Title 132M WAC
COMMUNITY COLLEGES—LOWER COLUMBIA COLLEGE

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Chapter 132M-104 Title 132M WAC: Lower Columbia Community College

132M-104-010 Regular meetings.

WAC 132M-104-010 Regular meetings. On or before January of each year the board of trustees shall publish in the Washington State Register a regular meeting date for that year.

[Statutory Authority: RCW 28B.50.140(13) [28B.50.140]. 81-22-076, filed 12/20/72.]

Chapter 132M-108 WAC

PROCEDURE

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

[Title 132M WAC—p. 2]
Public Records Disclosure Policy

WAC 132M-110-060 Purpose. The purpose of this chapter shall be to ensure compliance by the Community College District Number Thirteen with the provisions of chapter 42.17 RCW Disclosure—Campaign finances—Lobbying—Records; and in particular with RCW 42.17.250-42.17.320 of that act, dealing with public records.

(1999 Ed.)
WAC 132M-110-070 Office hours. 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 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal and other college holidays.

WAC 132M-110-080 Requests for public records. In accordance with requirements of chapter 42.17 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the college which shall be available at its administrative office on the campus. The form shall be presented to the records officer and/or his designees at the administrative office on the campus during customary office hours. The request shall include the following information:

(a) The name of the person requesting the record;
(b) The time of day and calendar date on which the request was made;
(c) The nature of the request;
(d) If the material requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in the index;
(e) If the material requested is not identifiable by reference to the current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the records officer and/or his designees to assist the member of the public in appropriately identifying the public record requested.

(3) The records officer and/or his designee to whom the request is presented shall respond promptly and

(a) Make the requested document available, or
(b) State that such a document does not exist, or
(c) Ask for clarification of the document requested, or
(d) Deny access if the record is exempt from public inspection under WAC 132M-110-050 as determined by RCW 42.17.310.

WAC 132M-110-090 Copying. No fee shall be charged for the inspection of public records. The college shall charge a minimum fee of twenty-five cents per page of copy for providing copies of public records. In the event the copying of public records would unreasonably burden existing personnel of the college, or additional personnel and/or equipment would have to be added because of the request(s) for copying the public records, then a reasonable charge may be added to the twenty-five cents per copy minimum to reflect the cost for additional personnel or equipment. The increased cost shall be determined by the records officer and shall be stated on the form requesting the copying of public records when the same request is approved by the records officer. In any case where the records officer estimates that the cost of duplication of a request will exceed ten dollars, then he may at his discretion require an advance payment of all or a percentage of the cost estimate prior to complying with the request for duplication. When, in the opinion of the records officer, it would be less expensive or more practical to duplicate public records by contract with a printing company, then the records officer shall have the authority to do the same and the actual cost of the printing shall be paid by the person requesting the duplication.

WAC 132M-110-100 Exemptions. (1) The college reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132M-110-080 is exempt under the provisions of chapter 42.17 RCW.

(2) In addition, pursuant to RCW 42.17.260, the college reserves the right to delete identifying details when it makes available or publishes any public record, in any case when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The records officer and/or his designee will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

WAC 132M-110-110 Review of denials of public records. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the records officer and/or his designee which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the records officer and/or his designee denying the request shall refer it to the college president. The college president or his designee shall immediately consider the matter and either affirm or reverse such denial or consult with the attorney general to review the denial. In any case, the request shall be returned with a final decision within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the college has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.
WAC 132M-110-120 Protection of public records.
Requests for public records shall be to the agency records officer and/or his designees in the appropriate locations on the campus. Public records and a facility for their inspection will be provided by the records officer and/or his designees. Such records shall not be removed from the place designated for their inspection. Copies shall be made only at Lower Columbia College. If copying facilities are not available at the college, the college will arrange to have copies made commercially according to the provisions of WAC 132M-110-090.

WAC 132M-110-130 Records index. (1) The records officer and/or his or her designee has available to all persons a current index which provides identifying information as to those records promulgated and indexed since June 30, 1972, pursuant to RCW 42.17.260. The records officer shall be located in the Personnel Office, Lower Columbia College, 1600 Maple Street, Longview, WA 98632. The college's schedule for revising and updating the index may be obtained by contacting the records officer.

(2) The index shall reference records by one or more of the following classifications: Date of implementation, subject matter, or organizational unit.

(3) The current index promulgated by the district shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

WAC 132M-110-140 Adoption of form. The college hereby adopts for use by all persons requesting inspection and/or copying or copies of its records SF 276, attached hereto as Appendix "A," entitled "request for public record."

WAC 132M-110-990 Appendix A—Request for public record.

REQUEST FOR PUBLIC RECORD

REQUESTER: Please complete form and submit to "Public Records Officer" of the state agency identified.

TO | NAME OF STATE AGENCY | DATE OF REQUEST | TIME OF REQUEST
---|----------------------|-----------------|-------------------

PUBLIC RECORDS OR INFORMATION REQUESTED | REQUESTED BY

| DATE OF RECEIPT | TIME OF RECEIPT |
---|-----------------|

ACKNOWLEDGEMENT OF RECEIPT

COMPLETED BY AGENCY PUBLIC RECORDS OFFICER

NO. OF COPIES | AMOUNT RECEIVED |
---|----------------|

PUBLIC RECORDS OFFICER | RECIPIENT'S SIGNATURE

I understand that I must abide by the Rules and Regulations published by the agency identified, for the protection of public records, a copy of which I have read and understand.

I understand that I will be charged twenty-five cents per copy for all standard letter size copies I desire and that other size publications are available at cost.

REQUESTER'S SIGNATURE

Form SF 276 (6/75)

Chapter 132M-113 WAC
ACCESS TO STUDENT RECORDS

WAC 132M-113-010 Student's access to records.

(1999 Ed.)
DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132M-113-035 Release of information to the public. [Statutory Authority: RCW 28B.50.140(113) [28B.50.140], 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-113-035, filed 11/4/81.] Repealed by 92-09-093, filed 4/17/92, effective 5/18/92. Statutory Authority: RCW 28B.50.140, 20 USC ss 1232g and chapter 34.05 RCW. Notification and record of access. [Statutory Authority: RCW 28B.50.140(113) [28B.50.140], 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-113-045, filed 11/4/81.] Repealed by 92-09-093, filed 4/17/92, effective 5/18/92. Statutory Authority: RCW 28B.50.140, 20 USC ss 1232g and chapter 34.05 RCW.

132M-113-045

WAC 132M-113-010 Student's access to records. (1) When a student enrolls at the college and submits the required data for academic and personal records, there is an assumption of trust placed in the college as custodian of this data. The college policy is that "education records," as defined at 20 U.S.C. §1232g (a)(4), shall remain confidential, except as otherwise specified in this chapter. The college fully subscribes to the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. §1232g.

(2) Students may inspect and review the contents of their education records upon request to the appropriate record custodian. Students should submit a written request to the college individual or office having custody of the particular record which identifies as precisely as possible the record(s) the student wishes to inspect. The review must be conducted within forty-five days of the request. A college individual or office which is unable to comply with a student's request within the time period stated above shall inform the student of that fact and the reasons in writing.

(3) Where requested records or data include information about more than one student, the student shall be entitled to inspect and review only that part of the record or data that pertains to the student.

(4) Recommendations, evaluations, or comments concerning a student, which are provided in expressed or implied confidence as between the author and the recipient, shall be made available to the student except as provided in WAC 132M-113-015.

[Statutory Authority: RCW 28B.50.140, 20 USC ss 1232g and chapter 34.05 RCW. 92-09-093, § 132M-113-010, filed 4/17/92, effective 5/18/92. Statutory Authority: RCW 28B.50.140(113) [28B.50.140], 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-113-015, filed 11/4/81.]

WAC 132M-113-015 Waiver of student access right.

(1) Students may waive their access rights to confidential recommendations related to the student's admission, application for employment, and receipt of honors.

(2) A student's waiver of his/her right of access to confidential statements shall apply only if:

(a) The student is, upon request, notified of the names of all persons making confidential statements concerning him/her; and

(b) Such confidential statements are used solely for the purpose for which they were originally intended; and

(c) 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 the college.

(3) Confidential letters and recommendations to which a student has waived his/her right of access, or which were placed in the student's file prior to January 1, 1975, may not be used for any purpose other than that specifically intended and shall not be subject to release under WAC 132M-113-010(2). Such records shall remain confidential and shall be released only with consent of the author.

[Statutory Authority: RCW 28B.50.140, 20 USC ss 1232g and chapter 34.05 RCW. 92-09-093, § 132M-113-015, filed 4/17/92, effective 5/18/92. Statutory Authority: RCW 28B.50.140(113) [28B.50.140], 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-113-015, filed 11/4/81.]

WAC 132M-113-020 Release of information-General policy and procedure. (1) The college respects the right of its students to determine employers or prospective employers to whom they wish the college to furnish personal information. At the written request of the student concerned, the college will respond to inquiries originating from employers or prospective employers—public or private.

(2) The college shall send individually identified written reports to other educational institutions only with written consent of the student involved, according to the requirements of WAC 132M-113-030.

(3) All students, including those who have not reached the age of 18, enrolled at the college must give written consent pursuant to WAC 132M-113-030 before any parties other than those authorized under WAC 132M-113-030 can review their records.

(4) No records shall be kept that reflect a student's political or ideological beliefs or associations. Information relative to an identifiable individual's race or creed will not be provided at any time, except when specifically authorized by federal law.

(5) Information contained in counseling and disciplinary files will not be released except as provided in WAC 132M-113-030.

(6) Student education records may be destroyed in accordance with a department's routine retention schedule. In no case will any record which is requested by a student for review be removed or destroyed prior to providing the student access.

[Statutory Authority: RCW 28B.50.140, 20 USC ss 1232g and chapter 34.05 RCW. 92-09-093, § 132M-113-020, filed 4/17/92, effective 5/18/92. Statutory Authority: RCW 28B.50.140(113) [28B.50.140], 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-113-020, filed 11/4/81.]

WAC 132M-113-025 Release of information to or about parents and spouses. Parents and spouses of students enrolled at the college may have access to the student's records only with the written consent of the student. Students shall not be given access to their parents' financial records.

[Statutory Authority: RCW 28B.50.140, 20 USC ss 1232g and chapter 34.05 RCW. 92-09-093, § 132M-113-025, filed 4/17/92, effective 5/18/92. Statutory Authority: RCW 28B.50.140(113) [28B.50.140], 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-113-025, filed 11/4/81.]

WAC 132M-113-030 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 without the written consent of the student to any party other than the following:

(a) College staff, faculty, and students when officially appointed to a faculty council or administrative committee,
when the information is required for a legitimate educational interest within the performance of their responsibilities to the college with the understanding that the information will be used only in connection with that interest.

(b) Federal and state officials requiring access to education 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 and their parents 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 individuals requesting information in connection with a student's application for, or receipt of, federal or state financial aid.

(d) Researchers 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 researchers, and such information will be destroyed when no longer needed for the purposes for which it was provided.

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

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

(2) Where the consent of a student is obtained for the release of education records, it shall be in writing, signed and dated by the person giving such consent, and shall include:

(a) A specification of the records to be released;
(b) The reasons for such release; and
(c) The names of the parties to whom such records will be released.

(3) In such cases where records are made available without student release as permitted by subsection (1)(b), (c), (d), (e), and (f) of this section, the college shall maintain a record kept with the education record release 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 an 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.

WAC 132M-113-040 Release of information in emergencies. Necessary student information may be released in connection with an emergency and/or to protect the health and safety of a student or other persons. Definition of "emergency" is left to the custodian of the records, but must be strictly construed.

[Statutory Authority: RCW 28B.50.140(113) [28B.50.140]. 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-113-040, filed 11/4/81.]

WAC 132M-113-050 College records. (1) A list of the types of education records maintained by the college and the record locations may be obtained by the student at the registrar's office. All college staff or offices having custody of education records will develop procedures in accordance with WAC 132M-113-010 through 132M-113-055. Any supplementary regulations found necessary by departments will be filed with the registrar's office, which will be responsible for periodic review of policy and procedures.

(2) Disciplinary records shall be kept separate 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 except as allowed under 20 U.S.C. §1232g (b)(6). Provision shall be made for periodic review and routine destruction of inactive disciplinary records by offices maintaining such records.

[Statutory Authority: RCW 28B.50.140, 20 USC ss 1232g and chapter 34.05 RCW. 92-09-093, § 132M-113-050, filed 4/17/92, effective 5/18/92.]

WAC 132M-113-055 Review of records requests and requests to amend. (1) The registrar shall be responsible for reviewing unusual requests for information and for assisting in the interpretation of these rules.

(2)(a) A student who believes that information contained in his/her educational records is inaccurate or misleading or violates his/her privacy may request that the college amend these records. The student should identify the part of the record they seek to amend and specify why he/she believes it is inaccurate, misleading, or in violation of his/her privacy rights.

(b) The college shall decide within ten working days of a student's request to amend records whether or not it will amend those records.

(c) If the college decides not to amend the record as requested, it shall inform the student of the decision and advise the student of the right to a brief adjudicative proceeding.

(d) The student aggrieved by a denial of his/her request to amend records may file an official grievance in accordance with the provisions of WAC 132M-108-020. However, any matter regarding the appropriateness of official academic grades shall not be reviewed beyond that provided for in WAC 132M-120-310.

(e) If, at the conclusion of the hearing process, the college still declines to amend the student's educational records, the student may place a statement in his/her educational records explaining that he/she disagrees with the decision of the college and setting out the reasons why. This statement shall be retained as long as the disputed information is on file
and shall be forwarded with this information any time it is disclosed to an outside agency.

[Statutory Authority: RCW 28B.50.140, 20 USC ss 1232g and chapter 34.05 RCW. 92-09-093, § 132M-115-055, filed 4/17/92, effective 5/18/92.]

Chapter 132M-115 WAC

TENURE

WAC 132M-115-001 Tenure.

Chapter 132M-116 WAC

PARKING REGULATIONS

WAC 132M-116-010 Parking regulations.

WAC 132M-116-010 Parking regulations. (1) Students, faculty, staff, and visitors using Lower Columbia College’s parking facilities shall not park in designated “no parking” areas, such as fire lanes, driveways, walkway entrances, loading zones, or any area marked with yellow paint.

(2) Private vehicles shall not be parked in areas designated for “motor pool.” Individuals shall not park in “handicapped” spaces without proper stickers attached to their vehicles.

[Title 132M WAC—p. 8]
Student Rights and Responsibilities

WAC 132M-120-020 Definitions. As used in this chapter, the words and phrases listed below shall be defined as follows:

1. "Board" shall mean the board of trustees of Community College District No. 13, state of Washington.
2. "College" shall mean Lower Columbia College and any other community college which may be created by the board of trustees of Community College District No. 13, state of Washington.
3. "College facilities" shall mean and include any or all real and personal property operated by the board of trustees of Community College District No. 13, state of Washington, and shall include all building appurtenances affixed thereon or attached thereto.
4. "College personnel" refers to any person employed on a full-time or part-time basis, except those who are faculty members, by any community college administered by the board of trustees of Community College District No. 13, state of Washington.
5. "Disciplinary action" shall mean and include warning, reprimand, probation, suspension, dismissal, or any lesser sanction of any student by college officials, the student hearing and grievance committee, or the president for the violation of any of the provisions of any law, chapter, or the student conduct code for which sanctions may be imposed.
6. "District" shall mean Community College District No. 13, state of Washington.
7. "Faculty members" shall mean any employee of a community college administered by the board of trustees of Community College District No. 13, state of Washington, who is employed on a full-time or part-time basis as a teacher, counselor, media specialist, or other position for which the training, experience, and responsibilities are comparable as determined by the board, except administrative appointments.
8. "President," unless otherwise designated, shall mean the duly appointed president of Lower Columbia College and Community College District No. 13, state of Washington.
9. As used in this chapter, "dean" shall mean the individual designated by the president to be responsible for handling student discipline and student appeals and grievances.
10. A "sponsored event or activity" shall mean any activity which is scheduled by the college and supervised and controlled by the college's faculty members or college personnel. Such "sponsorship" shall continue only as long as the event is supervised and controlled by the college faculty member or college personnel. When the sponsored event or activity is of a prolonged nature, and a free-time period is permitted to the students participating in the event, any activity taking place during such a free-time period outside of the supervision and control of the event or activity shall be deemed to be a nonsponsored activity.
11. "Student" shall mean and include any person who is enrolled in any community college administered by the board of trustees of Community College District No. 13, state of Washington.

[Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-010, filed 4/17/92, effective 5/18/92; Order 15, § 132M-120-010, filed 12/20/72.]

WAC 132M-120-025 Student rights. The following enumerated rights are guaranteed to each student within the limits of the law and college policy:

1. Academic freedom.
   a. The right of free inquiry, expression, and assembly upon and within college facilities which are generally open and available to the public.
   b. The right to pursue appropriate educational objectives, subject to applicable statutory limits, from among the college's curricula, programs, and services.

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Title 132M WAC: Lower Columbia Community College

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

(d) The right to a learning environment which is free from unlawful discrimination, inappropriate and disrespectful conduct, and racial and/or sexual harassment.

(e) The right to freedom of responsible expression in student publications and other media.

(f) The right to freedom to organize and join associations and to promote any legal purpose.

(2) Due process.

(a) The right to be secure in their persons, quarters, papers, and effects against unreasonable searches and seizures.

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

(c) The right to procedural due process as set forth in this chapter whenever a student is accused of violating any law, rule, or policy of the college.

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

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

[Statutory Authority: RCW 28B.50.140, 92-09-094, § 132M-120-025, filed 4/17/92, effective 5/18/92; Order 15, § 132M-120-030, filed 12/20/72.]

WAC 132M-120-040 Student responsibilities. Any student shall be subject to disciplinary action as provided for in this chapter who, either as a principal actor, aider, abettor, or accomplice as defined in RCW 9A.08.020 as now law or hereafter amended, interferes with the personal rights or privileges of others or the educational process of the college; violates any provision of this chapter; or commits any of the following offenses which are hereby prohibited:

(1) Forgery, alteration, or misuse of college documents, records, or identification cards. Forging or tendering any forged records or instruments, as defined in RCW 9A.60.010 through 9A.60.020 as now law or hereafter amended, of any college record or instrument to any college employee or agent acting in his/her official capacity.

(2) Assault, reckless endangerment, intimidation, or interference upon another person in the manner set forth in RCW 9A.36.011 through 9A.36.050, 9A.36.070, and 9A.36.080 or 28B.10.570 through 28B.10.572 as now law or hereafter amended.

(3) Theft and robbery. Theft of the property of the college or of another as defined in RCW 9A.56.010 through 9A.56.050 and 9A.56.100 as now law or hereafter amended.

(4) Malicious mischief. Intentional or negligent damage to or destruction of any college facility or other public or private real or personal property.

(5) Unauthorized use of college equipment and supplies. Converting of college equipment or supplies for personal gain or use without proper authority.

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

(7) Disorderly or abusive conduct. Conduct which materially and substantially interferes, obstructs, or disrupts academic, adjudicative, or administrative functions, or which interferes with the rights and privileges of others.

(8) Controlled substances. Using, possessing, being demonstrably under the influence of, or selling any narcotic or controlled substance as defined in chapter 69.50 RCW as now law or hereafter amended, except when the use or possession of a drug is specifically prescribed as medication by an authorized medical doctor or dentist. For the purpose of this rule, "sale" shall include the statutory meaning defined in RCW 69.50.410 as now law or hereafter amended.

(9) Alcoholic beverages. Being demonstrably under the influence of any form of alcoholic beverage. Possessing or consuming any form of alcoholic beverage on college property, with the exception of sanctioned events, approved by the dean or his/her designee and in compliance with state law and college policy.

(10) False complaint. Filing a formal complaint falsely accusing another student or college employee with violating a provision of this chapter.

(11) Illegal entry. Entering or remaining in any administrative or other employee office or any locked or otherwise closed college facility or entering after the closing time of the college.
such facilities in any manner, at any time, without permission of the college employee or agent in charge thereof.

(12) Weapons, explosives, and dangerous chemicals. Illegal or unauthorized use or possession of any device or substance which can be used to inflict bodily harm or to damage real or personal property.

(13) Smoking. Smoking in any classroom or laboratory, the library, or in any college facility or office posted "no smoking" or any other smoking not complying with chapter 70.160 RCW.

[Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-040, filed 4/17/92, effective 5/18/92; Order 15, § 132M-120-040, filed 12/20/72.]

WAC 132M-120-065 Disciplinary sanctions. The following disciplinary sanctions are hereby established and shall be imposed upon violators of the rules of conduct enumerated in this chapter and pursuant to the right of appeal as outlined in this chapter.

(1) Disciplinary warning. Written notice to a student by the dean that he/she has violated the rules of conduct as outlined in this chapter or has otherwise failed to meet the college's standards of conduct. Such warnings shall indicate that continuation or repetition of the specific conduct involved or engaging in other misconduct will normally result in one or more of the serious disciplinary actions described below.

(2) Reprimand. Formal action censuring a student for violating the rules of conduct as outlined in WAC 132M-120-040. Reprimands shall be made in writing to the student by the dean. A reprimand shall indicate to the student that continuation or repetition of the specific violation involved will result in one of the more serious disciplinary actions described below.

(3) Restitution. Reimbursement for damage, misappropriation of or loss to college or other property, and for injury to persons. Failure to make restitution within thirty days shall result in dismissal for an indefinite period of time as set forth below: Provided, That the student may be reinstated upon payment.

(4) Disciplinary probation. Formal action by the dean placing conditions upon the student's continued attendance for violating the rules of conduct as outlined in WAC 132M-120-040. Notice shall be made in writing and shall specify the period of probation and the conditions, such as limiting the student's participation in extracurricular activities. Disciplinary probation may extend to graduation or other termination of the student's enrollment in the college.

(5) Suspension. Temporary dismissal from the college and termination of student status for a given period of time. Notice shall be made in writing and specify the duration and any special conditions which must be met before readmission.

(6) Dismissal. Indefinite or permanent dismissal from the college and termination of student status. Notice shall be made in writing. There shall be no refund of fees for the quarter in which the action is taken, but fees paid in advance for a subsequent quarter will be refunded.

[Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-065, filed 4/17/92, effective 5/18/92.]

(1999 Ed.)

WAC 132M-120-095 Delegation of disciplinary authority. The dean or his/her designee shall have authority to administer the disciplinary action prescribed in this chapter. The president shall be informed of all student dismissals, suspensions, or probationary proceedings initiated by the dean.

[Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-095, filed 4/17/92, effective 5/18/92.]

WAC 132M-120-100 Appeals. (1) Appeals contesting any disciplinary actions may be made by the student(s) involved, in the following order:

(a) Appeals from disciplinary action taken by the dean or his/her designee may be appealed within five academic calendar days to the student hearing and grievance committee, which may, at the request of the student(s), hear the case de novo.

(b) Disciplinary recommendations made by the student hearing and grievance committee may be appealed to the president of the college within ten academic calendar days following notification of the action taken by the student hearing and grievance committee. In the consideration of such an appeal, the president shall base his/her decision only on the official written record of the case and on any reports or recommendations of the dean and the student hearing and grievance committee. The president may, at his/her discretion, suspend any disciplinary action pending determination of the merits of the findings, conclusions, and disciplinary actions imposed. The president may either attach written concurrence to the recommendation of the student hearing and grievance committee; impose a lesser sanction than that recommended by the student hearing and grievance committee; terminate the proceeding and exonerate the student or students; or dismiss the case after whatever counseling and advice may be appropriate. The decision of the president shall be final; no further appeal within the college is provided.

(2) Appeals must be in writing, filed within ten working days from the date on which the student was notified that disciplinary action was being taken, and must clearly state errors in fact or matters in extenuation or mitigation which justify the appeal.

(3) All appellate decisions shall be sent from the office of the dean. Written decisions shall include the signatures of the student hearing and grievance committee or college president.

[Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-100, filed 4/17/92, effective 5/18/92.]

WAC 132M-120-110 Hearing procedures before the student hearing and grievance committee. (1) The student hearing and grievance committee shall hear all disciplinary cases where a student appeals a decision of the dean in accordance with the grievance procedure.

(2) The student has a right to a fair and impartial brief adjudicative proceeding before the student hearing and grievance committee on any charge of violating the rules of conduct. The student's failure to cooperate with the proceedings, however, shall not preclude the committee from making its findings of fact, conclusions, and recommendations. Failure to appear in person shall be considered admission of guilt.

[Title 132M WAC—p. 11]
by the student to cooperate may be taken into consideration by the committee.

(3) The presiding officer shall be selected from the committee members and shall exercise the powers and duties usually granted to the presiding officer of a judicial body including but not limited to the power to make rulings on all evidentiary and procedural matters heard in the course of the disciplinary hearing.

(4) If any member of the student hearing and grievance committee is unable to consider a particular disciplinary proceeding for any reason (including but not limited to conflict of interest, matters of conscience, or related reasons), such members shall abstain from considering the issues. The presiding officer shall make temporary appointments where members abstain.

(5) A quorum shall be required for all proceedings and shall consist of the presiding officer and at least two committee members.

(6) Written notice of the time and place of the proceedings before the student hearing and grievance committee shall be given to the student by personal service or certified mail. Such notice shall be afforded not less than ten calendar days in advance and shall be issued by the office of the dean. The notice shall include:
   (a) A statement of the time, place, and nature of the disciplinary proceeding;
   (b) A statement of the charges, including reference to the particular sections of the rules of conduct involved; and
   (c) To the extent known, a list of witnesses who will appear and a summary description of any documentary or other physical evidence which will be presented by the college at the proceeding.

(7) The student shall be entitled to:
   (a) Hear and examine the evidence brought forward and be informed of the identity of its source;
   (b) Present evidence in the student's own behalf and to cross-examine witnesses testifying against the student as to factual matters; and
   (c) Obtain information, provided that the requests for such information are specifically described in writing and tendered to the dean no later than three days prior to the proceeding, or to request the presence of witnesses or the production of other evidence relevant to the issues of the proceeding.

(8) The student may be represented by counsel of choice at the disciplinary proceeding. If the student elects to choose a duly licensed attorney admitted to practice in the state of Washington as counsel, notice thereof must be tendered by the student to the dean at least five working days prior to the proceeding.

(9) In all disciplinary proceedings, the college may be represented by a designee appointed by the dean. That designee may then present the college's case against the student accused of violating the rules of conduct: Provided, That in those cases in which the student elects to be represented by a licensed attorney, the dean may elect to have the college represented by an assistant attorney general.

(10) An adequate summary of all the evidence and facts presented to the committee during the course of the proceeding shall be taken. A copy shall be available at the office of the dean.

(11) Proceedings conducted by the student hearing and grievance committee shall be held in closed session except when a student requests that the proceedings be held in open session. If at any time during the conduct of a proceeding visitors disrupt the proceeding, the presiding officer of the committee may exclude such persons from the proceeding room.

[Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-110, filed 4/17/92, effective 5/18/92.]

WAC 132M-120-120 Evidence admissible in proceedings. (1) Only those matters presented at the proceeding, in the presence of the accused student, except where the student fails to attend after receipt of proper notice, will be considered by the student hearing and grievance committee in determining whether there is sufficient cause to believe that the accused student violated the rules as charged. Hearsay evidence is admissible.

(2) The members of the committee shall give probative effect to evidence which possesses probative value commonly accepted by reasonable, prudent persons in the conduct of their affairs.

(3) The presiding officer of the committee shall, in the course of the proceeding, give effect to the rules of privilege recognized by law and exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence.

[Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-120, filed 4/17/92, effective 5/18/92.]

WAC 132M-120-130 Decision by the student hearing and grievance committee. (1) Upon conclusion of the disciplinary proceeding, the committee shall consider all the evidence therein presented and decide by majority vote whether to uphold the decision of the dean, overrule the decision of the dean, or to recommend any other sanction deemed appropriate under the circumstances to the president: Provided, That no additional sanction may be recommended if the decision of the dean is upheld.

(2) Within thirty days following the conclusion of the proceeding, the student will be provided with a copy of the committee's findings of fact and conclusions regarding what occurred and whether the student violated any rule or rules of the code of conduct. The committee shall also advise the student of his/her right to present, within ten working days, a written statement to the president of the college appealing the decision of the student hearing and grievance committee.

[Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-130, filed 4/17/92, effective 5/18/92.]

SUMMARY SUSPENSION

WAC 132M-120-200 Summary suspension procedures. (1) As a general rule, disciplinary sanctions will be imposed only after appropriate proceedings have taken place and after the student has, if he/she so chooses, exercised the right to appeal. However, if the dean or his/her designee has cause to believe that the student:

(a) Has committed a felony; or

[Title 132M WAC—p. 12]

(1999 Ed.)
(b) Has violated any provision of the student conduct code; and

(c) Presents an imminent danger either to himself or herself, other persons on the campus, or to the educational process, that student may be summarily suspended pending investigation, action, or prosecution on charges of alleged student conduct code violation.

(2) Any student summarily suspended shall be notified by certified and regular mail at the student's last known address or shall be personally served. The notice shall be entitled "notice of summary suspension" and shall state:

(a) The charges against the student including reference to the provisions of WAC 132M-120-040 or statutory law involved; and

(b) That the student charged must appear before the dean or his/her designee at a time specified in the notice for a summary suspension proceeding.

(3) The summary suspension proceeding shall be held as soon as possible after the summary suspension. The dean shall determine whether there is probable cause to believe that continued suspension is necessary and/or whether some other disciplinary sanction is appropriate.

(4) If the dean, following the summary suspension proceeding, finds that there is probable cause to believe that:

(a) The student against whom specific violations are alleged has committed one or more such violations;

(b) Summary suspension of that student is necessary for the safety of the student, other students or persons on college facilities, the educational process of the institution, or to restore order to the campus; and

(c) Such violation or violations constitute grounds for disciplinary action as provided for in WAC 132M-120-040, then the dean may continue to enforce the suspension of the student from college and may impose any other disciplinary sanction deemed appropriate.

(5) If the student has been served pursuant to the notice required in WAC 132M-120-200 and fails to appear at the time designated for the summary suspension proceeding, the dean may, with the written concurrence of the president, suspend the student for a maximum of ten academic calendar days.

(999 Ed.)
of the president shall be final, and no further appeal within the college is provided.

[Statutory Authority: RCW 28B.50.140, 92-09-094, § 132M-120-310, filed 4/17/92, effective 5/18/92.]

WAC 132M-120-320 Withdrawal of grievance. (1) At any time during the grievance procedure, the grievant may officially withdraw the grievance in writing. Further, any appeal of the dean’s decision forwarded to the president may be officially withdrawn in writing at any time by the appellant.

(2) In the event the grievant or appellant fails to appear for any scheduled proceeding without prior notification or evidence of extenuating circumstances, this shall be considered to constitute withdrawal of the grievance or appeal.

[Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-320, filed 4/17/92, effective 5/18/92.]

Chapter 132M-136 WAC

USE OF COLLEGE FACILITIES—ACADEMIC

WAC

132M-136-020 Distribution of materials policy.
132M-136-030 Outside speaker policy.
132M-136-050 Outside organizations meeting with students.
132M-136-060 Use of college facilities.
132M-136-080 Use of college services and equipment by outside groups.
132M-136-100 Commercial activities.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER


WAC 132M-136-020 Distribution of materials policy. (1) Free expression is encouraged on the college campus. Use of college facilities as determined by the president and regulated by his/her designee, however, does not accord users immunity from legal action.

(2) Handbills, leaflets, newspapers, and similar material—except those which are commercial, obscene, or unlawful—may be distributed only in areas on the campus designated by the director of student programs where, and at times when, such distribution will not interfere with the orderly administration of the college, the ingress or egress of persons, or the free flow of traffic.

(3) Newspapers, leaflets, and similar material offered for sale by any student or nonstudent person or organization may be distributed and sold through the college bookstore as are other commercial forms of merchandise, subject to reason-
Use of College Facilities—Academic

WAC 132M-136-050 Outside organizations meeting with students. (1) The college encourages and welcomes representatives of organizations not associated with the college to meet with students for the purpose of providing additional opportunities for their total educational development. However, the holding of such meetings on the campus does not constitute an endorsement of the organization by the college; nor will the college necessarily require or request students to attend the meeting or meetings.

(2) Any organization wishing to hold a meeting, or meetings, on the college campus with students shall contact the director of student activities and provide the following information:

(a) Name of sponsoring organization
(b) Name of person in charge of arrangements
(c) Names of participating individuals
(d) Nature of proposed meeting
(e) Desired dates and times
(f) Type of facilities desired

(3) The director of student activities will present the request to the student services council. If approved, the director of student activities, after conferring with appropriate college officials, will contact the requesting organization to complete the arrangements.

(4) When meetings have been approved in accordance with the procedures outlined, the college will provide suitable space not being used for regular college activities, and arrange for announcements of the meeting to be made through the college’s normal communication media.

WAC 132M-136-060 Use of college facilities. (1) The policy of the college is to permit the use of its facilities by responsible organizations or groups on a space available basis except when the use of such facilities is for the purpose of:

(a) Making a profit and is in competition with available privately owned facilities.
(b) Political campaigning by or for candidates who have filed for public office except for student-sponsored activities or forums.
(c) Religious groups, as a permanent meeting place, under any circumstances. Such use shall be intermittent only.

(2) The president may allow persons or organizations other than college faculty, staff, or recognized student organizations use of college facilities when satisfactory arrangements can be worked out and such use does not conflict with the educational programs being offered by the college or with the maintenance and repair programs of the college. Authorization to persons or organizations other than college faculty, staff, or recognized student organizations for use of college facilities is granted with the express understanding and condition that such persons or organizations assume full responsibility for any loss, damage, or claims arising out of such use. The president or his/her designee may require proof of appropriate liability insurance coverage or posting of a bond prior to granting authorization for use of college facilities.

(3) The use of college facilities shall, in all instances, be determined and regulated by the policies of the institution.
(4) Nonprofit organizations such as, but not limited to, those directly concerned with public schools and those sponsored by public schools or affiliated organizations may be allowed reasonable use of college facilities without the payment of a rental fee. However, functions which require college personnel, other support services, or utilities, including heat, thereby resulting in additional costs to the college shall be charged for such costs accordingly.

(5) The college shall permit the use of its facilities to persons, groups, or organizations for such fees as will compensate for the reasonable costs thereof. Additionally, to any organization using college facilities with the intent of realizing a profit therefrom (through charging admission, taking up a collection, or other) rental fees to be determined by the president or his designee shall be charged.

(6) The president shall establish and revise, as circumstances warrant, a schedule of rental and/or other fees consistent with the policy outlined above and shall advise the board thereof. The established fees in effect at any given time shall apply to the facilities covered by the schedule. For those facilities which are not covered in the schedule, the president may determine reasonable fees from the relevant factors or decline them for noncollege use.

(7) Application is made through the office of the president or his designee. When the application is approved, an invoice shall be sent to the applicant by the business office. Full payment of appropriate fees, if any, or satisfactory payment arrangements are required prior to the actual use of the facilities.

(8) Special conditions and considerations for the use of specific college facilities may be set forth in board policies as now or hereafter amended.

(9) College facilities may not be used by groups or organizations which discriminate in their membership or limit participation in a manner inconsistent with the college's commitment to nondiscrimination as set forth in its written policies and rules.

(10) No person or group may use or enter college facilities having in their possession firearms or other weapons, even if licensed to do so, except duly appointed and commissioned law enforcement officers.

[Statutory Authority: RCW 28B.50.140. 92-09-009, § 132M-136-060, filed 4/2/92, effective 5/3/92.]

Chapter 132M-160 WAC

ADMISSION, REGISTRATION, GRADUATION

WAC 132M-160-010 Admission.


WAC 132M-160-010 Admission. (1) Any applicant shall be admitted when he/she:

(a)(i) Is at least eighteen years of age; or

(ii) Is a graduate of a high school; or

(iii) Has applied for admission under the provisions of a student enrollment options program such as Running Start or a successor program; or

(iv) If not qualified under subsection (1) of this section, has filed a written release from a public or private school he/she is attending or last attended: Provided, That an applicant transferring from another institution of higher education who meets the above criteria, but who is not in good standing at the time of his/her transfer, may be conditionally admitted on a probationary status as determined by the president of the college; and

(b) Is competent to profit from the curricular offerings of the college; and

(c) Would not, by his/her presence or conduct, create a disruptive atmosphere within the community college inconsistent with the purposes of the institution.

(2) Admission to the college shall entitle the student to enroll in any instructional program provided that the student is qualified and complies with the rules and procedures established for enrollment in such program.

(3) In order to assist students in selecting courses appropriate to their needs and interests and to ensure that students will be able to profit from current curriculum offerings or benefit from a particular class, course, or program, the college may require students to take tests or to have special training prior to enrolling in classes.

(4) Enrollment in classes, programs, or sections may be restricted by limitations of physical facilities or operating funds when consistent with generally accepted educational practices regarding efficient maximum class sizes.

[Statutory Authority: RCW 28B.50.140. 92-09-009, § 132M-160-010, filed 4/2/92, effective 5/3/92; Order 15, § 132M-160-010, filed 12/20/72.]

WAC 132M-136-080 Use of college services and equipment by outside groups.

(1) The use of college services and equipment is available on a negotiated basis.

[Order 15, § 132M-136-080, filed 12/20/72.]

WAC 132M-136-100 Commercial activities.

College facilities shall not be used for commercial solicitation, advertising, or promotional activities except when such activities clearly serve educational objectives, including but not limited to display of books of interest to the academic or career-oriented community or the display or demonstration of technical or research equipment, and when such commercial activities related to educational objectives are conducted under the sponsorship or at the request of a college department or of the dean for students or his/her designee: Provided, That such solicitation does not interfere with, or operate to the detriment of, the conduct of college affairs or the free flow of pedestrian or vehicular traffic.

[Statutory Authority: RCW 28B.50.140. 92-09-009, § 132M-136-100, filed 4/2/92, effective 5/3/92.]

[Title 132M WAC—p. 16]
WAC 132M-160-040 Tuition and fee waivers. (1) Lower Columbia College may periodically establish tuition and fee waivers as authorized by state law and by the state board for community and technical colleges.

(2) Upon request of an applicant for a mandatory tuition and fee waiver, individual determinations will be reviewed by the registrar, in a brief adjudicative proceeding pursuant to RCW 34.05.482–494.

[Statutory Authority: RCW 28B.50.140(13), 1995 c 36 § 2 and amendment to RCW 28B.15.600. 95-16-069, § 132M-160-040, filed 7/28/95, effective 8/28/95.]

WAC 132M-160-050 Refunds. (1) First-time students receiving federal financial aid who officially withdraw from classes shall be provided a pro rata refund in accordance with federal regulations.

(2) A refund of fees and tuition will be made to all other students officially withdrawing from the college according to the following schedule:

(a) One hundred percent. Withdrawal prior to the sixth day of instruction of the quarter.

(b) One hundred percent. Withdrawal as a result of classes being cancelled by the college.

(c) Fifty percent. Withdrawal on or after the sixth day of instruction of the quarter and prior to the twentieth calendar day of the quarter.

(d) No refunds will be made after the twentieth calendar day of the quarter. Exceptions may be made for students inducted into military service and for medical reasons.

(3) Refunds for short courses and courses starting after the first week of the quarter shall be determined by the associate dean for enrollment services.

(4) Fees, other than tuition and service and activities fees, and not subject to this policy, are not refundable.

(5) Students dismissed for disciplinary reasons are not eligible for refunds.

[Statutory Authority: RCW 28B.50.140 and 29 USC ss 794, 20 USC ss 1681 et seq and 42 USC ss 200 et al. 92-09-092, § 132M-300-001, filed 4/17/92, effective 5/18/92.]

Chapter 132M-300 WAC

GRIEVANCE PROCEDURE—DISCRIMINATION

WAC

132M-300-001 Statement of policy.
132M-300-010 Grievance procedure.

WAC 132M-300-001 Statement of policy. Lower Columbia College is covered by Title IX of the Education Amendments of 1972 prohibiting sex discrimination in education and Section 504 of the Rehabilitation Act of 1973 prohibiting discrimination on the basis of handicap. It is the policy of Lower Columbia College to provide equal opportunity in all areas of admission, education, application for employment, and employment regardless of sex or handicap status.

It is also the policy of Lower Columbia College to provide an environment in which members of the college community can work or study free from sexual harassment or sexual intimidation. Sexual harassment is a form of sex discrimination. As such, it is a violation of Title VII of the 1964 Civil Rights Act and Title IX of the 1972 Education Amendments. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

(1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or academic advancement or standing; and/or

(2) Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; and/or

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

[Statutory Authority: RCW 28B.50.140 and 29 USC ss 794, 20 USC ss 1681 et seq and 42 USC ss 200 et al. 92-09-092.]

WAC 132M-300-010 Grievance procedure. (1) Any applicant for admission, enrolled student, applicant for employment, or employee of Lower Columbia College who believes he/she has been discriminated against on the basis of sex or on the basis of a handicap may lodge a formal institutional grievance according to the following procedure:

(a) Step 1: Informal meeting. In an attempt to informally resolve the concern, the complainant may request a meeting with the individual believed to have committed the discriminatory act or with the appropriate supervisor as determined by the affirmative action officer. The time period in which attempts to informally resolve the concern are made shall not exceed thirty days from the time the complaint is lodged.

(b) Step 2: Official hearing. If not satisfied by the results of the informal meeting or if the informal meeting has been waived, the complainant may request a meeting with the college affirmative action officer.

(i) The request for an official hearing must be made in writing and must set forth the specific grievance(s) raised by the complainant.

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

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

(c) Step 3: Presidential appeal. If the complaint is not resolved as a result of the hearing conducted by the affirmative action officer, either the complainant or the person to whom the complaint has been directed may request an appeal to the college president.

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

(1999 Ed.)
(ii) Within fifteen days after receiving the request, the college president or the president's designee will conduct the presidential appeal hearing and report the findings in writing to both the complainant and the person to whom the complaint is directed.

(iii) Attendance at the presidential appeal hearing shall be limited to the college president or his/her designee, the affirmative action officer, the complainant, and the person to whom the complaint is directed unless otherwise mutually agreed by the parties. The college president or his/her designee shall preside.

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

(v) The written findings of the presidential appeal will be considered final. No further intrainstitutional appeal exists.

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

   (a) Regional Director, Office of Civil Rights, Department of Education, 915 Second Avenue, Room 3310, Seattle, Washington 98174-1699, (206) 553-1636.


[Statutory Authority: RCW 28B.50.140 and 29 USC ss 794, 20 USC ss 1681 et seq and 42 USC ss 200 et al. § 132M-300-010, filed 4/17/92, effective 5/18/92.]

Chapter 132M-325 WAC
STATE ENVIRONMENTAL POLICY ACT

WAC 132M-325-010 Introduction. When the office of administration 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 132M-325-010 through 132M-325-060.

[Statutory Authority: Chapter 43.21C RCW. 78-04-072 (Resolution No. 78-1), § 132M-325-010, filed 4/5/78.]

WAC 132M-325-020 State Environmental Policy Act compliance. It is the policy of Lower Columbia 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. To this end, Lower Columbia College hereby adopts by reference to the following sections or subsections of chapter 197-10 of the Washington Administrative Code (the "SEPA guidelines" adopted by the state of Washington, council on environmental policy):

WAC 197-10-040: Definitions
WAC 197-10-060: Scope of a proposal and its impacts
WAC 197-10-160: No presumption of significance for nonexempt actions
WAC 197-10-170: Categorical exemptions
WAC 197-10-175: Exemptions and nonexemptions applicable to specific state agencies
WAC 197-10-180: Exemption for emergency actions
WAC 197-10-190: Use and effect of categorical exemptions
WAC 197-10-200: Lead agency—Responsibilities
WAC 197-10-203: Determination of lead agency—Procedures
WAC 197-10-205: Lead agency designation—Governmental proposals
WAC 197-10-210: Lead agency designation—Proposals involving both private and public construction
WAC 197-10-215: Lead agency designation—Private projects for which there is only one agency
WAC 197-10-220: Lead agency designation—Private projects, licenses from more than one agency when one is city/county
WAC 197-10-225: Lead agency designation—Private projects, license from more than one state agency
WAC 197-10-230: Lead agency designation—Specific proposals
WAC 197-10-235: Local agency transfer of lead agency status to a state agency
WAC 197-10-240: Agreements as to lead agency status
WAC 197-10-245: Agreements between agencies as to division of lead agency duties
WAC 197-10-260: Dispute as to lead agency determination—Resolution by CEP
WAC 197-10-270: Assumption of lead agency by another agency with jurisdiction
WAC 197-10-300: Threshold determination requirement
WAC 197-10-305: Recommended timing for threshold determination
WAC 197-10-310: Threshold determination procedures—Environmental checklist
WAC 197-10-320: Threshold determination procedures—Initial review of environmental checklist
WAC 197-10-330: Threshold determination procedures—Information in addition to checklist
WAC 197-10-340: Threshold determination procedures—Negative declarations
WAC 197-10-345: Assumption of lead agency status by another agency with jurisdiction—Prequisites, effect and form of notice
WAC 197-10-350: Affirmative threshold determinations
WAC 197-10-355: Form of declaration of significance/nonsignificance
WAC 197-10-360: Threshold determination criteria—Application of environmental checklist
WAC 197-10-365: Environmental checklist
WAC 197-10-370: Withdrawal of affirmative threshold determination
WAC 197-10-375: Withdrawal of negative threshold determination
WAC 197-10-390: Effect of threshold determination by lead agency
WAC 197-10-400: Duty to begin preparation of a draft EIS
WAC 197-10-410: Predraft consultation procedures
WAC 197-10-425: Organization and style of a draft EIS
WAC 197-10-440: Contents of a draft EIS
WAC 197-10-442: Special considerations regarding contents of an EIS
WAC 197-10-444: List of elements of the environment
WAC 197-10-450: Public awareness of availability of draft EIS
WAC 197-10-455: Circulation of the draft EIS—Review period
WAC 197-10-460: Specific agencies to which draft EIS shall be sent
WAC 197-10-465: Agencies possessing environmental expertise
WAC 197-10-470: Cost to the public for reproduction of environmental documents
WAC 197-10-480: Public hearing on a proposal—When required

(1999 Ed.)
Loss of Eligibility—Student Athletes 132M-400-030

WAC 132M-325-030 State Environmental Policy Act "responsible official." In compliance with chapter 197-10 WAC, the president of Lower Columbia College or an individual designated to act for and on behalf of him shall be the "responsible official" for carrying out this policy.

WAC 132M-325-040 Information center and register distribution. The SEPA public information center required by chapter 197-10 WAC, shall be maintained in the office of administration of Lower Columbia 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 those individuals and organizations who make written request therefor.

WAC 132M-325-050 Publication of notice of action. Any action, as defined in WAC 197-10-040, undertaken by Lower Columbia College, shall be publicized as prescribed in RCW 43.21C.080.

WAC 132M-325-060 Time limit for completion of EIS process. As soon as possible after a proposal for action has been formulated and its scope defined the responsible official or his designee shall establish the date by which the EIS process for the particular project must be completed.

Chapter 132M-400 WAC

LOSS OF ELIGIBILITY—STUDENT ATHLETIC PARTICIPATION

WAC 132M-400-030 Suspension procedure—Right to brief adjudicative procedure. Any student athlete found by the college to have violated chapter 69.41 RCW by virtue of a criminal conviction or otherwise insofar as it prohibits the possession, use, or sale of legend drugs, as defined in RCW 69.41.010(9), including anabolic steroids, may be disqualified from participation in any college-sponsored athletic activity or event.

WAC 132M-400-040 Decision.

WAC 132M-400-010 Grounds for ineligibility. Any student athlete found by the college to have violated chapter 69.41 RCW by virtue of a criminal conviction or otherwise insofar as it prohibits the possession, use, or sale of legend drugs, as defined in RCW 69.41.010(9), including anabolic steroids, may be disqualified from participation in any college-sponsored athletic activity or event.

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

[Statutory Authority: Chapter 43.21C RCW. 78-04-072 (Resolution No. 78-1), § 132M-325-030, filed 4/3/78.]

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

[Statutory Authority: RCW 28B.50.140. 92-09-006, § 132M-400-040, filed 4/2/92, effective 5/3/92.]