreen State College campus:

- (1) The office of admissions;
- (2) The registration and records office;
- (3) The dean of enrollment services office;
- (4) The controller's office.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-130-020, filed 1/26/90, effective 2/26/90.]

Chapter 174-131 WAC SCHOLARSHIPS

WAC

174-131-010 Scholarships.

WAC 174-131-010 Scholarships. Detailed information concerning the criteria, eligibility, procedures for application, and other information regarding scholarships at The Evergreen State College is located in the office of the dean of enrollment services on The Evergreen State College campus.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-131-010, filed 1/26/90, effective 2/26/90.]

Chapter 174-132 WAC FINANCIAL AID

WAC

174-132-010 Financial aid.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 174-132-020 Acquisition of information processing resources. [Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-020, filed 12/19/88.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-132-030 Information processing plan. [Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-030, filed 12/19/88.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-132-040 Security plan. [Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-040, filed 12/19/88.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-132-050 Academic computing. [Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-050, filed 12/19/88.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-132-060 General policies. [Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-060, filed 12/19/88.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-132-070 Privacy. [Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-070, filed 12/19/88.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-132-080 Abuse of college computing resources. [Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-080, filed 12/19/88.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-132-090 Copying of software. [Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-090, filed 12/19/88.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-132-100 Account usage and lifetimes. [Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-100, filed 12/19/88.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-132-110 Administrative computing. [Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-110, filed 12/19/88.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-132-120 Requests for services. [Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-120, filed 12/19/88.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.

WAC 174-132-010 Financial aid. Federal, state, and private financial aid applications and information may be obtained at the following address:

Office of Financial Aid
The Evergreen State College
Olympia, WA 98505

Award of federal and state aid will be made in accordance with applicable federal and state laws and regulations.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-132-010, filed 1/26/90, effective 2/26/90. Statutory Authority: RCW 28B.40.120(12). 89-01-063 (Order 88-4, Resolution No. 88-41), § 174-132-010, filed 12/19/88.]

Chapter 174-133 WAC ORGANIZATION

WAC

174-133-010 Description of organization—Purpose.
174-133-020 Organization—Operation—Information.

WAC 174-133-010 Description of organization—Purpose. The purpose of this chapter is to establish rules implementing RCW 34.05.220 (1)(b) and 42.17.250 (1)(a) and (b).

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-133-010, filed 1/26/90, effective 2/26/90.]

WAC 174-133-020 Organization—Operation—Information. (1) **Organization.** The Evergreen State College is established in Title 28B RCW as a public institution of higher education. The institution is governed by a seven-member board of trustees appointed by the governor. The board normally meets once per calendar month. The meeting schedule is published in the Washington State Register maintained by the code reviser's office. The board establishes such divisions and units necessary to carry out the purpose of the college, provides the necessary property, facilities and equipment and promulgates such rules, regulations, and policies as are necessary to the administration of the college. The board employs a president and has delegated to the president the authority to employ members of the faculty and other employees. The president acts as the chief executive officer of the institution and establishes the structure of the administration.

(2) **Location.** The Evergreen State College is located on a campus in Thurston County, near the city of Olympia, Washington.

(3) **Operation.** The administrative office of the Evergreen State College is at the following address:

The Evergreen State College Campus
Olympia, WA 98505

The office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Educational operations are also located at the following addresses:

The Evergreen State College Campus
Olympia, WA 98505

TESC Tacoma Campus
1202 South K Street
Tacoma, WA 98405

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

Office of Admissions
The Evergreen State College Campus
Olympia, WA 98505

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-133-020, filed 1/26/90, effective 2/26/90.]

Chapter 174-135 WAC
BRIEF ADJUDICATIVE PROCEEDING

WAC

174-135-010 Brief adjudicative proceeding.

WAC 174-135-010 Brief adjudicative proceeding.

This rule is adopted in accordance with RCW 34.05.482 through 34.05.494, the provisions of which are hereby adopted. Brief adjudicative proceedings shall be used in all matters related to:

- (1) Residency determinations made pursuant to RCW 28B.15.013;
- (2) Appeals from traffic and parking violations;
- (3) Challenges to contents of education records; and
- (4) Financial aid appeals to the extent permitted by federal law.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-135-010, filed 1/26/90, effective 2/26/90.]

Chapter 174-136 WAC
USE OF COLLEGE FACILITIES

WAC

174-136-040 Habitating in unauthorized places—Prohibition.
174-136-042 Habitating in unauthorized places—Penalties for violation.

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

- 174-136-010 General policy. [Order 74-2, § 174-136-010, filed 5/24/74; Order 72-1, § 174-136-010, filed 5/5/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-011 Limitations. [Statutory Authority: RCW 28B.40.120(11). 79-01-020 (Order 78-4, Motion 78-54), § 174-136-011, filed 12/15/78; Order 74-2, § 174-136-011, filed 5/24/74.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-012 Sponsoring and broad policy. [Order 74-2, § 174-136-012, filed 5/24/74.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-013 Scheduling and reservation priorities. [Order 74-2, § 174-136-013, filed 5/24/74.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-014 Facilities assignment and scheduling responsibility. [Order 74-2, § 174-136-014, filed 5/24/74.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-015 Procedures for securing permission and reservations. [Statutory Authority: RCW 28B.40.120(11). 83-05-034 (Order 83-1, Resolution No. 83-1), § 174-136-015, filed 2/10/83; 79-01-020 (Order 78-4, Motion 78-54), § 174-136-015, filed 12/15/78; Order 74-2, § 174-136-015, filed 5/24/74.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.

- 174-136-016 Scheduling and procedures. [Statutory Authority: RCW 28B.40.120(11). 83-05-034 (Order 83-1, Resolution No. 83-1), § 174-136-016, filed 2/10/83; 79-01-020 (Order 78-4, Motion 78-54), § 174-136-016, filed 12/15/78; Order 74-2, § 174-136-016, filed 5/24/74.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-017 Other requirements. [Statutory Authority: RCW 28B.40.120(11). 79-01-020 (Order 78-4, Motion 78-54), § 174-136-017, filed 12/15/78; Order 74-2, § 174-136-017, filed 5/24/74.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-018 Audio and visual recording. [Statutory Authority: RCW 28B.40.120(11). 83-05-034 (Order 83-1, Resolution No. 83-1), § 174-136-018, filed 2/10/83; 79-01-020 (Order 78-4, Motion 78-54), § 174-136-018, filed 12/15/78; Order 74-2, § 174-136-018, filed 5/24/74.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-019 Activities for commercial purposes. [Statutory Authority: RCW 28B.40.120(11). 83-05-034 (Order 83-1, Resolution No. 83-1), § 174-136-019, filed 2/10/83; 79-01-020 (Order 78-4, Motion 78-54), § 174-136-019, filed 12/15/78; Order 74-2, § 174-136-019, filed 5/24/74.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-020 Policy implementation. [Order 72-1, § 174-136-020, filed 5/5/72.] Repealed by Order 75-4, filed 8/12/75.
- 174-136-02001 Revenues. [Order 74-2, § 174-136-02001, filed 5/24/74.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-021 Conferences and conventions. [Statutory Authority: RCW 28B.40.120(11). 79-01-020 (Order 78-4, Motion 78-54), § 174-136-021, filed 12/15/78; Order 74-2, § 174-136-021, filed 5/24/74.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-022 Penalties for violations of commercial activities regulations. [Statutory Authority: RCW 28B.40.120(11). 79-01-020 (Order 78-4, Motion 78-54), § 174-136-022, filed 12/15/78; Order 74-2, § 174-136-022, filed 5/24/74.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-060 Access and use of library resources. [Statutory Authority: RCW 28B.40.120(12). 89-01-064 (Order 88-5, Resolution No. 88-43), § 174-136-060, filed 12/19/88; Order 72-2, § 174-136-060, filed 6/16/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-070 Priority. [Order 72-2, § 174-136-070, filed 6/16/72.] Repealed by 89-01-064 (Order 88-5, Resolution No. 88-43), filed 12/19/88. Statutory Authority: RCW 28B.40.120(12).
- 174-136-080 Loan periods and fines. [Statutory Authority: RCW 28B.40.120(12). 89-01-064 (Order 88-5, Resolution No. 88-43), § 174-136-080, filed 12/19/88; Order 72-2, § 174-136-080, filed 6/16/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-090 Lost and damaged library resources. [Statutory Authority: RCW 28B.40.120(12). 89-01-064 (Order 88-5, Resolution No. 88-43), § 174-136-090, filed 12/19/88; Order 72-2, § 174-136-090, filed 6/16/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-100 Reserve. [Statutory Authority: RCW 28B.40.120(12). 89-01-064 (Order 88-5, Resolution No. 88-43), § 174-136-100, filed 12/19/88; Order 72-2, § 174-136-100, filed 6/16/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-110 Charging out library resources. [Statutory Authority: RCW 28B.40.120(12). 89-01-064 (Order 88-5, Resolution No. 88-43), § 174-136-110, filed 12/19/88; Order 72-2, § 174-136-110, filed 6/16/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.

- 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-120 Interlibrary loan. [Statutory Authority: RCW 28B.40.120(12). 89-01-064 (Order 88-5, Resolution No. 88-43), § 174-136-120, filed 12/19/88; Order 72-2, § 174-136-120, filed 6/16/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-130 Circulation records. [Statutory Authority: RCW 28B.40.120(11). 81-12-019 (Order 81-1, Motion No. 81-14), § 174-136-130, filed 6/1/81.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-140 Selection of resources and services. [Statutory Authority: RCW 28B.40.120(11). 81-12-019 (Order 81-1, Motion No. 81-14), § 174-136-140, filed 6/1/81.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-160 When smoking is permitted. [Order 72-8, § 174-136-160, filed 10/27/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-170 When smoking is not permitted. [Order 72-8, § 174-136-170, filed 10/27/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-210 Policy. [Order 72-9, § 174-136-210, filed 10/27/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-220 Hearing board. [Order 72-9, § 174-136-220, filed 10/27/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-230 Discrimination. [Order 72-9, § 174-136-230, filed 10/27/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-240 Protests. [Order 72-9, § 174-136-240, filed 10/27/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-250 Requests from employers. [Order 72-9, § 174-136-250, filed 10/27/72.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-300 Pet policy—Purpose. [Statutory Authority: RCW 28B.40.120(12). 88-17-071 (Order 88-2, Motion No. 88-26), § 174-136-300, filed 8/18/88.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-310 Pet policy—Definitions. [Statutory Authority: RCW 28B.40.120(12). 88-17-071 (Order 88-2, Motion No. 88-26), § 174-136-310, filed 8/18/88.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-320 Pet policy—Animal control. [Statutory Authority: RCW 28B.40.120(12). 88-17-071 (Order 88-2, Motion No. 88-26), § 174-136-320, filed 8/18/88.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
- 174-136-330 Pet policy—Enforcement. [Statutory Authority: RCW 28B.40.120(12). 88-17-071 (Order 88-2, Motion No. 88-26), § 174-136-330, filed 8/18/88.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.

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

- (1) The facilities provided for such specific purpose by the college housing operation;
- (2) The fire station, and the permanent domiciles located on the college's "organic farm," on the extension of Indian

Rock Road, and on the leased property at the Nisqually River delta;

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

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

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

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

Chapter 174-140 WAC

STATE ENVIRONMENTAL POLICY ACT RULES

WAC

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

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

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

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

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

WAC 174-140-200 State Environmental Policy Act compliance. It is the policy of The Evergreen State College that capital projects proposed to be developed by the college and other similar type activities shall be accomplished in compliance with chapter 43.21C RCW, the State Environmental Policy Act (SEPA) and in accordance with chapter

197-10 WAC, guidelines for State Environmental Policy Act implementation.

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

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

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

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

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

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

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

WAC 174-140-240 Emergency procedures. If an emergency action is to be undertaken as described in WAC 197-10-180, the person responsible for the action shall, if at all possible, consult with the chairman of the environmental advisory committee in advance when calling a meeting of the full committee does not appear to be practicable. The chairman may recommend proceeding with the action, recommend alternatives, or recommend delay, pending a meeting of the full committee.

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

Chapter 174-162 WAC

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

WAC

174-162-050	Withholding information.
174-162-300	Collection and appeal.
174-162-305	Emergency loans collections policy.
174-162-310	Withholding degrees and transcripts.
174-162-320	Credit balances in student accounts.
174-162-330	Exit interviews.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

174-162-010	General policy. [Order 76-4, § 174-162-010, filed 7/22/76.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
174-162-015	Definitions. [Order 76-4, § 174-162-015, filed 7/22/76.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
174-162-020	Disclosure to the student. [Order 76-4, § 174-162-020, filed 7/22/76.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
174-162-025	Requests and appeal procedures. [Order 76-4, § 174-162-025, filed 7/22/76.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
174-162-030	Release of personally-identifiable records. [Order 76-4, § 174-162-030, filed 7/22/76.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
174-162-035	College records. [Order 76-4, § 174-162-035, filed 7/22/76.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
174-162-040	Release of publicity information. [Order 76-4, § 174-162-040, filed 7/22/76.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.
174-162-045	Notice of rights. [Order 76-4, § 174-162-045, filed 7/22/76.] Repealed by 90-04-011, filed 1/26/90, effective 2/26/90. Statutory Authority: Chapter 34.05 RCW.

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

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

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

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

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

assessing the charge(s) in question. The budgetary unit head receiving the appeal must respond to the appeal within ten days of the date of the appeal. If the appeal is denied and the student has not resolved his or her financial obligation to the college within ten days after the response to the appeal, the college may take the action authorized by WAC 174-162-310. If the student is still in disagreement with the decision, he or she may initiate COG mediation procedures as long as those actions are started within ten days after the response to the appeal.

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

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

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

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

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

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

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

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

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

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

WAC 174-162-320 Credit balances in student accounts. Students are expected to pay all accounts prompt-

ly when due. Account credit balances resulting from nonrefundable deposits, financial aid awards, and other overpayments may be offset against any outstanding charges due the college in the order of established priority guidelines.

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

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

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

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

Chapter 174-168 WAC LIBRARY CIRCULATION POLICY

WAC

174-168-010	Access and use of library resources.
174-168-020	Loan periods and fines.
174-168-030	Lost and damaged library resources.
174-168-040	Reserve.
174-168-050	Charging out library resources.
174-168-060	Interlibrary loan.
174-168-070	Circulation records.
174-168-080	Selection of resources and services.

WAC 174-168-010 Access and use of library resources. Any person has access to the public areas of the library. Library resources (except those noted below) may be borrowed by members of the Evergreen community with a valid Evergreen State College identification card, and by members of the local community who have suitable identification (e.g., driver's license).

[Statutory Authority: Chapter 34.05 RCW. 90-13-028, § 174-168-010, filed 6/12/90, effective 7/13/90.]

WAC 174-168-020 Loan periods and fines. (1) General use library resources (print and nonprint).

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

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

(2) Limited use library resources.

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

(b) Slides are checked out for showings only.

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

(d) Media services resources.

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

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

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

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

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

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

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

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

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

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

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

(3) Borrowers who repeatedly ignore the rights of other borrowers or abuse the responsibilities inherent in sharing library resources with the rest of the Evergreen community,

shall be denied the privilege of borrowing those resources for the remainder of the quarter.

[Statutory Authority: Chapter 34.05 RCW. 90-13-028, § 174-168-020, filed 6/12/90, effective 7/13/90.]

WAC 174-168-030 Lost and damaged library resources. (1) The borrower is responsible for loss.

(2) The borrower is responsible for damage.

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

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

[Statutory Authority: Chapter 34.05 RCW. 90-13-028, § 174-168-030, filed 6/12/90, effective 7/13/90.]

WAC 174-168-040 Reserve. Materials on reserve will be found at the circulation desk.

[Statutory Authority: Chapter 34.05 RCW. 90-13-028, § 174-168-040, filed 6/12/90, effective 7/13/90.]

WAC 174-168-050 Charging out library resources. Resources are charged out at the main circulation desk, at the media loan desk, and at other appropriate locations in the library.

[Statutory Authority: Chapter 34.05 RCW. 90-13-028, § 174-168-050, filed 6/12/90, effective 7/13/90.]

WAC 174-168-060 Interlibrary loan. The library will attempt to obtain resources from wherever available. Interlibrary loan services are maintained by the reference services.

[Statutory Authority: Chapter 34.05 RCW. 90-13-028, § 174-168-060, filed 6/12/90, effective 7/13/90.]

WAC 174-168-070 Circulation records. In order to prevent an unreasonable invasion of personal privacy (including but not limited to RCW 42.17.260 and 42.17.310) all records relating to the registration of patrons and their requests for use and subsequent circulation of materials by The Evergreen State College library are hereby deemed confidential, regardless of the source of inquiry or request for information.

[Statutory Authority: Chapter 34.05 RCW. 90-13-028, § 174-168-070, filed 6/12/90, effective 7/13/90.]

WAC 174-168-080 Selection of resources and services. It is the policy of The Evergreen State College to select for its library the best and most suitable library materials, library equipment, and library services. The college expressly rejects any form of selection based on censorship of materials or prejudicial considerations based upon race, religion, sex, national origin, or political view point.

[Statutory Authority: Chapter 34.05 RCW. 90-13-028, § 174-168-080, filed 6/12/90, effective 7/13/90.]

Chapter 174-276 WAC
PUBLIC RECORDS

WAC

174-276-010	Definition of public record.
174-276-020	General course and method of decision making.
174-276-030	Informal procedures regarding the general course and methods of decision.
174-276-040	Designation of public records officers.
174-276-050	Availability for public inspection and copying of public records.
174-276-060	Requests for public records.
174-276-070	Charges for copying.
174-276-080	Determination regarding exempt records.
174-276-090	Review of denials for public records requests.
174-276-100	Form—Request for public records.
174-276-110	Form—Public records request for copies.
174-276-120	Form—Request for review—Public records request.

WAC 174-276-010 Definition of public record. A public record includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by The Evergreen State College, regardless of the physical form or characteristics; provided, however, that in accordance with RCW 42.17.310, the following personal and other records are exempt from the definition of public record: (1) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, welfare recipients, prisoners, probationers or parolees.

(2) Personal information in files maintained for employees, appointees or elected officials or any public agency to the extent that disclosure would violate their right to privacy.

(3) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would violate the taxpayer's right to privacy or would result in unfair competitive disadvantage to such taxpayer.

(4) Specific intelligence information and specific investigative files compiled by investigative, law enforcement and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(5) Information revealing the identity of persons who file complaints with investigative, law enforcement or penology agencies, except as the complainant may authorize.

(6) Test questions, scoring keys, and other examination data used to administer a license, employment or academic examination.

(7) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition of property, until the project is abandoned or until such time as all of the property has been acquired, but in no event shall disclosure be denied for more than three years after the appraisal.

(8) Valuable formulae, designs, drawings and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.

(9) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed

or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(10) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital government interest, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-276-010, filed 1/26/90, effective 2/26/90.]

WAC 174-276-020 General course and method of decision making. (1) The formal procedures for decision making at the college are governed by the board of trustees through rules promulgated by it in accordance with the requirements of chapter 34.05 RCW, the Administrative Procedure Act (APA). Accordingly, all rules, orders or directives, or regulations of the college which affect the relationship of particular segments of the college, such as students, faculty, or other employees, with the college or with each other, (a) the violation of which subjects the person to a penalty or administrative sanction; or

(b) Which establishes, alters, or revokes any procedures, practice, or requirement relating to institutional hearings; or

(c) Which establishes, alters or revokes any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law;

Are implemented through the procedures of the APA and appear in Title 174 WAC. However, in accordance with RCW 34.05.010(15), the college reserves the right to promulgate as internal rules not created or implemented in accordance with the APA, the following: Rules, regulations, orders, statements, or policies relating primarily to the following: Standards for admissions; academic advancement, academic credits, graduation and the granting of degrees; tuition and fees, scholarships, financial aids, and similar academic matters; employment relationships, fiscal processes; or matters concerning only the internal management of an institution and not affecting private rights or procedures available to the general public; and such matters need not be established by rule adopted under APA unless otherwise required by law. Internal rules and regulations are set forth in the colleges published catalogs, the Policies and Procedures Manual, and the Faculty Handbook.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-276-020, filed 1/26/90, effective 2/26/90.]

WAC 174-276-030 Informal procedures regarding the general course and methods of decision. Informal procedures regarding the methods and general course of operations at the college are, for the purposes of these rules, either:

(1) Decisions made by persons authorized by board resolution, the president, or any designee to make a decision within the scope of responsibility assigned to such person; or

(2) Methods of human persuasion utilized by any member of the college's constituencies or of the public to attempt to influence one in power to make decisions within that person's scope of responsibility.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-276-030, filed 1/26/90, effective 2/26/90.]

WAC 174-276-040 Designation of public records officers. (1) In accordance with the requirements of chapter 42.17 RCW, insofar as such chapter requires state agencies to adopt and enforce reasonable rules and regulations to provide full public access to official records while yet protecting the same from damage and to prevent excessive interference with essentials of the agency, all public records at the college shall be in the charge of persons holding positions as records officers.

(2) Overall responsibility for coordinating responses to requests for examination of public records shall be the responsibility of the person known as the "public records officer." The person holding such position will be headquartered in the Daniel J. Evans Library Building of the college; his or her exact location and name may be determined by inquiry at the office of the president of the college. The public records officer shall also be responsible for compiling and maintaining the index required by chapter 42.17 RCW.

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

- (a) Office of the president;
- (b) Office of the vice-president and provost;
- (c) Office of the vice-president for finance and administration;
- (d) Office of the vice-president for college advancement.

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

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

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-276-040, filed 1/26/90, effective 2/26/90.]

WAC 174-276-050 Availability for public inspection and copying of public records. Public records shall be available for inspection and copying during the customary office hours of the college. For the purposes of this chapter, the customary office hours shall be from 9 a.m. to noon and from 1 p.m. to 4 p.m., Monday through Friday, excluding legal holidays, unless the person making the request and the college, acting through the public records officer or a records custodian, agree on a different time.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-276-050, filed 1/26/90, effective 2/26/90.]

WAC 174-276-060 Requests for public records. In accordance with the 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 are only obtainable by members of the public when those members of the public comply with the following procedures:

(1) A request shall be made in writing upon a form which shall be available at the office of the public records officer and shall be presented to the public records officer or any other of the persons designated by this chapter as a custodian of certain college records, per WAC 174-276-040. Such request shall include the following:

- (a) The name of the person requesting the record.
- (b) The time of day and calendar date on which the request was made.
- (c) If the matter requested is referenced within the current index maintained by the college records officer, a reference to the requested record as it is described in such index.

(d) If the requested matter is not identifiable by reference to the college records current index, a statement that succinctly describes the record requested.

(e) A verification that the records requested shall not be used to compile a commercial sales list.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the college person to whom the request is being made to assist the member of the public in succinctly identifying the public record requested.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-276-060, filed 1/26/90, effective 2/26/90.]

WAC 174-276-070 Charges for copying. (1) No fee shall be charged for inspection of public records. The college may impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy public records; such charges shall not exceed the amount necessary to reimburse the college for its actual costs incident to such copying.

(2) No person shall be released a record which has been copied by photostatic process until and unless the person requesting the copied public record has tendered payment for such copying to the records official from whom the public record was obtained, or to any person designated by such records official.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-276-070, filed 1/26/90, effective 2/26/90.]

WAC 174-276-080 Determination regarding exempt records. (1) The college reserves the right to determine that a public record requested in accordance with the procedures of this chapter is exempt under the provisions of RCW 42.17.310. Such determination may be made in consultation with any of the records officers of the college, president of the college, or an assistant attorney general assigned to the college.

(2) Responses to requests for records must be made promptly. For the purpose of these rules, a prompt response occurs if the person requesting the public record is notified

within one business day as to whether his request for a public record will be honored.

(3) No denial of a request for public records shall be valid unless accompanied by a written statement, signed by the public records officer or his designee, specifying the specific reasons therefor.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-276-080, filed 1/26/90, effective 2/26/90.]

WAC 174-276-090 Review of denials for public records requests. (1) Any person who objects to the denial of a request for a public record shall petition for prompt review of such decision by tendering a written request for a review of such denial. Such written request by a person demanding prompt review shall specifically reference the written statement by the college denying that person's request for a public record.

(2) Within two business days after receiving the written request by a person petitioning for prompt review of a decision denying a public record, the president of the college or any of his designees, which for the purposes of this section may include the public records officer or the records custodians, shall consider such petition.

(3) During the course of the two business days in which the president or his designee reviews the decision of the public records officer denying the request for a public record, the president or his designee may conduct an informal hearing. During the course of such informal hearing, the president or his designee may require that the person requesting the public record appear in person at a reasonable time and place located on the campus and further explain and identify the exact nature of the public record he is seeking. Failure by the person requesting the review hearing to appear at such informal hearing shall be deemed a waiver of that person's right to insist upon completion of the review of his request within two business days. If the petitioner requesting review does appear at such informal hearing, then the period for review by the college shall be extended to a period not exceeding twenty-four hours after such person requesting review has appeared before the president or his designee.

(4) During the course of the informal hearing conducted by the president or his designee under this section, the hearing officer shall consider the obligations of the college fully to comply with the intent of chapter 42.17 RCW insofar as it requires providing full public access to official records, but shall also consider the exemptions provided in RCW 42.17.310 and the requirement of RCW 42.17.250 insofar as it requires the college to protect public records from damage or disorganization, prevent excessive interference with essential functions of the agency, and to prevent any unreasonable invasion of personal privacy by deleting identifying details.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-276-090, filed 1/26/90, effective 2/26/90.]

WAC 174-276-100 Form—Request for public records.

REQUEST FOR PUBLIC RECORDS

The Evergreen State College

Section I - IDENTIFICATION. The information requested in Boxes 1 through 4 is not mandatory. If provided, it will allow the Records Officer to contact you, if necessary, in connection with your request. DATE

1. Name of Requester | 2. Representing (if applicable)

3. Street Address

4. City-State-Zip Code | If there is any particular urgency attached to this request, please indicate the date by which you need the information.

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

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

Requester's Signature

DO NOT FILL IN BELOW THIS LINE

Section III - REQUEST FOR REVIEW

Requested by | Office | Telephone

Section IV - DISPOSITION OF REQUEST

1. | 2. | 3. | 4.

5. | 6. | 7. | 8. | 9.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-276-100, filed 1/26/90, effective 2/26/90.]

WAC 174-276-110 Form—Public records request for copies.

PUBLIC RECORDS REQUEST FOR COPIES

The Evergreen State College

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

DESCRIPTION OF MATERIALS TO BE COPIED:

Requester's Signature

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-276-110, filed 1/26/90, effective 2/26/90.]

WAC 174-276-120 Form—Request for review—Public records request.

REQUEST FOR REVIEW PUBLIC RECORDS REQUEST

The Evergreen State College

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

Review Requested By Office Telephone

Reason for Request of Review

Opinion

Review Made By

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-276-120, filed 1/26/90, effective 2/26/90.]

Chapter 174-280 WAC FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

WAC

- 174-280-010 General policy.
174-280-015 Definitions.
174-280-020 Disclosure to the student.
174-280-025 Requests and appeal procedures.
174-280-030 Release of personally identifiable records.
174-280-035 College records.
174-280-040 Release of publicity information.
174-280-045 Notice of rights.

WAC 174-280-010 General policy. The Evergreen State College must insure that information contained in student records is treated responsibly with due regard for its personal nature, and for the students', college's, and community's needs.

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-280-010, filed 1/26/90, effective 2/26/90.]

WAC 174-280-015 Definitions. For the purposes of WAC 174-280-010 through 174-280-045, the following terms shall have the definitions shown:

(1) A "student" is any person who is or has been registered at Evergreen, with respect to whom Evergreen maintains educational records or other information personal-

ly-identifiable by name, identification number, or other names of recognition.

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

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

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-280-015, filed 1/26/90, effective 2/26/90.]

WAC 174-280-020 Disclosure to the student. (1) A student has the right to inspect, and request copies of his or her education records, except that a student is not entitled to access to:

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

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

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

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

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

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

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

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

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

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

(4) Charges for copies of education records shall not exceed one dollar per page.

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

(6) Student education records may be destroyed in accordance with routine retention schedules. In no case will any record which is requested by a student for review in accordance with this section and WAC 174-280-025 be removed or destroyed prior to informing the student and, if requested, providing the student access.

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

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-280-020, filed 1/26/90, effective 2/26/90.]

WAC 174-280-025 Requests and appeal procedures.

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

(2) The individual(s) or office(s) must respond to a request for educational records within a reasonable period of time, but in no case more than forty-five days after the request has been made. Those specific cases identified in

WAC 174-280-020(1) are exempted from coverage under this section.

(3) After reviewing his or her records, a student may challenge the content of the records if the student believes them to be inaccurate, misleading or otherwise in violation of the privacy or other rights of the student. In such cases the student should contact the appropriate dean or director responsible for custody of the record. If a student has been unable to negotiate correction of or deletion of inaccurate, misleading or otherwise inappropriate data, he or she may pursue the grievance procedures in chapter 174-108 WAC and may place a written statement of rebuttal in his or her official records.

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

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-280-025, filed 1/26/90, effective 2/26/90.]

WAC 174-280-030 Release of personally identifiable records. (1) The college shall not permit access to or the release of education records or personally identifiable information contained therein, other than "directory information," without the written consent of the student, to any party other than the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-280-030, filed 1/26/90, effective 2/26/90.]

WAC 174-280-035 College records. (1) All Evergreen individual(s) or office(s) which have custody of education records will develop implementation procedures in accordance with WAC 174-280-010 through 174-280-045.

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

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-280-035, filed 1/26/90, effective 2/26/90.]

WAC 174-280-040 Release of publicity information.

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

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-280-040, filed 1/26/90, effective 2/26/90.]

WAC 174-280-045 Notice of rights. In accordance with the requirements of the federal statute, the college through the office of the dean of enrollment services will annually notify all enrolled students of their rights under WAC 174-280-010 through 174-280-045 to include:

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

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

[Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-280-045, filed 1/26/90, effective 2/26/90.]

Chapter 174-400 WAC

LOSS OF ELIGIBILITY—STUDENT ATHLETIC PARTICIPATION

WAC

174-400-010 Immediate suspension.

WAC 174-400-010 Immediate suspension. Student athletes found to have violated chapter 69.41 RCW (Legend drugs—Prescription drugs) shall, upon conviction, be immediately suspended from participation in school-sponsored athletic events by the director of athletics. The period of loss of eligibility to participate will be determined by the director of athletics at the conclusion of a brief adjudicative hearing, to be commenced within twenty days of the suspension.

[Statutory Authority: Chapter 34.05 RCW. 90-05-031, § 174-400-010, filed 2/14/90, effective 3/17/90.]