

- 132D-14-080 Classroom conduct. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-14-080, filed 11/15/79; Order 1-70, § 132D-14-080, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-090 Commercial activities. [Order 1-70, § 132D-14-090, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-100 Criminal violations. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-14-100, filed 11/15/79; Order 1-70, § 132D-14-100, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-110 Distribution of printed and other materials. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-14-110, filed 11/15/79; Order 1-70, § 132D-14-110, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-120 Drugs and narcotics. [Order 1-70, § 132D-14-120, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-130 Property damage. [Order 1-70, § 132D-14-130, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-140 Right of assembly or demonstration. [Order 1-70, § 132D-14-140, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-150 Speakers on campus. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-14-150, filed 11/15/79; Order 1-70, § 132D-14-150, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-160 Trespass. [Order 1-70, § 132D-14-160, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-170 Delegation of disciplinary authority. [Order 1-70, § 132D-14-170, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-180 Right to demand identification. [Order 1-70, § 132D-14-180, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-190 Purpose of disciplinary action. [Order 1-70, § 132D-14-190, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-200 Summary suspension. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-14-200, filed 11/15/79; Order 1-70, § 132D-14-200, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-210 Initial disciplinary proceedings. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-14-210, filed 11/15/79; Order 1-70, § 132D-14-210, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-220 Appeal of disciplinary action taken by the assistant to the president for student affairs. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-14-220, filed 11/15/79; Order 1-70, § 132D-14-220, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-230 Composition and structure of the college disciplinary court. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-14-230, filed 11/15/79; Order 1-70, § 132D-14-230, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-240 Procedures for hearing before the college disciplinary court. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-14-240, filed 11/15/79; Order 1-70, § 132D-14-240, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-250 Conduct of disciplinary hearings. [Order 1-70, § 132D-14-250, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-260 Evidence admissible in hearings. [Order 1-70, § 132D-14-260, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-270 Decision by the college disciplinary court. [Order 1-70, § 132D-14-270, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-280 Final decision regarding disciplinary action. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-14-280, filed 11/15/79; Order 1-70, § 132D-14-280, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-290 Disciplinary action. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-14-290, filed 11/15/79; Order 1-70, § 132D-14-290, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-300 Appeal of disciplinary action to the all-college judiciary committee. [Order 1-70, § 132D-14-300, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-310 Final appeal. [Order 1-70, § 132D-14-310, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-320 Civilian prosecution. [Order 1-70, § 132D-14-320, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-330 Effective date of the rules of conduct. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-14-330, filed 11/15/79; Order 1-70, § 132D-14-330, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-340 Prior rules. [Order 1-70, § 132D-14-340, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-14-350 Severability. [Order 1-70, § 132D-14-350, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.

**Chapter 132D-16
PARKING AND TRAFFIC REGULATIONS**

- 132D-16-010 Purpose for adopting rules. [Order 2-70, § 132D-16-010, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140. Later promulgation, see chapter 132D-116 WAC.
- 132D-16-020 Definitions. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-16-020, filed 11/15/79; Order 2-70, § 132D-16-020, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-16-030 Applicable traffic rules and regulations. [Order 2-70, § 132D-16-030, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-16-040 Permits required for vehicles on campus. [Order 2-70, § 132D-16-040, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.
- 132D-16-050 Authorization for issuance of permits. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-16-050, filed 11/15/79; Order 2-70, § 132D-16-050, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.

<p>132D-16-060 Valid permit. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-16-060, filed 11/15/79; Order 2-70, § 132D-16-060, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-070 Display of permit. [Order 2-70, § 132D-16-070, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-080 Transfer of permits. [Order 2-70, § 132D-16-080, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-090 Permit revocation. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-16-090, filed 11/15/79; Order 2-70, § 132D-16-090, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-100 Right to refuse permit. [Order 2-70, § 132D-16-100, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-110 Right to appeal permit revocation or refusal to grant permit. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-16-110, filed 11/15/79; Order 2-70, § 132D-16-110, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-120 Responsibility of person to whom permit issued. [Order 2-70, § 132D-16-120, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-130 Designation of parking space. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-16-130, filed 11/15/79; Order 2-70, § 132D-16-130, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-140 Parking within designated spaces. [Order 2-70, § 132D-16-140, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-150 Day parking. [Order 2-70, § 132D-16-150, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-160 Night parking. [Order 2-70, § 132D-16-160, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-170 Regulatory signs and directions. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-16-170, filed 11/15/79; Order 2-70, § 132D-16-170, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-180 Speed. [Order 2-70, § 132D-16-180, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-190 Pedestrian's right of way. [Order 2-70, § 132D-16-190, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-200 Special traffic and parking regulations and restrictions authorized. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-16-200, filed 11/15/79; Order 2-70, § 132D-16-200, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-210 Two-wheeled motor bikes or bicycles. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-16-210, filed 11/15/79; Order 2-70, § 132D-16-210, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-220 Report of accidents. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-16-220, filed 11/15/79; Order 2-70, § 132D-16-220, filed 6/29/70.] Repealed by 88-24-014 (Order 88-</p>	<p>132D-16-230 Exceptions from traffic and parking restrictions. [Order 2-70, § 132D-16-230, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-240 Enforcement. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-16-240, filed 11/15/79; Order 2-70, § 132D-16-240, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-250 Issuance of traffic tickets. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-16-250, filed 11/15/79; Order 2-70, § 132D-16-250, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-260 Fines and penalties. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-16-260, filed 11/15/79; Order 2-70, § 132D-16-260, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-270 Appeal of fines and penalties. [Order 2-70, § 132D-16-270, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-280 Liability of college. [Order 2-70, § 132D-16-280, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-290 Delegation of authority. [Statutory Authority: RCW 28B.50.140(13). 79-12-019 (Resolution No. 79-6), § 132D-16-290, filed 11/15/79; Order 2-70, § 132D-16-290, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-300 Effective date. [Order 2-70, § 132D-16-300, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-16-310 Severability. [Order 2-70, § 132D-16-310, filed 6/29/70.] Repealed by 88-24-014 (Order 88-01), filed 12/1/88, effective 1/1/89. Statutory Authority: RCW 28B.50.140.</p>	<p>Chapter 132D-18 PUBLIC RECORDS</p> <p>Purpose. [Order, § 132D-18-010, filed 9/25/73.] Repealed by 89-11-024 (Order 89-07), filed 5/11/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-18-020 Definitions. [Order, § 132D-18-020, filed 9/25/73.] Repealed by 89-11-024 (Order 89-07), filed 5/11/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-18-030 Description of organization. [Order, § 132D-18-030, filed 9/25/73.] Repealed by 89-11-024 (Order 89-07), filed 5/11/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-18-040 Operations and procedures. [Order, § 132D-18-040, filed 9/25/73.] Repealed by 89-11-024 (Order 89-07), filed 5/11/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-18-050 Substantive rules and policies of general applicability. [Order, § 132D-18-050, filed 9/25/73.] Repealed by 89-11-024 (Order 89-07), filed 5/11/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-18-060 Public records available. [Order, § 132D-18-060, filed 9/25/73.] Repealed by 89-11-024 (Order 89-07), filed 5/11/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-18-070 Public records officer. [Order, § 132D-18-070, filed 9/25/73.] Repealed by 89-11-024 (Order 89-07), filed 5/11/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-18-080 Office hours. [Order, § 132D-18-080, filed 9/25/73.] Repealed by 89-11-024 (Order 89-07), filed 5/11/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-18-090 Requests for public records. [Order, § 132D-18-090, filed 9/25/73.] Repealed by 89-11-024 (Order 89-07), filed 5/11/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-18-100 Copying. [Order, § 132D-18-100, filed 9/25/73.] Repealed by 89-11-024 (Order 89-07), filed 5/11/89. Statutory Authority: RCW 28B.50.140.</p> <p>132D-18-110 Determination regarding exempt records. [Order, § 132D-18-110, filed 9/25/73.] Repealed by 89-11-024 (Order 89-07), filed 5/11/89. Statutory Authority: RCW 28B.50.140.</p>
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- 132D-18-120 Review of denials of public record requests. [Order, § 132D-18-120, filed 9/25/73.] Repealed by 89-11-024 (Order 89-07), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-18-130 Protection of public records. [Order, § 132D-18-130, filed 9/25/73.] Repealed by 89-11-024 (Order 89-07), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-18-140 Records index. [Order, § 132D-18-140, filed 9/25/73.] Repealed by 89-11-024 (Order 89-07), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-18-150 Adoption of form. [Order, § 132D-18-150, filed 9/25/73.] Repealed by 89-11-024 (Order 89-07), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- Chapter 132D-20**
NEGOTIATIONS BY ACADEMIC PERSONNEL
- 132D-20-010 Purpose. [Order, § 132D-20-010, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-020 Definitions. [Order, § 132D-20-020, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-030 Certification election—Request. [Order, § 132D-20-030, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-040 Election to determine scope of bargaining unit—Request. [Order, § 132D-20-040, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-050 Designation of election officer. [Order, § 132D-20-050, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-060 Certification election—Notice of election. [Order, § 132D-20-060, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-070 Election to determine scope of bargaining unit—Notice of election. [Order, § 132D-20-070, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-080 Certification election—Organizations to appear on ballot. [Order, § 132D-20-080, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-090 List of eligible voters. [Order, § 132D-20-090, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-100 Certification election—Preparation of ballot. [Order, § 132D-20-100, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-110 Election to determine scope of bargaining unit—Preparation of ballot. [Order, § 132D-20-110, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-120 Voter registration. [Order, § 132D-20-120, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-130 Voting in person or by absentee ballot. [Order, § 132D-20-130, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-140 Protection of voter privacy. [Order, § 132D-20-140, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-150 Election inspectors and observers. [Order, § 132D-20-150, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-160 Electioneering prohibited at polls. [Order, § 132D-20-160, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-170 Incorrectly marked ballots. [Order, § 132D-20-170, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-180 Challenged ballots. [Order, § 132D-20-180, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-190 Absentee ballots. [Order, § 132D-20-190, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-200 Employees present at polls entitled to vote—Ballot boxes sealed—Unused ballots. [Order, § 132D-20-200, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-210 Duties of election inspectors. [Order, § 132D-20-210, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-220 Counting of ballots. [Order, § 132D-20-220, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-230 Challenged ballots—When counted. [Order, § 132D-20-230, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-240 Certification election—Lack of majority vote. [Order, § 132D-20-240, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-250 Certification of election results. [Order, § 132D-20-250, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-260 Contest of election. [Order, § 132D-20-260, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-270 Certification election—Certification of representative employee organization. [Order, § 132D-20-270, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-280 Election to determine scope of bargaining unit—Certification of scope of bargaining unit. [Order, § 132D-20-280, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- 132D-20-290 Time lapse for new election. [Order, § 132D-20-290, filed 10/17/74.] Repealed by 89-11-025 (Order 89-08), filed 5/11/89. Statutory Authority: RCW 28B.50.140.
- Chapter 132D-36**
STATE ENVIRONMENTAL POLICY ACT RULES
- 132D-36-010 Implementation of State Environmental Policy Act. [Order 76-3, § 132D-36-010, filed 12/22/76.] Repealed by 89-09-042 (Order 89-02), filed 4/14/89. Statutory Authority: RCW 28B.50.140.
- Chapter 132D-130**
STUDENT RECORDS
- 132D-130-010 Purpose. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g, 90-05-045, § 132D-130-010, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
- 132D-130-020 Definitions. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g, 90-05-045, § 132D-130-020, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
- 132D-130-030 Access to records. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g, 90-05-045, § 132D-130-030, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
- 132D-130-035 Access to records—Limitations on access. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g, 90-05-045, § 132D-130-035, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
- 132D-130-040 Right to copy records. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g, 90-05-045, § 132D-130-040, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
- 132D-130-045 Request for explanation or interpretation of record. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g, 90-05-045, § 132D-130-045, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
- 132D-130-050 Challenges—To content of records—To release of records—Or to denial of access to records. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g, 90-05-045, § 132D-130-

- 050, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
- 132D-130-055 Challenges—Informal proceedings. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-055, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
- 132D-130-060 Challenges—Hearing before grievance review committee. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-060, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
- 132D-130-070 Release of personally identifiable information or education records. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-070, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
- 132D-130-075 Release of personally identifiable information or education records—Nature of consent required. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-075, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
- 132D-130-080 Release of personally identifiable information or education records—Exceptions to consent requirement. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-080, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
- 132D-130-085 Release of information in emergencies. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-085, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
- 132D-130-090 Directory information. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-090, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
- 132D-130-095 Destruction of student records. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-095, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.
- 132D-130-100 Notification of rights under this chapter. [Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-130-100, filed 2/16/90, effective 3/19/90.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.

Chapter 132D-280

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

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

filed 5/16/89.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.

- 132D-280-040 Review of records requests and requests to amend. [Statutory Authority: RCW 28B.50.140. 89-11-044 (Order 89-09), § 132D-280-040, filed 5/16/89.] Repealed by 94-01-028, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28B.50.140.

Chapter 132D-300

GRIEVANCE PROCEDURE—SEXUAL HARASSMENT, SEX DISCRIMINATION, AND HANDICAPPED DISCRIMINATION

- 132D-300-010 Statement of policy. [Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-300-010, filed 12/6/93, effective 1/6/94; 89-11-038 (Order 89-10), § 132D-300-010, filed 5/15/89.] Repealed by 96-01-077, filed 12/18/95, effective 1/18/96. Statutory Authority: RCW 28B.50.140.
- 132D-300-020 Jurisdiction. [Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-300-020, filed 12/6/93, effective 1/6/94; 89-11-038 (Order 89-10), § 132D-300-020, filed 5/15/89.] Repealed by 96-01-077, filed 12/18/95, effective 1/18/96. Statutory Authority: RCW 28B.50.140.
- 132D-300-030 Grievance procedure. [Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-300-030, filed 12/6/93, effective 1/6/94; 89-11-038 (Order 89-10), § 132D-300-030, filed 5/15/89.] Repealed by 96-01-077, filed 12/18/95, effective 1/18/96. Statutory Authority: RCW 28B.50.140.
- 132D-300-040 Definition—Sexual harassment. [Statutory Authority: RCW 28B.50.140. 94-01-028, § 132D-300-040, filed 12/6/93, effective 1/6/94.] Repealed by 96-01-077, filed 12/18/95, effective 1/18/96. Statutory Authority: RCW 28B.50.140.

Chapter 132D-104 WAC BOARD OF TRUSTEES

WAC

- 132D-104-010 The board of trustees.
132D-104-020 Meetings of the board of trustees.
132D-104-030 Communication to the board of trustees.
132D-104-040 General information.

WAC 132D-104-010 The board of trustees. The government of Community College District No. 4 (Skagit Valley College) is vested in a five-person board of trustees. The trustees are appointed by the governor, and serve five-year terms and/or until their successors are appointed. Annually at its June meeting, the board elects a chairperson and vice chairperson who serve for a term of one year and until their successors are elected from the membership of the board.

[Statutory Authority: RCW 28B.50.140. 89-11-023 (Order 89-05), § 132D-104-010, filed 5/11/89.]

WAC 132D-104-020 Meetings of the board of trustees. The board customarily holds monthly meetings on the second Tuesday of each month at such place as it may designate. Notices of the time and place of all regular and special meetings shall be governed by the requirements of the Open Public Meetings Act, chapter 42.30 RCW.

[Statutory Authority: RCW 28B.50.140. 89-11-023 (Order 89-05), § 132D-104-020, filed 5/11/89.]

WAC 132D-104-030 Communication to the board of trustees. Persons who wish to bring a matter to the attention of the board of trustees may do so by submitting written communications to the Executive Secretary of the Board of Trust-

ees, President's Office, Skagit Valley College, 2405 College Way, Mount Vernon, Washington 98273.

[Statutory Authority: RCW 28B.50.140, 89-11-023 (Order 89-05), § 132D-104-030, filed 5/11/89.]

WAC 132D-104-040 General information. Information concerning admissions to the college may be obtained from the Office of Student Affairs, Skagit Valley College, 2405 College Way, Mount Vernon, Washington 98273.

Additional and detailed information concerning the various programs of the college may be obtained from the catalog, copies of which are available upon writing the registrar.

[Statutory Authority: RCW 28B.50.140, 89-11-023 (Order 89-05), § 132D-104-040, filed 5/11/89.]

Chapter 132D-108 WAC PRACTICE AND PROCEDURE

WAC

132D-108-010	Adoption of model rules of procedure.
132D-108-020	Appointment of presiding officers.
132D-108-030	Method of recording.
132D-108-040	Application for adjudicative proceeding.
132D-108-050	Brief adjudicative procedures.
132D-108-060	Discovery.
132D-108-070	Procedure for closing parts of the hearings.
132D-108-080	Recording devices.
132D-108-090	Petitions for stay of effectiveness.

WAC 132D-108-010 Adoption of model rules of procedure. The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended, are hereby adopted for use at this institution. Those rules may be found in chapter 10-08 WAC. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and procedural rules adopted in this title, the procedural rules adopted by this institution shall govern. Rules adopted at this institution prior to July 1, 1989, remain in full force and effect unless specifically repealed or amended.

[Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g, 90-05-045, § 132D-108-010, filed 2/16/90, effective 3/19/90.]

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

[Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g, 90-05-045, § 132D-108-020, filed 2/16/90, effective 3/19/90.]

WAC 132D-108-030 Method of recording. Proceedings shall be recorded by a method determined by the presid-

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ing officer, among those available pursuant to the model rules of procedure in WAC 10-08-170.

[Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g, 90-05-045, § 132D-108-030, filed 2/16/90, effective 3/19/90.]

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

President's Office
2405 E. College Way
Mount Vernon, WA 98273

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

[Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g, 90-05-045, § 132D-108-040, filed 2/16/90, effective 3/19/90.]

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

- (1) Residency determinations made pursuant to RCW 28B.15.013, conducted by the admissions office;
- (2) Challenges to contents of education records;
- (3) Student conduct proceedings. The procedural rules in chapter 132D-120 WAC apply to these proceedings;
- (4) Parking violations. The procedural rules in chapter 132D-116 WAC apply to these proceedings;
- (5) Outstanding debts owed by students or employees;
- (6) Loss of eligibility for participation in institution-sponsored athletic events, pursuant to chapter 132D-400 WAC.

[Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g, 90-05-045, § 132D-108-050, filed 2/16/90, effective 3/19/90.]

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

[Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g, 90-05-045, § 132D-108-060, filed 2/16/90, effective 3/19/90.]

WAC 132D-108-070 Procedure for closing parts of the hearings. A party may apply for a protective order to close part of a hearing. The party making the request should state the reasons for making the application to the presiding officer. If the other party opposes the request, a written response to the request shall be made within ten days of the request to the presiding officer. The presiding officer shall

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determine which, if any, parts of the proceeding shall be closed, and state the reasons therefor in writing within twenty days of receiving the request.

[Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g, 90-05-045, § 132D-108-070, filed 2/16/90, effective 3/19/90.]

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

[Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g, 90-05-045, § 132D-108-080, filed 2/16/90, effective 3/19/90.]

WAC 132D-108-090 Petitions for stay of effectiveness. Disposition of a petition for stay of effectiveness of a final order shall be made by the official, officer, or body of officers, who entered the final order.

[Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g, 90-05-045, § 132D-108-090, filed 2/16/90, effective 3/19/90.]

Chapter 132D-116 WAC

PARKING AND TRAFFIC REGULATIONS

(Formerly chapter 132D-16 WAC)

WAC

132D-116-010	Authority.
132D-116-020	Purpose.
132D-116-030	Definitions.
132D-116-040	Applicable traffic rules and regulations.
132D-116-050	Parking and traffic responsibility.
132D-116-060	Permits required for motor vehicles on campus.
132D-116-070	Authorization for issuance of permits.
132D-116-080	Parking fees.
132D-116-090	Valid permits.
132D-116-100	Display of permit.
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132D-116-130	Right to appeal permit revocation.
132D-116-140	Responsibility of permit holder.
132D-116-150	Right to refuse permit.
132D-116-160	Allocation of parking spaces.
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132D-116-180	Night parking.
132D-116-190	Regulatory signs and directions.
132D-116-200	Speed limit.
132D-116-210	Special traffic and parking regulations authorized.
132D-116-220	Two-wheeled motor bikes or bicycles.
132D-116-230	Report of accidents.
132D-116-240	Enforcement.
132D-116-250	Issuance of traffic citations.
132D-116-260	Fines and penalties.
132D-116-270	Appeal of fines and penalties.
132D-116-280	Liability of college.
132D-116-290	Effective date.
132D-116-300	Severability.

WAC 132D-116-010 Authority. Pursuant to the authority granted by RCW 28B.50.140(10), the board of trustees of Community College District No. 4 empowers the dean of administrative and student services to make rules and regulations for pedestrian and vehicular traffic on property owned, operated or maintained by the college district.

[Statutory Authority: RCW 28B.50.140, 88-24-014 (Order 88-01), § 132D-116-010, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-020 Purpose. The rules and regulations contained in this chapter are established for the following purposes:

- (1) To protect and control pedestrian and vehicular traffic on property owned, operated and maintained by the college district.
- (2) To assure access at all times for emergency traffic.
- (3) To minimize traffic disturbances.
- (4) To facilitate the operation of the college by assuring access for vehicles.
- (5) To regulate the use of parking spaces.

[Statutory Authority: RCW 28B.50.140, 88-24-014 (Order 88-01), § 132D-116-020, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-030 Definitions. For the purposes of this chapter, the following definitions and terms shall apply:

- (1) **Board:** The board of trustees of Community College District No. 4, state of Washington.
- (2) **Campus:** Any or all real property owned, operated, controlled or maintained by Community College District No. 4, state of Washington.
- (3) **College:** Skagit Valley College and any other community college centers or facilities established within Community College District No. 4.
- (4) **Faculty members:** Any employee of Community College District No. 4 who is certified to teach in a community college in the state of Washington.
- (5) **College disciplinary court:** The court system established by chapter 132D-120 WAC.
- (6) **Security officer:** An employee of the college accountable to the dean of administrative and student services and responsible for campus security, safety, and parking and traffic control.
- (7) **Staff:** The administrative and classified members employed by the college.
- (8) **Students:** Any person enrolled at the college.
- (9) **Vehicle:** An automobile, truck or other such vehicle and two-wheeled vehicles powered by a motor.
- (10) **Visitor:** Persons who come upon the campus as guests, and persons who lawfully visit the campus for purposes which are in keeping with the college's role as an institution of higher learning in the state of Washington.
- (11) **Permanent permit:** A permit which is valid for a college quarter, year or a portion thereof.
- (12) **Temporary permit:** A permit issued in lieu of a permanent permit for a period determined on the permit.
- (13) **Handicapped permit:** A permit issued to a person with a physical, mental or sensory impairment.

[Statutory Authority: RCW 28B.50.140, 88-24-014 (Order 88-01), § 132D-116-030, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-040 Applicable traffic rules and regulations. The traffic rules and regulations which are applicable upon the campus are:

- (1) The motor vehicle and traffic codes of the state of Washington.
- (2) Local traffic ordinances of the respective college facilities established within Community College District No. 4.

(3) The traffic rules and regulations of federal, state or local agencies who rent, lease or otherwise provide facilities for the use of the college.

(4) The rules and regulations described in this chapter.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-040, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-050 Parking and traffic responsibility. The responsibility for parking and traffic management on campus shall be vested in the dean of administrative and student services and his or her appointed security officer(s) or designee(s).

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-050, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-060 Permits required for motor vehicles on campus. Students, faculty members, staff members, guests and visitors shall not stop, park or leave a vehicle whether attended or unattended upon the campus without a parking permit issued pursuant to this chapter; provided, the permit shall not be required of visitors who park in specifically marked visitor areas and the exemptions from traffic and parking restrictions set forth in this chapter.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-060, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-070 Authorization for issuance of permits. Parking permits shall be issued to students, faculty members, staff members, guests and visitors of the college pursuant to the following regulations:

(1) The dean of administrative and student services is authorized to issue parking permits to students upon the registration of their vehicle with the college at the beginning of each academic period; provided, the academic period shall not include summer school.

(2) Faculty, staff, and employees may be issued parking permits if they register their vehicle upon employment with the college.

(3) Temporary visitor parking permits or special parking permits may be issued by the dean of administrative and student services or his or her designee(s) if issuance enhances the business or operation of the college.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-070, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-080 Parking fees. Fees for parking in designated areas will be established by the board of trustees.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-080, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-090 Valid permits. The following are valid parking permits, provided they are properly displayed and unexpired:

- (1) A permanent permit.
- (2) A temporary permit.
- (3) A handicapped permit.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-090, filed 12/1/88, effective 1/1/89.]

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WAC 132D-116-100 Display of permit. (1) A permanent permit shall be displayed affixed to the inside of the rear window on the lower left corner directly behind the driver. If the vehicle is a convertible or has no rear window, the permit shall be affixed to the top center of the windshield.

(2) Permits for motorcycles shall be affixed in visible locations.

(3) A special or temporary parking permit shall be placed within the vehicle where it can be plainly observed.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-100, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-110 Transfer of permits. Parking permits are not transferable.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-110, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-120 Permit revocation. Parking permits are the property of the college and may be recalled by the dean of administrative and student services or his or her designee(s) 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 by an unregistered vehicle or by an unauthorized individual;

(3) Falsification on a parking permit application;

(4) Continued violations of parking regulations; or

(5) Counterfeiting or altering a parking permit.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-120, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-130 Right to appeal permit revocation. When a parking permit has been recalled as provided by this chapter, such action may be appealed pursuant to WAC 132D-120-230 through 132D-120-290.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-130, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-140 Responsibility of permit holder. The permit holder is responsible for the vehicle to which the permit is affixed. Therefore, he or she will be held responsible for any violations charged to that vehicle. However, an operator of a vehicle will not be relieved of responsibility for violating any rule of this chapter simply because he or she is not also the permit holder.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-140, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-150 Right to refuse permit. The dean of administrative and student services may refuse to issue a parking permit when it is deemed in the best interests of the college to do so.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-150, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-160 Allocation of parking spaces. The parking space available on campus shall be allocated by the dean of administrative and student services or his or her

designee(s), in such a manner as will best effectuate the objectives [of] this chapter.

(1) Faculty and staff spaces will be so designated for their use; and

(2) Student spaces will be so designated for their use; provided, physically handicapped students may be granted special permits to park in close proximity to the classrooms used by such students; and

(3) Parking space will be designated for use of visitors on campus.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-160, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-170 Parking within designated spaces. (1) No vehicle shall be parked on the campus except in those areas set aside and designated pursuant to this chapter.

(2) Parking in designated areas will be strictly enforced between the hours of 7 a.m. and 4 p.m., Monday through Friday.

(3) All vehicles shall follow traffic arrows and other markings established for the purpose of directing traffic on campus.

(4) In areas marked for diagonal parking, vehicles shall be parked at a forty-five degree angle, facing in, with no part of the vehicle extending more than two feet beyond the yellow line or barrier.

(5) In areas marked for parallel or right-angle parking, space or stall markings will be observed.

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

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-170, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-180 Night parking. Night students, faculty members, visitors and guests may park in any of the spaces or stalls designated in this chapter on a first-come, first-served basis between the hours of 4 p.m. and 7 p.m. Whidbey students are restricted to the student parking lots on the Whidbey Campus at all times.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-180, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-190 Regulatory signs and directions. The dean of administrative and student services or his or her designee(s) is authorized to erect signs, barricades and other structures and to paint marks or other directions upon the entry ways and streets on campus and upon the various parking lots owned or operated by the college. Such signs, barricades, structures, markings and directions shall be so made and placed as (in the opinion of the dean of administrative and student services or his or her designee(s)) will best achieve the goals of this chapter.

(1) Drivers of vehicles shall obey the signs, barricades, structures, markings and directions erected pursuant to this

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section. Drivers shall also comply with the directions given them by a campus security officer controlling and regulating traffic.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-190, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-200 Speed limit. No vehicle shall be operated on the campus at a speed in excess of ten miles per hour or in excess of the posted speed limit.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-200, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-210 Special traffic and parking regulations authorized. Upon special occasions causing additional and/or heavy traffic and during emergencies, the dean of administrative and student services or his or her designee(s), is authorized to impose additional traffic and parking regulations to achieve the objectives of this chapter.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-210, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-220 Two-wheeled motor bikes or bicycles. (1) All two-wheeled vehicles powered by a motor or foot shall park in spaces designated by the security officer.

(2) No vehicle shall be ridden on the sidewalks on campus at any time unless authorized by the dean of administrative and student services or his or her designee(s).

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-220, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-230 Report of accidents. The operator of any vehicle involved in an accident on campus where injury or death of any person results, or where either or both vehicles is damaged in any amount, shall within twenty-four hours make a written report of the accident to the dean of administrative and student services. This report does not relieve any person so involved in an accident from his or her responsibility to file a state of Washington motor vehicle accident report.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-230, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-240 Enforcement. (1) Enforcement of the parking rules and regulations will begin the first week of classes of fall quarter and will continue until the end of spring quarter. These rules and regulations will not be enforced during summer quarter, Saturdays, Sundays and official college holidays.

(2) The dean of administrative and student services or his or her designee(s), shall be responsible for the enforcement of the rules and regulations contained in this chapter. The dean of administrative and student services is authorized to delegate this responsibility to the campus security officer or other subordinates.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-240, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-250 Issuance of traffic citations. The dean of administrative and student services, his or her

appointed security officer, or his or her designee(s) may issue citations for any violations of these rules and regulations. Such citations shall include the date, approximate time, vehicle identification number, infraction, name of the issuing officer and schedule of fines. The traffic citations may be served in person, by mail, or by attaching a copy to a prominent place on the outside of the vehicle.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-250, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-260 Fines and penalties. The dean of administrative and student services or his or her designee(s) is authorized to impose fines and penalties for the violation of rules and regulations contained in this chapter.

(1) The following \$5.00 citations will be issued for any of the following violations of the campus parking regulations. The fee will be reduced to \$2.00 if paid within 24 hours.

- (a) No valid parking permit displayed.
- (b) Parking out of designated parking space.
- (c) Overtime parking.
- (d) Occupying more than one parking space.
- (e) Blocking traffic.
- (f) Parking in a reserved or restricted area.
- (g) Parking in a driveway or walkway.
- (h) Parking on grass or landscaped area.
- (i) Failure to display handicapped permit.

(2) A \$10.00 fine will be issued for any of the following violations of the campus parking regulations:

- (a) Use of forged, stolen, or transferred parking permits.
- (b) Parking in a loading zone.

(3) A \$15.00 fine, also subject to being towed away at the owner's expense, will be issued for any of the following violations of the campus parking regulations:

(a) Parked in any space designated as handicapped parking where the parked vehicle does not have a handicapped permit.

- (b) Parked at an area designated as a fire lane.

(4) The dean of administrative and student services or his or her designee(s), shall be authorized to impound vehicles parked on college property.

(a) Vehicles left abandoned on college property for an unreasonable duration are subject to impoundment by the college, pursuant to state law. An unreasonable duration is a period greater than five working days.

(b) Vehicles in violation of subsection (3) may be impounded.

(c) Vehicles involved in more than two violations of these regulations within a twelve-month period are subject to impoundment.

(d) Impoundment and storage expenses shall be borne by the owner of the impounded vehicle.

(e) The college shall not be liable for loss or damage of any kind resulting from such impoundment and storage.

(f) Impoundment of a vehicle does not remove the obligation for any fines associated with the citation.

(5) An accumulation of traffic violations by a student will be cause for disciplinary action, and the dean of administrative and student services shall initiate disciplinary proceedings against such student pursuant to chapter 132D-120 WAC.

(6) Fines will be paid in the front office at the registration window.

(7) Unpaid fines will be referred to the registration office for notation. When fines are unpaid, transcripts, quarterly grade reports, or permission to reregister may be withheld.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-260, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-270 Appeal of fines and penalties.

Any fines and penalties levied against a violator of the rules and regulations in this chapter may be appealed pursuant to the provisions of chapter 132D-120 WAC.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-270, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-280 Liability of college. Except for the college owned and/or operated vehicles, the college assumes no liability under any circumstances for vehicles on campus.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-280, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-290 Effective date. These regulations shall be effective on the date of filing with the code reviser.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-290, filed 12/1/88, effective 1/1/89.]

WAC 132D-116-300 Severability. If any provision of this chapter is adjudged by a court to be unconstitutional, the remaining provisions shall continue in effect.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-116-300, filed 12/1/88, effective 1/1/89.]

Chapter 132D-120 WAC

STUDENT RIGHTS AND RESPONSIBILITIES

WAC

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WAC 132D-120-010 Title. This chapter shall be known as the code of student rights and responsibilities of Skagit Valley College.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-010, filed 12/1/88, effective 1/1/89.]

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

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

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

(3) "Assembly" shall mean any overt activity engaged in by two or more persons, the object of which is to gain publicity, advocate a view, petition for a cause, or disseminate information to any person, persons or group of persons.

(4) "ASSVC" shall mean the associated students of Skagit Valley College as defined in the constitution of that body.

(5) "Board" shall mean the board of trustees of Community College District No. 4, state of Washington.

(6) "Chief administrative officer" shall mean the president of Skagit Valley College and president of Community College District No. 4, state of Washington.

(7) "College" shall mean Skagit Valley College, and any other community college centers or facilities established within Community College District No. 4.

(8) "College facilities" shall mean and include any and all personal property and real property including all buildings and appurtenances affixed thereon or attached thereto district-wide.

(9) "Demonstrations" shall mean any overt activity engaged in by one or more persons, the object of which is to gain publicity, advocate a view, petition for a cause or disseminate information to any person, persons, or group of persons.

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

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

(12) "Faculty" shall mean and include any full-time or part-time academic employee of the district whose assign-

ment is one of a combination of instruction, counseling or library services.

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

(14) "Student," unless otherwise qualified, shall mean and include any person who is registered for classes at the college.

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

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

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-020, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-030 Jurisdiction. (1) All rules herein adopted shall apply to every student whenever said student is present upon or in any college facility and whenever said student is present at or engaged in any college-sponsored activity which is held on or in noncollege facilities.

(2) Faculty members, other college employees, students, and members of the public who breach or aid or abet another in the breach of any provision of this chapter shall be subject to (a) possible prosecution under the state criminal law; (b) any other civil or criminal remedies available to the public; or (c) appropriate disciplinary action pursuant to the state of Washington higher education personnel board rules or the district's policies and regulations.

(3) Statutory authority of the Revised Code of Washington cited in this document is on file and available in the office of the dean of administrative and student services.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-030, filed 12/1/88, effective 1/1/89.]

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

(1) Academic freedom.

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

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

(c) Students shall be protected from academic evaluation which is arbitrary, prejudiced or capricious, but are responsible for meeting the standards of academic performance established by each of their instructors.

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

(2) Due process.

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

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

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

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

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

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

WAC 132D-120-050 Student responsibilities. Any student shall be subject to disciplinary action as provided for in this chapter who, either as a principle actor, aider, abettor or accomplice as defined in RCW 9A.08.020 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 personal, property or status offenses which are hereby prohibited:

(1) Personal offenses.

(a) Assault, reckless endangerment, intimidation or interference upon another person in the manner set forth in RCW 9A.36.010, 9A.36.020, 9A.36.030, 9A.36.040, 9A.36.050 or 28B.10.570 through 28B.10.572 as now or hereafter amended.

(b) Disorderly, abusive, or bothersome conduct. Disorderly or abusive behavior which interferes with the rights of others or which obstructs or disrupts teaching, research, or administrative functions.

(c) Failure to follow instructions. Inattentiveness, inability, or failure of student to follow instructor's instructions, thereby infringing upon the rights and privileges of other students.

(d) Illegal assembly, obstruction or disruption. Any assembly or other act which materially and substantially interferes with vehicular or pedestrian traffic, classes, hearings, meetings, the educational and administrative functions of the college, or the private rights and privileges of others.

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

(f) False alarms. Falsely setting off or otherwise tampering with any emergency safety equipment, alarm, or other device established for the safety of individuals and/or college facilities.

(g) 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 school performance.

(2) Property offenses.

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

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

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

(3) Status offenses.

(a) Cheating and plagiarism. Submitting to a faculty member any work product that the student fraudulently represents to the faculty member as the student's work product for the purpose of fulfilling or partially fulfilling any assignment or task required by the faculty member as part of the student's program of instruction.

(b) Forgery or alteration of records. Forging or tendering any forged records or instruments, as defined in RCW 9A.60.010—9A.60.020 as now law or hereafter amended, of any district record or instrument to an employee or agent of the district acting in his official capacity as such.

(c) Refusal to provide identification in appropriate circumstances. Refusal to provide positive identification (e.g., valid driver's license or state identification card) in appropriate circumstances to any college employee in the lawful discharge of said employee's duties.

(d) Illegal entry. Entering any administrative or other employee office or any locked or otherwise closed college facility in any manner, at any time, without permission of the college employee or agent in charge thereof.

(e) 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.

(f) 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 regulation, "sale" shall include the statutory meaning defined in RCW 69.50.410 as now law or hereafter amended.

(g) 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 of administrative and student services or his or her designee(s) and in compliance with the Alcoholic Beverage Use Policy of the college and other state law.

(h) 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.

[Statutory Authority: RCW 28B.50.140, 88-24-014 (Order 88-01), § 132D-120-050, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-055 Antihazing. Skagit Valley College prohibits student organizations and their members from engaging individually or collectively in hazing activities.

(1) Definition. 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 to any student or other person attending any institution of higher education. "Hazing" does not include customary athletic events or other similar contests or competitions.

(2) Activity. Hazing activity may include one or more of the following:

(a) Activities that expose individuals to embarrassment, abuse, ridicule or humiliation;

(b) Activities which have no meaningful relationship to the objectives of the organization;

(c) Activities that abuse the trust an organization is striving to build between its members and prospective members;

(d) Activities which interfere with academic pursuits or normal life functions.

(3) Examples. Examples of prohibited activities include pressure to swallow uncommon/common substances, forced consumption of alcohol or drugs, excessive exercise, physical or verbal abuse, personal humiliation, embarrassment, and sleep or sensory deprivation.

(4) Disciplinary action. Student organizations whose members participate in or conspire to participate in hazing activities will be subject to appropriate college disciplinary actions in accordance with Student rights and responsibilities (chapter 132-120 WAC). Disciplinary actions for individuals of student organizations or living groups participating in hazing activities may include forfeiture of any entitlement to state-funded grants, scholarships, or awards for a period of time determined by the college. Disciplinary action for student organizations or living groups may include deprivation of official recognition or approval granted by the college. Hazing violations are also misdemeanors punishable under state criminal law, according to RCW 9A.20.021.

(5) Impermissible conduct not amounting to hazing:

(a) Associated with initiation into a student organization or living group or any pastime or amusement engaged in, with respect to the organization or living group, will not be tolerated;

(b) May include conduct which causes embarrassment, sleep deprivation or personal humiliation, or may include ridicule or unprotected speech amounting to verbal abuse;

(c) Is subject to any sanctions available under the student code of conduct, depending upon the seriousness of the violation.

(6) Complaints and appeals. Initial questions or complaints regarding hazing are to be directed to the associate dean for student programs. Appeals are to be addressed to the dean of admissions and registration.

[Statutory Authority: RCW 28B.50.140. 97-01-049, § 132D-120-055, filed 12/12/96, effective 1/12/97.]

WAC 132D-120-060 Trespass. The dean of administrative and student services or his or her designee(s) shall

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have the authority and power to prohibit the entry or withdraw the license or privilege of any person or group of persons to enter into or remain in any college property or facility. Such power and authority may be exercised to halt any event which is deemed to be unreasonably disruptive of order or impedes the movement of persons or vehicles or which disrupts or threatens to disrupt the ingress and/or egress of persons from facilities owned and/or operated by the college. Any individual who disobeys a lawful order given by the dean of administrative and student services, or his or her designee(s), shall be subject to disciplinary action and/or charges of criminal trespass.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-060, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-070 Delegation of disciplinary authority. The dean of administrative and student services, or his designee(s), shall have authority to administer the disciplinary action prescribed in this chapter. The president shall be informed of all student dismissals, suspensions or probation proceedings by the dean of administrative and student services, or his or her designee(s).

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-070, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-080 Disciplinary action. The following disciplinary actions 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. Verbal notice to a student by the dean of administrative and student services, or his or her designee(s) that she/he has violated the rules of conduct as outlined in this chapter or has otherwise failed to satisfy the college's expectations regarding conduct. Such warnings imply that continuing or repeating the specific violation or engaging in other misconduct will result in one of the more serious disciplinary actions described below. Formal files or records will not be kept on informal verbal warnings.

(2) Disciplinary reprimand. Formal action censuring a student for violating the rules of conduct as outlined in WAC 132D-120-050. Reprimands shall be made in writing to the student by the dean of administrative and student services, or his or her designee(s), with copies placed on file in the office of student affairs. A reprimand shall indicate to the student that continuing or repeating the specific violation involved will result in one of the more serious disciplinary actions described below.

(3) Disciplinary probation. Formal action by the dean of administrative and student services, or his or her designee(s), placing conditions upon the student's continued attendance for violation of WAC 132D-120-050. 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 be for a specific term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college.

(4) Limited dismissal. Temporary dismissal from the college and termination of the person's student status for vio-

lation of WAC 132D-120-050. Notice shall be given in writing and specify the duration of the dismissal and any special conditions which must be met before readmission.

(5) Expulsion. Permanent termination of a student's status for violation of WAC 132D-120-050. Notice must be given 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. 88-24-014 (Order 88-01), § 132D-120-080, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-090 Initial disciplinary proceedings.

(1) All disciplinary proceedings will be initiated by the dean of administrative and student services or his or her designated representative. The student may be placed on suspension pending commencement of disciplinary action, pursuant to the conditions set forth in WAC 132D-120-160.

(2) Any student accused of violating any provision of the rules of conduct shall be called for an initial meeting with the dean of administrative and student services, or his or her designated representative, and will be informed of what provision or provisions of the rules of conduct he/she is charged with violating, and what appears to be the range of penalties, if any, which might result from disciplinary proceedings.

(3) After considering the evidence in the case and interviewing the accused student, if the accused student has appeared at the scheduled conference, the dean of administrative and student services may take any of the following actions: (a) Terminate the proceeding, exonerating the student or students; (b) dismiss the case after whatever counseling and advice the dean of administrative and student services deems appropriate; (c) impose verbal warning to the student directly, not subject to the student's right of appeal as provided in this chapter; (d) impose additional sanctions of reprimand, probation, limited dismissal or expulsion, subject to the student's right of appeal as provided in the following provisions.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-090, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-100 Appeals—Generally. (1)

Appeals contesting any disciplinary action may be made by the student(s) involved. Such appeals shall be made in the following order:

(a) Disciplinary action taken by the dean of administrative and student services, or his or her designee(s) may be appealed to the college disciplinary court, which may, at the request of the student(s), hear the case de novo.

(b) Disciplinary recommendations made by the college disciplinary court may be appealed by the student to the president of the college. The president shall review the record of the proceedings which gave rise to the appeal, as well as the recommendations made by the dean of administrative and student services and the college disciplinary court. The president's decision shall be final.

(2) Any appeal by a student receiving a disciplinary sanction must meet the following conditions: (a) The appeal must be in writing and must clearly state errors in fact or matters in extenuation or mitigation which justify the appeal; and (b) the appeal must be filed within ten working days from the

date on which the student was notified that disciplinary action was being taken.

(3) All appellate decisions shall be sent from the office of the dean of administrative and student services. Written decisions shall include the signatures of the college disciplinary court.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-100, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-110 Composition and structure of the college disciplinary court. (1)

The college disciplinary court shall be composed of a chief justice, associate chief justice and seven associate justices selected as follows:

(a) The chief justice shall be a student in good academic standing at the college, and s/he shall be appointed by the ASSVC president for a one-year term; and

(b) The associate chief justice shall be a faculty member or administrator appointed by the president of the college for a three-year term; and

(c) The associate justices shall be selected as follows:

(i) Four associate justices shall be students in good academic standing appointed by the ASSVC president for one-year terms; and

(ii) Two associate justices shall be faculty members selected by the faculty for two-year terms; and

(iii) One associate justice shall be an administrator appointed by the president of the college for a two-year term; and

(iv) Members of the college disciplinary court shall be chosen by no later than October 15 of each academic year.

(d) A chief justice, associate chief justice, and associate justices shall serve during their term of office as set forth above and until their successors are appointed or elected.

(2) If any member of the college disciplinary court 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. If the chief justice and associate chief justice abstain pursuant to the above procedure, the members of the college disciplinary court shall elect a temporary chief justice who will preside over the court.

(3) The chief justice, or in his or her absence the associate chief justice except under circumstances described in subparagraph (2) above, shall preside over all court proceedings in cases relating to student violation of the rules of conduct established by this chapter. The presiding officer of the college disciplinary court 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 procedural matters heard in the course of the disciplinary hearing.

(4) A quorum for all proceedings of the college disciplinary court shall consist of the chief justice, or in his or her absence the associate chief justice, and at least four associate justices; provided, in the event that the chief justice and associate chief justice have been replaced in accordance with subparagraph (2) above, the college disciplinary court shall meet to elect a temporary chief justice.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-110, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-120 Hearing procedures before the college disciplinary court. (1) The college disciplinary court shall conduct a hearing within fourteen working days after disciplinary action has been referred to the court.

(2) Where a person is charged with an offense punishable by suspension, limited dismissal, or termination of his or her relationship with the institution, and where the person (a) waives the opportunity for an informal hearing, or (b) by his conduct (in the judgment of the hearing officer) makes it impossible to conduct an informal hearing, or (c) is dissatisfied with the results of the informal hearing; that person is entitled to a formal hearing conducted according to the provisions of RCW 28B.19.110 and the guidelines of this chapter. Where a formal hearing is neither required by law nor requested by the student or the college, the matter may be resolved informally. Informal hearings before the college disciplinary court shall be conducted in any manner which will bring about a prompt, fair resolution of the issue.

(3) The college disciplinary court will hear and decide cases referred to it by the dean of administrative and student services or by appeal as specified in WAC 132D-120-090. The court shall prepare a written opinion which shall include findings of fact, conclusions, and recommendations.

(4) The student has a right to a fair and impartial hearing before the college disciplinary court on any charge of violating the rules of conduct. The student's failure to cooperate with the court's hearing procedures, however, shall not preclude the college disciplinary court from making its findings of fact, conclusions and recommendations.

(5) Written notice of the time and place of the hearing before the college disciplinary court 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 of the hearing and shall be issued by the office of the dean of administrative and student services. The notice shall include:

(a) A statement of time, place and nature of the disciplinary proceedings; and

(b) A statement of the specific charges against him or her 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 that will be presented by the college at the hearing.

(6) The student shall be entitled to:

(a) Hear and examine the evidence against him or her and be informed of the identity of its source; and

(b) Present evidence in his or her own behalf and to cross-examine witnesses testifying on behalf of the college as to factual matters; and

(c) Take depositions upon oral examination or written interrogatories. Discovery shall be done according to the rules of civil procedure or by a less formal method where all parties agree.

(7) The student may be represented by counsel of his or her choice at the disciplinary hearing. 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 of administrative and student services at least five working days prior to the hearing.

(8) In all disciplinary proceedings, the college may be represented by a designee appointed by the dean of administrative and student services; 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 of administrative and student services may elect to have the college represented by an assistant attorney general.

(9) The dean of administrative and student services shall designate a recorder to take notes during the hearing and to prepare a written summary of all evidence, facts, and testimony presented to the college disciplinary court during the course of the hearing. The proceedings of the hearing shall also be tape-recorded.

(10) The record in a formal hearing shall contain: (a) All documents, motions and intermediate rulings; and (b) evidence received and considered; and (c) a statement of matters officially noticed; and (d) questions and offers of proof, objections and rulings thereon.

(11) All records of disciplinary proceedings shall be maintained in the office of the dean of administrative and student services and shall be available only during the course of the disciplinary proceedings to the college disciplinary court, the student and his/her attorney, and any other college official designated by the president.

(12) Following the conclusion of the disciplinary proceeding, access to records of the case and hearing files will be limited to those designated by the college president.

(13) Proceedings of the college disciplinary court shall be presided over by a presiding officer as provided in WAC 132D-120-110 and 132D-120-120.

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

(15) The time of the hearing may be advanced by the college disciplinary court at the request of the student or continued for good cause.

(16) Hearings conducted by the college disciplinary court generally will be held in closed session; provided, the accused student may request the hearing to be held in open session.

(17) If at any time during the conduct of a hearing visitors disrupt the proceedings, the presiding officer of the college disciplinary court may exclude such persons from the hearing room.

(18) Any student of the college attending the disciplinary court hearing who continues to disrupt the proceedings after the presiding officer has asked him/her to cease or to leave the hearing room, shall be subject to disciplinary action.

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

WAC 132D-120-130 Evidence admissible in hearings. (1) Only those matters presented at the hearing, in the presence of the accused student, except where the student fails to attend after receipt of proper notice, will be considered in determining whether the college disciplinary court has sufficient cause to believe that the accused student is

guilty of violating the rules he or she is charged with having violated. Hearsay evidence is admissible.

(2) The presiding officer of the college disciplinary court shall, in the course of presiding at the disciplinary hearing, give effect to the rules of privilege recognized by law and exclude incompetent, irrelevant, immaterial and unduly repetitious evidence.

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

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-130, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-140 Decision by the college disciplinary court. (1) Upon conclusion of the disciplinary hearing, the college disciplinary court shall consider all the evidence therein presented and decide by majority vote whether to uphold the decision of the dean of administrative and student services or to recommend institution of any of the following actions:

(a) That the college terminate the proceedings and exonerate the student; or

(b) That the college impose any of the disciplinary actions as provided in this chapter.

(2) Within seven working days of the conclusion of the hearing, the student will be provided with a copy of the court's findings of fact and conclusions regarding what occurred and whether the student did violate any rule or rules of the code of conduct. The court shall also advise the student of his or her right to present, within ten calendar days, a written statement to the president of the college appealing the recommendation of the college disciplinary court.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-140, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-150 Final appeal. (1) Any student feeling aggrieved by the findings or conclusions of an appeal pursuant to WAC 132D-120-140 may appeal the same in writing by directing an appeal to the president within ten calendar days following notification of the student of the action taken by the college disciplinary court. The president may, at his discretion, suspend any disciplinary action pending determination of the merits of the findings, conclusions and disciplinary actions imposed. In the consideration of such an appeal, the president shall base his findings and decision only on the official written record of the case and on any reports or recommendations of the college disciplinary court and the dean of administrative and student services.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-150, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-160 Summary suspension proceedings. (1) Ordinarily, disciplinary sanctions will be imposed only after the appropriate informal or formal hearing has taken place and after the student has, if he or she so chooses, exercised his or her right to appeal. However, if the dean of administrative and student services or his or her designee(s) has cause to believe that any student (a) has committed a fel-

ony; or (b) has violated any provision of this chapter; and (c) presents an imminent danger either to himself or herself, other persons on the college campus or to the educational process; that student shall be summarily suspended and shall be notified by certified and regular mail at the student's last known address, or shall be personally served. Summary suspension is appropriate only where (c) can be shown, either alone or in conjunction with (a) or (b).

(2) The notice shall be entitled "Notice of summary suspension proceedings" and shall state: (a) The charges against the student including reference to the provisions of WAC 132D-120-050 or statutory law involved; and (b) that the student charged must appear before the dean of administrative and student services or his or her designee(s) at a time specified in the notice for a hearing. The hearing shall be held as soon as possible after the summary suspension.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-160, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-170 Procedures of summary suspension hearing. (1) The summary suspension hearing shall be considered an informal hearing. The hearing must be conducted as soon as possible and the dean of administrative and student services or his or her designee(s) shall preside.

(2) The dean shall decide whether there is probable cause to believe that continued suspension is necessary and/or whether some other disciplinary action is appropriate.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-170, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-180 Decision by the dean of administrative and student services. If the dean, following the summary suspension hearing, finds that there is probable cause to believe that: (1) The student against whom specific violations are alleged has committed one or more such violations and (2) 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 (3) such violation or violations constitute grounds for disciplinary action as provided for in WAC 132D-120-050; then the dean of administrative and student services may continue to enforce the suspension of the student from college and may impose any other disciplinary action appropriate.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-180, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-190 Notice of suspension. (1) If a student's summary suspension is upheld or if the student is otherwise disciplined, the student will be provided written notice of that fact including the dean of administrative and students services' findings of fact and conclusions which lead the dean to believe that the summary suspension should continue.

(2) The student suspended pursuant to the authority of this rule shall be served a copy of the notice of suspension by personal service or by certified and regular mail at the student's last known address within three working days following the conclusion of the hearing with the dean of administrative and student services.

(3) The notice of suspension shall stipulate the duration of the suspension or nature of the disciplinary action and conditions under which the suspension may be terminated.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-190, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-200 Suspension for failure to appear. The dean of administrative and student services is authorized to enforce the suspension of the summarily suspended student in the event the student has been served pursuant to the notice requirement and fails to appear at the time designated for the summary suspension proceeding.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-200, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-210 Appeals from summary suspension hearing. (1) Any student aggrieved by an order issued at the summary suspension proceeding may appeal to the college disciplinary court. No such appeal shall be entertained, however, unless (a) the student has first appeared before the dean or administrative and students services at the hearing called for in WAC 132D-120-190; and (b) the student has been officially notified of the outcome of the that hearing; and (c) summary suspension or another disciplinary sanction has been upheld; and (d) the appeal conforms to the standards set forth in WAC 132D-120-100(2).

(2) The college disciplinary court shall, within five working days, conduct a formal hearing according to the provisions of WAC 132D-120-120. Appeals from summary suspension take precedence over other matters before the court.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-210, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-220 Final decision. The president or his or her designee(s) shall review the findings and conclusions of the dean in conjunction with the recommendations of the college disciplinary court and will issue a final decision within three days.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-220, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-230 Student grievances. The purpose of this section is to protect each student's freedom of expression in the classroom; to protect each student against improper disclosure of the students' views, beliefs and political associations; to protect each student from improper, arbitrary or capricious academic evaluation as evidenced by the student's final course grade; and to afford each student reasonable protection against arbitrary or capricious actions taken outside the classroom by other members of the college community.

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

Further, it is the policy of Skagit Valley College to provide an environment in which students can work and study free from sexual harassment or sexual intimidation. Sexual harassment is a form of sexual discrimination. As such, it is a

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violation of Title VII of the 1964 Civil Rights Act and Title IX of the 1972 Education Amendments.

Sexual harassment of a student is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct when: (a) Submission to the conduct is either explicitly or implicitly a term or condition of an individual's academic standing; and/or (b) submission to or rejection of such conduct by an individual is used as the basis for academic decisions affecting that individual; and/or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive environment. Students may follow procedures found at WAC 132D-300-040 and/or may file complaints with outside agencies, as referenced in WAC 132D-300-040(9).

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

WAC 132D-120-240 Grievances excluded from this section. (1) A student may not use the provisions of this section as the basis for filing a grievance based on the outcome of summary or other disciplinary proceedings described in earlier sections of the student rights and responsibilities code.

(2) Federal and state laws, rules and regulations, in addition to policies, regulations and procedures adopted by the state board for community college education or the board of trustees of Community College District No. 4 shall not be grievable matters.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-240, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-250 Grievance procedures—Generally. If a student believes he or she has been unfairly treated by an officer of the college, faculty member or a member of the college staff, the student may pursue the matter on two levels. First, the student may follow an informal procedure. Second, if the informal procedure fails to satisfy the grievant, he or she may file an official grievance and request a hearing before the grievance review committee. The student may waive his or her right to have the matter resolved informally. In either case, the student must initiate proceedings with the college within twenty days of the occurrence which gave rise to the grievance.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-250, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-260 Informal grievance procedure. (1) A student wishing to pursue an informal resolution to his or her grievance may first contact the student activities office. That office will serve as a source of information and direction for grievants and shall advise students as to the most effective means of resolving their grievance. This service is optional.

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

(3) If direct discussion does not resolve the grievance to the student's satisfaction, the student shall take the matter to the faculty/staff member's immediate supervisor. The super-

visor shall serve as a mediator and will attempt to resolve the matter promptly and fairly.

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

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

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

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

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

WAC 132D-120-270 Informal grievance procedure—Sex and handicapped discrimination. (1) Any student alleging a violation of Title IX of the Education Amendments of 1972 (sex discrimination) of section 504 of the Rehabilitation Act of 1973 (handicapped discrimination) shall, as a first step in the informal grievance procedure, contact the Title IX/Sec. 504 officer. The student may contact the student activities office for the name and location of the Title IX/Sec. 504 officer. Any student alleging a violation of Title IX of the 1972 Education Amendments concerning sexual harassment may avail himself or herself of the procedures in chapter 132D-300 WAC.

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

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

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

(3) If the Title IX/Sec. 504 officer is unable to resolve the grievance, the student may file an official grievance requesting a hearing before the grievance review committee and is entitled to all appeals beyond that committee.

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

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

WAC 132D-120-280 Grievance review committee procedures. (1) Any grievance not resolved informally may be appealed to the grievance review committee for a hearing. The grievant shall petition the committee by obtaining an official grievance form from the student activities office. That petition shall be made within five working days of the notice of decision in the informal proceedings.

(2) When a petition for review is filed, the student shall either (a) be assigned an advocate, or (b) waive his or her right to an advocate, or (c) notify the college of his or her retention of an attorney. Where the student is represented by

an attorney, the college may be represented by an assistant attorney general.

(3) The student's completed official grievance form shall be distributed to all members of the grievance review committee.

(4) The registrar shall chair the grievance review committee and its members shall be chosen as follows:

(a) Two faculty members appointed by the executive dean of educational services; and

(b) Two students appointed by the president of the associated students of Skagit Valley College; and

(c) Two classified staff members appointed by the classified staff training committee.

(5) The grievance review committee may call any witnesses and hear any testimony needed to reach a prompt, fair resolution of the grievance. The proceedings before the committee shall not be considered a formal, trial-type hearing. However, where requested by the student and approved by the president, or where required by RCW 28B.19.110, a formal hearing (to be conducted in accordance with WAC 132D-120-120) may be granted.

(6) Within three working days of the conclusion of the hearing, the committee shall issue a written recommendation. All parties shall receive a copy of this recommendation.

(7) In the case of instructional grievances, the committee's recommendations shall be sent to the executive dean of educational services. In all other cases, the committee's recommendations shall be forwarded to the dean of administrative and student services. The appropriate dean shall, within three working days, accept, modify, or reject the recommendations of the grievance review committee.

(8) All parties shall be notified of the dean's decision within five working days.

[Statutory Authority: RCW 28B.50.140, 88-24-014 (Order 88-01), § 132D-120-280, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-290 Final decision regarding the appeal procedure—Extra-institutional appeals. (1) Where the student is not satisfied by the dean's decision, he or she may appeal that decision to the president of the college provided that such appeal is made within five working days of the student's receipt of notice of the decision. (2) The president will review the record of the case prepared by the committee together with any appeal statement and will deliver a written acceptance of the registrar's decision or directions as to what other course of action shall be taken, within ten instructional days after receiving the appeal.

(2) This decision shall constitute final agency action by the college.

(3) A student who was granted a formal hearing by the president of the college and who feels aggrieved by the institution's final decision, may petition for judicial review of that decision according to the provisions of RCW 28B.19.150.

(4) For further review in sexual or handicapped discrimination cases, the grievant may send appeals or inquiries to:

(a) Regional Director, Office of Civil Rights, HEW; 29011-3rd Avenue, M.S. 510, Seattle, WA 98121;

(b) The Equal Opportunity Commission; 1321-2nd Avenue, Seattle, WA 98101;

(c) Human Rights Commission; 402 Evergreen Plaza Building, 7th and Capitol Way, Olympia, WA 98504.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-290, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-300 Nature of grievance proceedings. All hearings growing out of a student-initiated grievance, including appeals to the office of the president, shall remain closed unless all parties to the grievance agree on an open hearing.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-300, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-310 Withdrawal of grievance. (1) At any time during the grievance procedure, the grievant may officially withdraw the grievance in writing.

(2) In the event the grievant or appellant fails to appear for any scheduled hearing 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. 88-24-014 (Order 88-01), § 132D-120-310, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-320 Administrative, faculty and staff grievances. Any administrator, faculty member or staff member who is the subject of a student's grievance and who is dissatisfied with the results of any level of the student grievance proceedings shall file a grievance under the appropriate grievance procedure established by Skagit Valley College.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-320, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-330 Prior rules. The rules contained within this chapter supersede all former rules relating to student conduct and student grievances.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-330, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-340 Severability. If any provision of this chapter is adjudged by a court to be unconstitutional, the remaining provisions shall continue in effect.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-340, filed 12/1/88, effective 1/1/89.]

WAC 132D-120-350 Effective date of the rules of conduct. The rules contained within this chapter shall become effective January 1, 1989.

[Statutory Authority: RCW 28B.50.140. 88-24-014 (Order 88-01), § 132D-120-350, filed 12/1/88, effective 1/1/89.]

Chapter 132D-122 WAC

WITHHOLDING SERVICES FOR OUTSTANDING DEBTS

WAC

132D-122-010 Policy.
132D-122-020 Notification.
132D-122-030 Procedure for brief adjudicative proceeding.

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WAC 132D-122-010 Policy. If any person, including faculty, staff, student or former student, is indebted to the institution for an outstanding overdue debt, the institution need not provide any further services of any kind to such individual, including but not limited to transmitting files, records, transcripts or other services which have been requested by such person.

[Statutory Authority: RCW 28B.50.140. 89-09-039 (Order 89-04), § 132D-122-010, filed 4/14/89.]

WAC 132D-122-020 Notification. (1) Upon receiving a request for services where there is an outstanding debt due the institution from the requesting person, the institution shall notify the person by first-class mail that the services will not be provided since there is an outstanding debt due. The person shall be told that until the debt is satisfied, no such services as are requested will be provided.

(2) The letter of notification shall also state that the person has a right to a brief adjudicative proceeding before a person designated by the president of the institution. The proceeding must be requested within twenty days of the date of mailing notification of refusal to provide services.

[Statutory Authority: RCW 28B.50.140. 89-09-039 (Order 89-04), § 132D-122-020, filed 4/14/89.]

WAC 132D-122-030 Procedure for brief adjudicative proceeding. Upon receipt of a timely request for a hearing, the person designated by the president shall have the records and files of the institution available for review and shall hold an informal hearing concerning whether the individual in fact owes or owed any outstanding debts to the institution. The hearing must be conducted within ten days of the request for a hearing. After the informal hearing, a decision shall be rendered by the president's designee indicating whether in fact the institution is correct in withholding services for the outstanding debt. If the outstanding debt is owed by the individual involved, no further services shall be provided. Notification of this decision shall be sent to the individual within five days after the hearing. This hearing shall constitute a brief adjudicative proceeding established by the Administrative Procedure Act at RCW 34.05.482-34.05.494.

[Statutory Authority: RCW 28B.50.140. 89-09-039 (Order 89-04), § 132D-122-030, filed 4/14/89.]

Chapter 132D-125 WAC

STUDENT EDUCATION RECORDS

WAC

132D-125-010 Purpose.
132D-125-020 Definitions.
132D-125-025 Direction to college offices retaining student education records.
132D-125-030 Access to education records.
132D-125-035 Access to education records—Limitations on access.
132D-125-040 Right to copy education records.
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132D-125-050 Challenges—To content of education records—To release of education records—Or to denial of access to education records.
132D-125-055 Challenges—Informal proceedings.
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132D-125-070 Release of personally identifiable information or education records.

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132D-125-075	Release of personally identifiable information or education records—Nature of consent required.
132D-125-080	Release of personally identifiable information or education records—Exceptions to consent requirement.
132D-125-085	Release of information in emergencies.
132D-125-090	Directory information.
132D-125-095	Destruction of student records.
132D-125-100	Notification of rights under this chapter.

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

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

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

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

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

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

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

(2) "Education records" shall refer:

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

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

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

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

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

(b) Records of the college's department of safety and security, maintained solely for law enforcement purposes, disclosed only to law enforcement officials, and maintained separately from education records in subsection (2) of this

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section, but only if said law enforcement personnel do not have access to the records under WAC 132D-125-080; or

(c) Records concerning a student which are created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity, or assisting in that capacity, and which are created, maintained, or used only in connection with the provision of treatment to the student and are not available to anyone other than persons providing such treatment, except that such records may be personally reviewed by a physician or other appropriate professional of the student's choice.

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

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

(b) The address of the student;

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

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

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

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

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

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

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

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

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

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

WAC 132D-125-030 Access to education records. (1) Except as provided in WAC 132D-125-035, each student at Skagit Valley College shall have access to his or her education records. The right of access shall include the right to inspect, review, and obtain copies of education records.

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) A student, or a person applying for admission to the college, may waive his or her right of access to the type of confidential records referred to in subsection (1)(c) of this section, provided that such waiver shall apply only if the student is, upon request, notified of the names of all persons

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making confidential recommendations, and such recommendations are used solely for the specific purpose for which the waiver has been granted. The college is not allowed to require such waivers as a condition for admission to, receipt of financial aid from, or receipt of other services or benefits from the college.

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) A student shall not be permitted under this chapter to challenge the validity of grades given in academic courses,

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except on the grounds that, as a result of clerical error, the student's records fail to accurately reflect the grades actually assigned by an instructor.

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

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

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

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

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

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

(3) If a student demonstrates that the student's education records are inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the student rights and responsibilities committee shall have authority to order the correction or deletion of inaccurate, misleading, or otherwise inappropriate data contained in the records.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(g) An alleged victim of any crime of violence (as defined in 18 U.S.C. §16), so long as the information dis-

closed is the result of a disciplinary proceeding for the crime conducted by the college against the alleged perpetrator.

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

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

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

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

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

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

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

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

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

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

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

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

(2) The term "directory information" shall include information relating to the student's name; local and home telephone number; local and home address; date and place of

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birth; major field of study, dates of attendance, and degrees and awards received; participation in officially recognized sports and activities; weight and height if a member of an athletic team; and the most recent previous educational institution attended.

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

WAC 132D-125-095 Destruction of student records.

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

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

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

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

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

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

(3) Allow or deny disclosures of personally identifiable information contained in the student's education records, except to the extent that these regulations and the regulations promulgated pursuant to the Family Educational Rights and Privacy Act allow;

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

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

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

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

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

Chapter 132D-133 WAC

ORGANIZATION

WAC

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

WAC 132D-133-020 Organization—Operation—Information. (1) Organization. Skagit Valley College, Community College District No. 4, is established in Title 28B RCW as a public institution of higher education. The institution is governed by a five-member board of trustees, appointed by the governor. The board employs a president,

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who acts as the chief executive officer of the institution. The president establishes the structure of the administration.

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

2405 E. College Way
Mount Vernon, WA 98273

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:

Whidbey Campus
1201 E. Pioneer Way
Oak Harbor, WA 98277

South Whidbey Campus
5611 S. Bayview Road
Langley, WA 98260

San Juan Center
P. O. Box 1432
Friday Harbor, WA 98250

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

2405 E. College Way
Mount Vernon, WA 98273

[Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g, 90-05-045, § 132D-133-020, filed 2/16/90, effective 3/19/90.]

Chapter 132D-140 WAC

POLICY ON THE USE OF COLLEGE FACILITIES

WAC

132D-140-010	Use of college facilities.
132D-140-020	Limitation of use to school activities.
132D-140-030	Statement of intentions.
132D-140-040	General policies limiting use.
132D-140-050	Administrative control.
132D-140-060	Trespass.
132D-140-070	Prohibited conduct at college facilities.
132D-140-080	Control of pets in college facilities.
132D-140-090	Smoking on campus.

WAC 132D-140-010 Use of college facilities. Community College District No. 4 serves Skagit, Island and San Juan counties by providing continued educational opportunity for its citizens. In keeping with this general purpose, the college believes that facilities should be available for a variety of uses which are of benefit to the general public; provided, that such general uses do not interfere with the educational mission of the college. However, a state agency is under no obligation to make its public facilities available to the community for private purposes.

[Statutory Authority: RCW 28B.50.140, 89-06-012 (Order 89-01), § 132D-140-010, filed 2/22/89.]

WAC 132D-140-020 Limitation of use to school activities. When allocating use of college facilities, top priority shall always be given to activities specifically related to

the college's mission. No arrangements shall be made that may interfere with or operate to the detriment of, the college's own teaching, research, or public service programs. In particular, the college buildings, properties, and facilities, including those assigned to student programs, shall be used primarily for:

(1) The regularly established teaching, research, or public service activities of the college and its departments or related agencies.

(2) Cultural, educational, or recreational activities of the students, faculty or staff.

(3) Short courses, conferences, seminars, or similar events, conducted either in the public service or for the advancement of specific departmental professional interests, when arranged under the sponsorship of the college or its departments.

(4) Public events of a cultural or professional nature brought to the campus at the request of college departments or committees and presented with their active sponsorship and active participation.

(5) Activities or programs sponsored by educational institutions, by state or federal agencies, by charitable agencies or civic or community organizations whose activities are of widespread public service and of a character appropriate to the college.

(6) College facilities shall be assigned to student organizations for regular business meetings, social functions and for programs open to the public. Any recognized campus student organization may invite speakers from outside the college community. In conformance with state guidelines, the appearance of an invited speaker on campus does not represent an endorsement by the college, its students, faculty, administration, or the board of trustees, whether implicit or explicit, of the speaker's views.

(7) Reasonable conditions may be imposed to regulate the timeliness of requests, to determine the appropriateness of space assigned, time of use, and to insure the proper maintenance of the facilities. Subject to the same limitations, college facilities shall be made available for assignment to individuals or groups within the college community. Arrangements by both organizations and individuals must be made through the designated administrative officer. Allocation of space shall be made in accordance with college regulations and on the basis of time, space, priority of request and the demonstrated needs of the applicant.

(8) The college may restrict an individual's or a group's use of college facilities if that person or group has, in the past, physically abused college facilities. Charges may be imposed for damage or for any unusual costs for the use of facilities. The individual, group or organization requesting space will be required to state in advance the general purpose of any meeting.

[Statutory Authority: RCW 28B.50.140, 89-06-012 (Order 89-01), § 132D-140-020, filed 2/22/89.]

WAC 132D-140-030 Statement of intentions. The college neither intends nor desires to compete with any local agency or private enterprise in making its facilities available to the community. Privately operated facilities exist which are well qualified to best meet many community needs. The

college encourages the community to patronize local businesses or agencies. With this approach, the college hopes to work cooperatively with local private enterprise to the mutual benefit of all concerned.

[Statutory Authority: RCW 28B.50.140. 89-06-012 (Order 89-01), § 132D-140-030, filed 2/22/89.]

WAC 132D-140-040 General policies limiting use. (1)

College facilities may not be used for purposes of political campaigning by or for candidates who have filed for public office except for student-sponsored activities or forums.

(2) Religious groups shall not, under any circumstances, use the college facilities as a permanent meeting place. Use shall be intermittent only.

(3) The college reserves the right to prohibit the use of college facilities by groups which restrict membership or participation in a manner inconsistent with the college's commitment to nondiscrimination as set forth in its written policies and commitments.

(4) Activities of a political or commercial nature will not be approved if they involve the use of promotional signs or posters on buildings, trees, walls, or bulletin boards, or the distribution of samples outside the rooms or facilities to which access has been granted.

(5) These general policies shall apply to recognized student groups using college facilities.

(6) Handbills, leaflets, and similar materials except those which are commercial, obscene, or unlawful may be distributed only in designated areas on the campus where, and at times when, such distribution shall not interfere with the orderly administration of the college affairs or the free flow of traffic. Any distribution of materials as authorized by the designated administrative officer and regulated by established guidelines shall not be construed as support or approval of the content by the college community or the board of trustees.

(7) Use of audio amplifying equipment is permitted only in locations and at times that will not interfere with the normal conduct of college affairs as determined by the appropriate administrative officer.

(8) No person or group may use or enter onto college facilities having in their possession firearms, even if licensed to do so, except commissioned police officers as prescribed by law.

(9) The right of peaceful dissent within the college community shall be preserved. The college retains the right to insure the safety of individuals, the continuity of the educational process, and the protection of property. While peaceful dissent is acceptable, violence or disruptive behavior is an illegitimate means of dissent. Should any person, group or organization attempt to resolve differences by means of violence, the college and its officials need not negotiate while such methods are employed.

(10) Orderly picketing and other forms of peaceful dissent are protected activities on and about the college premises. However, interference with free passage through areas where members of the college community have a right to be, interference with ingress and egress to college facilities, interruption of classes, injury to persons, or damage to property exceeds permissible limits.

(11) Where college space is used for an authorized function (such as a class or a public or private meeting under approved sponsorship, administrative functions or service related activities), groups must obey or comply with directions of the designated administrative officer or individual in charge of the meeting.

(12) If a college facility abuts a public area or street, and if student activity, although on public property, unreasonably interferes with ingress and egress to college buildings, the college may choose to impose its own sanctions although remedies might be available through local law enforcement agencies.

[Statutory Authority: RCW 28B.50.140. 89-06-012 (Order 89-01), § 132D-140-040, filed 2/22/89.]

WAC 132D-140-050 Administrative control. The board hereby delegates to the president authority to set up administrative procedures for proper review of the use of college facilities; to establish, within the framework of these policies, regulations governing such use; and to establish rental schedules where appropriate.

[Statutory Authority: RCW 28B.50.140. 89-06-012 (Order 89-01), § 132D-140-050, filed 2/22/89.]

WAC 132D-140-060 Trespass. (1) Individuals who are not students or members of the faculty or staff and who violate these regulations will be advised of the specific nature of the violation, and if they persist in the violation, they will be requested by the president, or his or her designee, to leave the college property. Such a request prohibits the entry of and withdraws the license or privilege to enter onto or remain upon any portion of the college facilities by the person or group of persons requested to leave. Such persons shall be subject to arrest under the provisions of chapter 9A.52 RCW.

(2) Members of the college community (students, faculty, and staff) who do not comply with these regulations will be reported to the appropriate college office or agency for action in accord with established college policies.

(3) Persons who violate a district policy may have their license or privilege to be on district property revoked and be ordered to withdraw from and refrain from entering upon any district property. Remaining on or reentering district property after one's license or privilege to be on that property has been revoked shall constitute trespass and such individual shall be subject to arrest for criminal trespass.

[Statutory Authority: RCW 28B.50.140. 89-06-012 (Order 89-01), § 132D-140-060, filed 2/22/89.]

WAC 132D-140-070 Prohibited conduct at college facilities. (1) State law relative to public institutions governs the use or possession of intoxicants on campus or at college functions. The use or possession of unlawful drugs or narcotics, not medically prescribed, on college property or at college functions, is prohibited. Students obviously under the influence of intoxicants, unlawful drugs or narcotics while in college facilities shall be subject to disciplinary action.

(2) The use of tobacco is restricted in accordance with published policy.

(3) Destruction of property is also prohibited by state law in reference to public institutions.

[Statutory Authority: RCW 28B.50.140. 89-06-012 (Order 89-01), § 132D-140-070, filed 2/22/89.]

WAC 132D-140-080 Control of pets in college facilities. Pets are not permitted in campus buildings or on the grounds except guide or service dogs for the visually or hearing impaired as provided in chapter 70.84 RCW.

[Statutory Authority: RCW 28B.50.140. 89-06-012 (Order 89-01), § 132D-140-080, filed 2/22/89.]

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

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

Chapter 132D-276 WAC ACCESS TO PUBLIC RECORDS

WAC

132D-276-010	Purpose.
132D-276-020	Definitions.
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132D-276-050	Public records available.
132D-276-060	Public records officer.
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132D-276-110	Review of denials of public records requests.
132D-276-120	Protection of public records.
132D-276-130	Records index.
132D-276-140	Adoption of form.

WAC 132D-276-010 Purpose. The purpose of this chapter is to ensure that Community College District No. 4 complies with the provisions of chapter 42.17 RCW, Disclosure—Campaign finances—Lobbying—Records; and in particular with sections 250 through 340 of that chapter, dealing with public records.

[Statutory Authority: RCW 28B.50.140. 89-11-024 (Order 89-07), § 132D-276-010, filed 5/11/89.]

WAC 132D-276-020 Definitions. (1) Public records. "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 any state or local agency regardless of physical form or characteristics: Provided, however, that the personal and other records cited in RCW 42.17.310 are exempt from definition of public record.

(2) Writing. "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds or symbols, combination thereof and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, disks, drums and other documents.

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(3) Community College District No. 4. "Community College District No. 4 (Skagit Valley College)" is an agency organized by statute pursuant to RCW 28B.50.040. Community College District No. 4 shall hereafter be referred to as the "district." Where appropriate, the term "district" also refers to the staff and employees of the district.

[Statutory Authority: RCW 28B.50.140. 89-11-024 (Order 89-07), § 132D-276-020, filed 5/11/89.]

WAC 132D-276-030 Description of central and field organization of Community College District No. 4. (1) Community College District No. 4 is a state agency established and organized under the authority of chapter 28B.50 RCW for the purpose of implementing the educational goals established by the legislature in RCW 28B.50.020. The administrative office of the district is located on the Skagit Valley campus within the city of Mount Vernon, Washington. The Mount Vernon campus likewise comprises the central headquarters for all operations of the district. Field activities for the Whidbey Branch of the district are administered by personnel located at the Whidbey Branch in Oak Harbor, Washington; all other field activities of the district are directed and administered by personnel located on the campus at Mount Vernon.

(2) The district is operated under the supervision and control of a board of trustees. The board of trustees consists of five members appointed by the governor. The board of trustees normally meets at least once each month, as provided in WAC 132D-104-020. The board of trustees employs a president, an administrative staff, members of the faculty and other employees. The board of trustees takes such actions and promulgates such rules, regulations, and policies in harmony with the rules and regulations established by the state board for community college education, as are necessary to the administration and operation of the district.

(3) The president of the district is responsible to the board of trustees for the operation and administration of the district. A detailed description of the administrative organization of the district is contained within the Policies and Procedures Manual for Community College District No. 4, a current copy of which is available for inspection at the administrative office of the district.

[Statutory Authority: RCW 28B.50.140. 89-11-024 (Order 89-07), § 132D-276-030, filed 5/11/89.]

WAC 132D-276-040 Operations and procedures. (1) Formal decision-making procedures are established by the board of trustees through rules promulgated in accordance with the requirements of chapter 28B.19 RCW, the Higher Education Administration Procedure Act (HEAPA), and chapter 34.05 RCW, the Administrative Procedure Act.

(2) Informal decision-making procedures at the college, as established by the board of trustees, are set forth in the Policies and Procedures Manual of Community College District No. 4, a current copy of which is available for inspection at the administrative office of the district.

[Statutory Authority: RCW 28B.50.140. 89-11-024 (Order 89-07), § 132D-276-040, filed 5/11/89.]

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WAC 132D-276-050 Public records available. All public records of the district, as defined in this chapter, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310.

[Statutory Authority: RCW 28B.50.140. 89-11-024 (Order 89-07), § 132D-276-050, filed 5/11/89.]

WAC 132D-276-060 Public records officer. The district's public records shall be in the charge of the public records officer designated by the chief administrative officer of the district. The person so designated shall be located in the district administrative office. The public records officer shall be responsible for the following: Implementation of the district's rules and regulations regarding release of public records, coordinating the district employees in this regard, and generally ensuring compliance by district employees with the public records disclosure requirements in chapter 42.17 RCW.

[Statutory Authority: RCW 28B.50.140. 89-11-024 (Order 89-07), § 132D-276-060, filed 5/11/89.]

WAC 132D-276-070 Office hours. Public records shall be available for inspection and copying during the customary office hours of the district. For purposes of this chapter, the customary office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays and holidays established by the college calendar.

[Statutory Authority: RCW 28B.50.140. 89-11-024 (Order 89-07), § 132D-276-070, filed 5/11/89.]

WAC 132D-276-080 Requests for public records. In accordance with the requirements of RCW 42.17.290 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 prescribed by the district which shall be available at the district administrative office. The form shall be presented to the public records officer or, if the public records officer is not available, to any member of the district's staff at the district administrative office during customary office hours. The request shall include the following information:

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

(e) If the requested matter is not identifiable by reference to the current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records

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officer, or person to whom the request is made, to assist the member of the public in succinctly identifying the public record requested.

[Statutory Authority: RCW 28B.50.140. 89-11-024 (Order 89-07), § 132D-276-080, filed 5/11/89.]

WAC 132D-276-090 Copying. No fee shall be charged for the inspection of public records. The district 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 district for its actual costs incident to such copying. No person shall be released a record so copied until and unless the person requesting the copied public record has tendered payment for such copying to the appropriate district official. All charges must be paid by money order, cashier's check, or cash in advance.

[Statutory Authority: RCW 28B.50.140. 89-11-024 (Order 89-07), § 132D-276-090, filed 5/11/89.]

WAC 132D-276-100 Determination regarding exempt records. (1) The district reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132D-276-080 is exempt pursuant to the provisions set forth in RCW 42.17.310 and 42.17.315. Such determination may be made in consultation with the public records officer, president of the college district, or an assistant attorney general assigned to the district.

(2) Pursuant to RCW 42.17.260, the district reserves the right to delete identifying details when it makes available or publishes any public record when there is reason to believe that disclosure of such details would be an unreasonable invasion of personal privacy; Provided, however, in each case, the justification for the deletion shall be explained fully in writing.

(3) Response to requests for a public record must be made promptly. For the purposes of this section, a prompt response occurs if the person requesting the public record is notified within two business days as to whether his request for a public record will be honored.

(4) All denials of request for public records must be accompanied by a written statement, signed by the public records officer or his/her designee, specifying the reason for the denial, a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the public record withheld.

[Statutory Authority: RCW 28B.50.140. 89-11-024 (Order 89-07), § 132D-276-100, filed 5/11/89.]

WAC 132D-276-110 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement which constituted or accompanied the denial.

(2) The written request by a person demanding prompt review of a decision denying a public record shall be submitted to the president of the district, or his or her designee.

(3) Within two business days after receiving the written request by a person petitioning for a prompt review of a decision denying a public record, the president of the district, or his or her designee, shall complete such review.

(4) During the course of the review the president or his or her designee shall consider the obligations of the district 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 both the exemptions provided in RCW 42.17.310 through 42.17.315, and the provisions of the statute which require the district to protect public records from damage or disorganization, prevent excessive interference with essential functions of the agency, and prevent any unreasonable invasion of personal privacy by deleting identifying details.

[Statutory Authority: RCW 28B.50.140. 89-11-024 (Order 89-07), § 132D-276-110, filed 5/11/89.]

WAC 132D-276-120 Protection of public records.

Requests for public records shall be made at the administrative office of the district in Mount Vernon, Washington. Public records and a facility for their inspection will be provided by the public records officer. Such records shall not be removed from the place designated. Copies of such records may be arranged according to the provisions of WAC 132D-276-090.

[Statutory Authority: RCW 28B.50.140. 89-11-024 (Order 89-07), § 132D-276-120, filed 5/11/89.]

WAC 132D-276-130 Records index.

(1) The district has available for the use of all persons a current index which provides identifying information as to the following records issued, adopted, or promulgated by the district after June 30, 1972:

- (a) Final options, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;
- (b) Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the agency;
- (c) Administrative staff manuals and instructions to staff that affect a member of the public;
- (d) Planning policies and goals, and interim and final planning decisions;
- (e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and
- (f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

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

[Statutory Authority: RCW 28B.50.140. 89-11-024 (Order 89-07), § 132D-276-130, filed 5/11/89.]

WAC 132D-276-140 Adoption of form. The district hereby adopts for use by all persons requesting inspection and/or copying or copies of its records the following form:

REQUEST FOR PUBLIC RECORD TO
COMMUNITY COLLEGE DISTRICT NO. 4

(a)
Name (please print) Signature
.....
Name of Organization, if Applicable
.....
Mailing Address of Applicant Phone Number

(b)
Date Request Made Time of Day Request Made

(c)
Nature of Request

(d)
Identification Reference on Current Index (Please describe)
.....
.....

(e)
Description of Record, or Matter, Requested if not Identifiable by Reference to the Community College District No. 4
.....
.....

Request: APPROVED DENIED ... Date

By Name Title

Reasons for Denial:

Referred to Date

By Name Title

[Statutory Authority: RCW 28B.50.140. 89-11-024 (Order 89-07), § 132D-276-140, filed 5/11/89.]

**Chapter 132D-305 WAC
SEXUAL HARASSMENT POLICY**

WAC
132D-305-005 Sexual harassment policy.

WAC 132D-305-005 Sexual harassment policy. (1) **Preamble.** Sexual harassment is an illegal activity and will not be tolerated at Skagit Valley College. Therefore, it shall be the policy of Skagit Valley College that harassment directed at any individual or group on the basis of gender, marital status, or sexual orientation is in violation of the mission and purpose of Skagit Valley College and shall not be condoned. Any employee or student who feels that she/he has been sexually harassed is encouraged to deal with the situation as outlined in the following procedure.

In recognition of the fact that sex discrimination in the form of sexual harassment is a violation of section 703, Title VII of the Civil Rights Act of 1964, Title IX of the 1972 Education Amendments, and chapter 49.60 RCW, which prohibits discrimination on the basis of race, color, religion, national origin, or sex, Skagit Valley College hereby declares that sexual harassment of students and/or staff by any member of the district community will not be tolerated.

(2) **Definition.** For purposes of this policy, sexual harassment will be defined as any behavior or action, either

physical or verbal, which is sexual in nature, is uninvited, unwanted, or nonreciprocal, and:

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

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

(c) Sexual harassment has the purpose or effect of negatively interfering with the individual's work or educational performance or of creating an intimidating, hostile, or offensive work or educational environment. Sexual harassment may include, but is not limited to the following:

(i) Unwelcome or repeated sexual advances.

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

(iii) Jokes about gender-specific traits.

(iv) Remarks about one's physical appearance which imply sexual interest.

(v) Subtle pressure for sexual activity, including sexual propositions.

(vi) Unnecessary brushes or touches, including pinching, patting, or grabbing.

(vii) Displayed offensive sexual graffiti, gestures, cartoons, or materials.

(viii) Sexual innuendos or obscene gestures.

(ix) Written communications with sexual overtones.

(x) Sexually offensive remarks disguised as humor.

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

(d) Skagit Valley College will investigate allegations of sexual harassment which may include, but is not limited to the following:

(i) The conduct of a faculty member in a faculty-student relationship.

(ii) The conduct of an individual in the paid employment of the district who may grant or withhold benefits to students and employees.

(iii) The conduct of any college supervisory employee.

(iv) The conduct between fellow employees of the college.

(v) The conduct of college agents.

(vi) The conduct of employees when it occurs related to college-sanctioned activities on or off campus and/or hampers the educational or college work environment.

(vii) The conduct of nonemployees when it occurs related to college sanctioned activities on or off campus and/or hampers the educational or college work environment.

(viii) The conduct of students in daily classes and activities.

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

The district shall have four ombudspersons: A female and male shall be appointed for both the Mount Vernon and

Whidbey campuses. Appointment will be by the president, on the advice of the vice-president, educational services, the dean for administrative and student services, the dean of Whidbey campus (for Whidbey personnel), the president of the SVCEA, the president of the CSA, and the president of ASSVC. Appointment shall be for staggered three-year terms.

Ombudspersons shall report directly to the vice-president - educational services who shall be directly responsible for the implementation of this policy. The ombudspersons shall be responsible for receiving complaints, for receiving and giving training to all members of the college community on sexual harassment as directed by the vice-president - educational services, and for conducting awareness activities for all college groups. They will be assisted in their efforts by the affirmative action officer. The college will carry out any investigation in such a way as to protect the rights of both the claimant and the respondent. The college recognizes that in some circumstances a change of environment may be appropriate during the investigation. If during the mediation process the ombudsperson deems the complaint without merit, it shall be immediately dismissed. Further, if the ombudsperson finds the complaint to be false and malicious, the claimant shall be referred to the designated college officer. Maximum confidentiality and support for both parties shall be maintained at each step of the procedure.

(4) **Advising process.** In the event that an individual feels he or she has been the victim of sexual harassment, the individual may discuss the matter with an ombudsperson on campus. The responsibility of the ombudsperson is to inform the individual of the policy and procedures about sexual harassment. The advising process itself is designed to promote free and open discussions between the individual seeking information and the advisor. An incident report will be generated to record the number of the different types of incidents reported in a given year. The incident reports will be forwarded to the affirmative action officer to be used for tracking purposes only. Names of individuals involved will not be designated on the incident report and no record of the advising conversations will be kept. The college will insure the privacy of all individuals involved in a sexual harassment case. If an individual feels that he or she has a warranted complaint, that individual may choose to proceed to the mediation process or directly to the formal process, step one.

(5) **Mediation.** When an ombudsperson receives a complaint, either verbally or in writing, of sexual harassment, he/she shall discuss the complaint with the respondent within three working days. Such complaints may come from an individual who was the target of the action or a third party. The purpose of the mediation process is to encourage both parties to communicate in an attempt to resolve the conflict. If a meeting occurs during this phase, both the claimant and the respondent may bring a support person. If the complaint appears valid, the ombudsperson shall complete a written report including the complaint and any action taken including the nature of the resolution if one is reached. This report shall be forwarded to the claimant, respondent, and the affirmative action officer who will keep it in a confidential manner for five years.

The mediation process shall be completed within thirty working days of receipt of complaint by the ombudsperson. If a satisfactory resolution is reached, the claimant and respondent will acknowledge resolution in writing.

(6) **Formal complaint; step one.** In the event that the mediation process does not occur or does not resolve the conflict to the satisfaction of both parties, the following process will be used:

(a) The claimant, within ten working days of the conclusion of the mediation process or the event itself, shall file a written complaint with the ombudsperson stating the times, dates, places, and circumstances surrounding the allegations. The ombudsperson will forward a copy of the complaint to the respondent within five working days. In turn, the respondent shall submit a written response concerning the complaint to the ombudsperson within five working days of receiving the written complaint. Within three working days of the complaint, the ombudsperson will forward all information to the AAO whether or not a response has been received.

The affirmative action officer may also file a formal complaint about any alleged offender who has had repeated claims filed against them. This will be done in collaboration with the receiving ombudspersons.

(b) Within five working days of receiving materials from the ombudsperson, the affirmative action officer will review all forms received and check for completeness and detail. Any concerns about procedure and forms will be discussed with the overseeing ombudsperson and corrections made.

Within the same five working day period, the affirmative action officer will then forward appropriate forms received by the ombudsperson to the appropriate supervisor who will speak informally with the respondent. The affirmative action officer shall also provide a copy of the written complaint and the respondent's response to: The vice-president, educational services when the respondent is faculty; dean responsible for student grievances if respondent is a student; appropriate dean when respondent is classified staff; president when the respondent is an administrator; chair of board of trustees if respondent is the president.

The ombudsperson shall keep a written record of all actions taken in an effort to resolve the complaint. If resolution is reached, the ombudsperson shall complete a written report of this resolution and submit copies to all parties involved.

(c) If a resolution has not been reached, and the parties were not able to mediate together, joint mediation will now take place. The mediation session will include both parties involved in the complaint and a representative for each of them. The ombudsperson and the affirmative action officer will also be present. While the parties may not want to speak to each other, in this session they will hear each other describe the events they believed to have taken place through the facilitation of the ombudsperson. If no resolution is agreed to, the case will now proceed to formal complaint, step two.

If a resolution can be achieved, the ombudsperson shall complete a written report of this resolution and submit copies to all parties involved. The claimant and respondent will acknowledge resolution in writing. Forms involved in the case will be kept by the affirmative action officer in a confi-

dential manner for five years after which time this information will be destroyed.

(d) The entire formal procedure, step one, will be completed within thirty working days.

(7) **Formal complaint; step two.** If no satisfactory resolution can be achieved through formal complaint, step one, a team will be formed to conduct a fact-finding investigation as follows:

(a) The affirmative action officer;

(b) A member of the standing grievance committee selected by the claimant;

(c) A member of the standing grievance committee selected by the respondent;

(d) In the case of presidential involvement, a member of the board of trustees.

The team will hear findings from all parties. Within fifteen days of the completion of formal complaint, step one, the team will be charged with submitting a decision to the designated college officer.

The appropriate designated college officer shall be:

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

(ii) The dean responsible for student grievances when the claimant of infractions of this policy is a student complaining against another student.

(iii) In the event the respondent is the vice-president, educational services or the dean responsible for student grievances, the designated college officer shall be the president. In the event the respondent is the president, the designated college officer shall be the chair of the board of trustees.

(8) **Appropriate disciplinary action.** Should the team find (unanimously) discrimination in the form of sexual harassment, the result will be immediate and appropriate action as determined by the designated college officer, which may include, but is not limited to the following order of actions:

(a) Findings placed in personnel or student file;

(b) Reprimand;

(c) Suspension;

(d) Dismissal.

In cases of suspension or employment termination, existing procedures for students, administrative, faculty or classified staff shall be followed. Administrators, paraprofessionals, vendors and other college employees and agents shall be subject to discipline as deemed appropriate by the panel and the designated college officer. The affirmative action officer shall be responsible for ensuring that disciplinary actions are carried out.

(9) **Repeated offenses.** When a complaint is made against someone who has been found in the past to have been in violation of the sexual harassment policy, the normal procedure will commence. Disciplinary measures chosen for repeat offenders should take into account the repeated lack of

compliance by the offender and should be moved to the next level.

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

[Statutory Authority: RCW 28B.50.140. 96-01-077, § 132D-305-005, filed 12/18/95, effective 1/18/96.]

Chapter 132D-310 WAC ANTIDISCRIMINATION POLICY

WAC

132D-310-005 Skagit Valley College antidiscrimination policy.

WAC 132D-310-005 Skagit Valley College antidiscrimination policy. (1) **Preamble.** In March of 1992, the Skagit Valley College board of trustees adopted the dignity statement relating to an environment of equity. This statement said, in part, "A most important policy of the board of trustees of Skagit Valley College is to provide a work place in which all individuals can achieve success in a climate of equality for all people. Equity must be the guiding principle in all college matters. Because the college seeks diversity in all of its services and relationships, the dignity and rights of all people involved must be respected and preserved."

As an academically centered community, Skagit Valley College highly values and respects diversity as a necessary foundation for a healthy learning and working community. A stable, positive and collegial environment is prerequisite to the success of its members.

Adverse treatment on the basis of group or categorical membership has no value or place in the mission of Skagit Valley College. Fostering and developing values which promote open-mindedness, awareness, sensitivity and respect for differences are encouraged and will be supported.

Employees, students, visitors, vendors, and agents of the college must adhere to the following policy. Responsibility for achieving a nondiscriminatory academic and working environment lies with each member of the college community.

(2) **Policy.** It is the policy of Skagit Valley College to prohibit discrimination on the basis of race, ethnicity, national origin, ancestry, creed, color, gender*, marital/parental status, sexual orientation, age, religion, and sensory, mental or physical disability. In recognition of the fact that discrimination in any form is in violation of the mission and purpose of Skagit Valley College, the following federal guidelines will be applied to issues of discrimination: Title IX of the 1972 Education Amendments and chapter 49.60 RCW (which prohibits discrimination on the basis of race, color, religion, national origin, or sex); Title VII of the Civil Rights Act of 1964; the Rehabilitation Act of 1973; Title VI

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of the Civil Rights Act of 1964; the Vocational Education Act of 1963-1976; and the Americans with Disabilities Act. For the purposes of this policy, discrimination is defined as:

- (a) Exclusionary forms of conduct;
- (b) Creation of an intolerant environment; and
- (c) Malicious harassment.

*Sex discrimination in the form of sexual harassment is covered under Skagit Valley College's sexual harassment policy.

(3) **An exclusionary form of conduct** is any disparate treatment of, or adverse impact on, an individual(s) by a person(s) or a structure(s) which excludes and denies access to participation in services, programs, and activities of the college. Some types of differential treatment, such as separate toilets and locker room facilities for men and women, are considered socially acceptable.

(4) **Creation of an intolerant environment** is the result of the willful or intentional conduct of an individual or group of individuals who engage in threats, expressions (either verbal or nonverbal), physical abuse or harassment that threatens or endangers the health, safety or welfare of a member of the college community. An intolerant environment is also likely to provoke or cause an immediate breach of the peace and interfere with an individual's ability to effectively pursue his or her education or otherwise participate fully in college programs and activities.

(5) **Malicious harassment** is conduct or behavior which is maliciously and intentionally committed because of the claimant's race, ethnicity, national origin, ancestry, creed, color, gender, marital/parental status, sexual orientation, age, religion, or sensory, mental or physical disability. This conduct may include injury to the claimant or another person, damage or destruction of the property of the claimant or another person, or threats to a specific person or group of persons which places that person, or members of the specific group of persons, in reasonable fear of harm to themselves or their property.

In this policy, claimant is defined as the individual bringing forth the complaint; respondent is defined as the individual to whom the claim is directed.

If any provision of this policy is adjudged by a court to be unconstitutional or otherwise illegal, the remaining provisions shall continue in effect.

Skagit Valley College will investigate allegations of discrimination which may include, but is not limited to the following:

(a) The conduct of a faculty member in a faculty-student relationship.

(b) The conduct of an individual in the paid employment of the district who may grant or withhold benefits to students and employees.

(c) The conduct of any college employee in a supervisory position.

(d) The conduct between fellow employees of the college.

(e) The conduct of college agents.

(f) The conduct of employees when it occurs related to college sanctioned activities on or off campus and/or hampers the educational or college work environment.

(g) The conduct of nonemployees when it occurs related to college sanctioned activities on or off campus and/or hampers the educational or college work environment.

(h) The conduct of students in daily classes and college sanctioned activities on or off campus.

(6) **Procedures.** When a person believes that she/he has been discriminated against, the claimant may contact one of the district's ombudspersons. Faculty and staff, if requested, shall assist the claimant in contacting an ombudsperson. The ombudsperson will provide the claimant with procedures and suggestions to enable him/her to resolve the problem or to initiate the appropriate informal or formal complaint process. All complaints shall be initiated no later than one hundred eighty days from the most recent incident. However, if a claimant can demonstrate exceptional circumstances to the appropriate designated college officer, the one hundred eighty-day reporting period limit may be waived.

The district shall have a total of two ombudspersons who shall be chosen from the protected classifications related in this policy and shall be appointed for both the Mount Vernon and Whidbey campuses. Appointment will be by the president, on the advice of the vice-president of educational services, the dean responsible for student grievances, the dean of Whidbey campus (for Whidbey personnel), the president of the Skagit Valley College education association, the president of the classified staff association, and the president of the associated students of Skagit Valley College. Appointment shall be for staggered three-year terms.

Ombudspersons shall report directly to the vice-president of educational services who shall be directly responsible for the implementation of this policy. The ombudspersons shall be responsible for receiving complaints and advising the cultural pluralism committee regarding educational efforts needed on critical discrimination issues. The ombudspersons will make every effort to ensure that neutrality is maintained throughout the process. For the purpose of this policy, the ombudsperson will act solely as a resource person and mediator and specifically will not act as an advocate for either party.

The college will carry out any investigation in such a way as to protect the rights of both the claimant and the respondent. The college recognizes that in some circumstances a change of environment may be appropriate during the investigation. If the respondent is the affirmative action officer, an ombudsperson will perform the affirmative action officer's responsibilities throughout the process. Confidentiality shall be maintained to the extent allowed by law.

(7) **Advising process.** In the event that an individual feels he or she has been the victim of discrimination, the individual may discuss the matter with an ombudsperson. The responsibility of the ombudsperson is to inform the individual of the policy and procedures regarding antidiscrimination. The advising process itself is designed to promote free and open discussion between the individual seeking information and the ombudsperson.

If an individual feels that he or she has a warranted complaint, that person may choose to proceed to the mediation process or directly to the formal process, step one.

At the conclusion of the advising process, the ombudsperson will generate an incident report. If the ombudsperson

finds the complaint without merit, he/she will not generate a report nor notify the respondent. The identity of individuals involved will not be designated on the report and no record of the advising conversation will be kept. The incident reports will be forwarded to the affirmative action officer to be used to record the number and types of incidents. The college will ensure the privacy of all individuals in the generation and maintenance of incident reports.

(8) **Mediation.** When an ombudsperson receives an informal complaint of discrimination, either verbally or in writing, he/she shall discuss the informal complaint with the respondent within three working days. The purpose of the mediation process is to encourage both parties to communicate in an attempt to resolve the conflict. If a meeting occurs during this phase, both the claimant and the respondent may bring a support person. If the informal complaint appears valid, the ombudsperson shall complete a written report together with the informal complaint and any action taken including the nature of the resolution if one is reached. This report shall be forwarded to the claimant, respondent, and the affirmative action officer. The affirmative action officer will keep the report confidential for five years from the date of final decision on the complaint, after which time it is destroyed.

The mediation process shall be completed within thirty working days of receipt of the informal complaint by the ombudsperson. If a satisfactory resolution is reached, the claimant and respondent will acknowledge resolution in writing to the ombudsperson who will forward a copy of the acknowledgement to the affirmative action officer.

(9) **Formal complaint; step one.** In the event that the mediation process does not occur or does not resolve the conflict to the satisfaction of both parties, the following process will be used:

(a) If the claimant decides to pursue the complaint, he/she shall file a formal complaint in writing with the ombudsperson within ten working days of the conclusion of the mediation process or within one hundred eighty days of the event itself for those claimants who have elected to bypass the mediation process. This formal complaint must state the times, dates, places, and circumstances surrounding the allegations. The ombudsperson will forward a copy of the formal complaint to the respondent within five working days. In turn, the respondent shall forward a written response concerning the formal complaint to the ombudsperson within five working days of receiving the written formal complaint. The ombudsperson shall forward all information to the affirmative action officer in a timely manner. Materials shall be forwarded without a response if a timely response is not received.

The affirmative action officer may also begin the formal complaint; step one process, against any alleged offender who has had repeated claims filed against him or her after the person has had an opportunity to respond in an informal manner. This will be done in collaboration with the ombudsperson.

If the affirmative action officer finds that the factual allegations of the formal complaint do not present a prima facie case of discrimination, as defined under this policy, he/she shall dismiss the complaint. In making this decision,

the affirmative action officer should assume that the facts alleged in the complaint are true.

If the affirmative action officer finds the complaint to be false and malicious, he/she shall dismiss the complaint. The affirmative action officer will notify the ombudsperson why the complaint has been dismissed and the ombudsperson shall file that information with the incident report. In addition to dismissing the complaint, the affirmative action officer will refer the claimant to the designated college officer for possible disciplinary action.

(b) Within five working days of receiving materials from the ombudsperson, the affirmative action officer will review all information received and check for completeness and detail. Any concerns about procedure and documentation will be discussed with the ombudsperson, with a possible request for clarification from claimant and/or respondent.

Within the same five working day period, the affirmative action officer will forward documentation to the appropriate authority (as listed below) who will speak informally with the respondent:

Respondent	Appropriate Authority
Faculty	Associate dean or dean depending upon reporting relationships
Classified	Director/associate dean/dean depending on reporting relationships
Administrator	Immediate supervisor
Student	Dean of guidance & special populations
President	Chair of board of trustees
Visitor, Vendor, Agent	Vice-president, administrative & business services

The affirmative action officer shall also provide a copy of the written formal complaint and the respondent's response to:

Respondent	Receives Copy
Faculty	Vice-president, educational services
Classified	Appropriate dean
Administrator	President
Student	Dean responsible for student grievances
President	Chair of board of trustees
Visitor, Vendor, Agent	Vice-president, administrative & business services

The ombudsperson shall keep a written record of all actions taken in an effort to resolve the formal complaint. If resolution is reached, the ombudsperson shall complete a written report of this resolution and submit copies to all parties involved.

(c) If resolution is not reached and the parties have not engaged in mediation, joint mediation will now take place. The mediation session will include both parties involved in the formal complaint and a support person or representative for each of them. The ombudsperson and the affirmative action officer will also be present (except when the affirmative action officer is the initiator of the complaint in which case the dean responsible for student grievances will serve). An ombudsperson will facilitate this session where both parties will hear each other describe the events they believe have taken place. If resolution is not reached, the case will now proceed to formal complaint; step two.

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If a resolution is achieved, the ombudsperson shall complete a written report and submit copies to all parties involved. The claimant and respondent will acknowledge the resolution in writing. Documents involved in the case will be kept confidential by the affirmative action officer for five years after which time this information will be destroyed.

(d) The entire formal complaint; step one, procedure will be completed within thirty working days.

(10) **Formal complaint; step two.** If the complaint has not been dismissed and a satisfactory resolution is not achieved through formal complaint; step one, a team will be formed to conduct a fact-finding investigation as follows:

(a) The affirmative action officer (except when the affirmative action officer is the initiator, claimant, or respondent of the complaint in which case the dean responsible for student grievances will serve).

(b) A member of the standing grievance committee selected by the claimant.

(c) A member of the standing grievance committee selected by the respondent.

(d) In the case of presidential involvement, a member of the board of trustees.

The team will hear evidence and argument from all parties. In conducting a fact-finding hearing, it is important to recognize that many times potential witnesses will not be available to testify at the time of the hearing. This is particularly true for former students of this institution. Alleged acts of discrimination will often arise in settings where there may be no other direct witnesses besides the claimant and the respondent. Evidence which may be available from former complainants, or others, who are no longer available to testify is likely to be helpful to the fact-finding team in weighing the credibility of the witnesses and in evaluating alleged acts of discrimination. Liberal admissibility of evidence at the fact-finding hearing is, therefore, anticipated and encouraged with the exception of information offered during the mediation process for the purpose of resolving the complaint. Evidence admitted should be accorded whatever weight is deemed appropriate under the circumstances by the fact-finding team.

Within fifteen days of the completion of formal complaint; step two, the team will be charged with submitting a report outlining their findings to the designated college officer.

The appropriate designated college officer shall be:

(i) The vice-president, educational services, when the claimant is an employee of the college or when a student is complaining against an employee. When a student is involved, the dean responsible for student grievances will join the vice-president in determining appropriate action. However, the vice-president, educational services, will assume the ultimate responsibility in seeing the process to conclusion.

(ii) The dean responsible for student grievances when the claimant is a student complaining against another student.

(iii) In the event the respondent is the vice-president, educational services, or the dean responsible for student grievances, the designated college officer shall be the president. In the event the respondent is the president, the design-

nated college officer shall be the chair of the board of trustees.

(11) **Disciplinary/further action.** Where discrimination has been determined to have occurred based on the results of the fact-finding team's report, the designated college officer will determine appropriate action, which may include:

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

In cases of suspension or employment termination, existing procedures for students, faculty, administrative or classified staff shall be followed. Administrators, paraprofessionals, and other college employees and agents shall be subject to discipline as deemed appropriate by the designated college officer. The affirmative action officer shall be responsible for ensuring that disciplinary actions are complied with and will report back to the designated college officer.

If the fact-finding team determines that discrimination has not occurred and that the claim is false and malicious, the claimant shall be referred to the designated college officer for possible disciplinary action.

(12) **Repeat offenses.** When an informal or formal complaint is made against someone who has been found in the past five years to have been in violation of the antidiscrimination policy, the initial procedures of this policy will commence. However, disciplinary measures chosen for repeat offenders will take into account the repeated lack of compliance by the offender and should be moved to the next level of disciplinary action.

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

[Statutory Authority: RCW 28B.50.140. 96-01-077, § 132D-310-005, filed 12/18/95, effective 1/18/96.]

Chapter 132D-315 WAC

STUDENTS WITH DISABILITIES POLICY

WAC

132D-315-005 Students with disabilities policy.

WAC 132D-315-005 Students with disabilities policy.

(1) **Policy statement.** No student shall, on the basis of his or her disability, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any college program or activity. Skagit Valley College is committed to providing qualified students with a disability an equal opportunity to access the benefits, rights, and privileges of college services, programs and activities, in the most integrated setting appropriate to the student's needs, in com-

pliance with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and chapter 105, Laws of 1994.

Skagit Valley College is committed to providing reasonable accommodations, including core services, to qualified students with disabilities. The purpose of this policy is to identify the rights and responsibilities of students under ADA/504 and to establish clear guidelines for seeking and receiving reasonable accommodations.

To receive reasonable accommodations, students are responsible for requesting accommodations and documenting the nature and extent of their disability in a timely manner. This policy establishes the scope of and the procedures for requesting those accommodations.

(2) **Scope.** Reasonable accommodations under this policy include, but are not limited to:

- (a) Academic adjustments, such as modification of academic requirements and flexibility in test-taking arrangements;
- (b) Adjustments in nonacademic services and other rules; and
- (c) Auxiliary aids and services.

Skagit Valley College will make those modifications to its academic requirements that:

- (i) Are necessary to ensure that those requirements do not discriminate, or have the effect of discriminating, against a qualified student with a disability based on that disability; and
- (ii) Do not impose an undue hardship on the college or require alteration of essential program requirements.

Appropriate academic adjustments/reasonable accommodations will be provided to qualified students with disabilities for recruitment, the application process, enrollment, registration, financial aid, course work, academic counseling, nonacademic programs and services.

Section 202 of the 1990 Americans with Disabilities Act states:

No qualified individual with a disability shall, by reason of such disability, be excluded from the participation in or be denied the benefits of the services, programs or activities of any public entity, or be subject to discrimination by any such entity.

Section 504 of the Rehabilitation Act states:

No otherwise qualified, handicapped individual in the United States shall solely, by reasons of his/her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

(3) **Definitions.** "Reasonable accommodations" in college programs and services, are modifications of those programs, policies, practices, and procedures that enable qualified students with a disability to have an equal opportunity to benefit from and have access to college programs and services and providing auxiliary aids and services.

"Student" is a person enrolled at the college.

A "qualified student with a disability" is one who, with or without reasonable accommodations, meets the academic and technical standards required for admission to, participation in, and/or fulfilling the essential requirements of college programs or activities.

A "student with a disability" is a student who:

(a) Has a physical, mental or sensory impairment that substantially limits one or more of his/her major life activities;

(b) Has a record of such an impairment; or

(c) Is perceived to have such an impairment.

A "learning disability specialist" is a person with a masters degree in special education/learning disabilities.

"Undue hardship" is any excessively costly, extensive, substantial or disruptive modification or one that would substantially alter the nature or operation of the institution or any of its programs or services or threaten the health or safety of the college community.

"Program accessibility" means that all programs and services, when viewed in their entirety, are accessible to persons with a disability.

"Core services" are those services listed in chapter 105, Laws of 1994, that are necessary to ensure students with disabilities are reasonably accommodated at the college.

"Course substitution" is the replacement of a specific course required for a degree program with another course that measures the same learning objectives/skills as the required course.

Disabled student services office and disabled student services coordinator serve district-wide functions.

(4) **Obligations of the college.** Skagit Valley College shall:

(a) Comply with Section 504 of the Rehabilitation Act of 1973 and Section 202 of the Americans with Disabilities Act of 1990, as amended.

(b) Notify students of the college's policy of nondiscrimination on the basis of disability and of steps the student may take if he/she believes discrimination has taken place. This notice shall be included in all formal correspondence that communicates decisions or policies adversely affecting the student's status or rights with the institution of higher education. This notice shall include the phone numbers of the United States Department of Education, U.S. Office of Civil Rights, and the Washington state human rights commission.

(c) Make available to all students information on the services available to disabled students, including the name and location of the disabled student services coordinator, and the process for accessing those services.

(d) Work with the student, faculty, and staff on a case-by-case basis, to select and provide those accommodations/core services appropriate for each qualified student with a disability.

(e) Develop procedures to protect the confidentiality of information regarding the nature and extent of the documented disability.

(f) Maintain the academic integrity of its program.

(g) Not make preadmission inquiry as to whether the applicant has a disability, except as provided by law.

(h) Work collaboratively with eligible students to determine what accommodations are reasonable and appropriate. The college may require specific documentation from the student's physician to identify the accommodations that are reasonable based on the nature and extent of a student's disability.

(5) **Obligations and rights of students.** The college is obligated to provide reasonable accommodation to a qualified student with known disability. What is appropriate for a student is a case-by-case determination. A student who seeks accommodation under this policy is responsible for documenting the nature and extent of the disability. The college will work collaboratively with the student in determining the appropriate accommodations.

To ensure that needed accommodations are provided in a timely manner, the student shall:

(a) Provide timely notice and documentation of the nature and extent of the disability, and the accommodations requested, to the disabled student services coordinator. Some accommodations may require some time to arrange. Requests for accommodations should be received by the college six weeks prior to the beginning of the quarter for which the request is made, when possible. Lack of advance notice may delay the availability of an accommodation.

(b) Provide such additional documentation on the nature and extent of their disability as the college may require to determine appropriate accommodations. Such documentation may include, but is not limited to, identification of tests administered, test results, description of the covered disability, and recommended accommodations.

(c) Cooperate with the disabled student services coordinator to develop an appropriate curriculum plan and reasonable accommodations.

(d) Promptly notify the disabled student services coordinator of any problems encountered in receiving the agreed-upon accommodations.

(6) **Disabled student services office.** The disabled student services office is responsible for the coordination of services to qualified students with disabilities requiring reasonable accommodations.

The disabled student services office is committed to a reasonable approach in the identification of students with disabilities, including contacting all students who voluntarily self-identify during the college admission or orientation process.

Information regarding a disability will be kept confidential unless the student signs a release of information form.

The office will assist and advise each qualified student with a disability who requests accommodations under this policy in developing an instructional plan, identifying those reasonable accommodations appropriate for the student, and ensuring that the agreed-upon accommodations are provided.

(7) **Reasonable accommodations—Examples by categories.** The process of selecting reasonable accommodations for each qualified student with a disability shall be made on a case-by-case basis, appropriate to the nature and extent of the student's disability.

(8) **Academic modifications.** Academic modifications may include, but are not limited to:

(a) Flexibility in timeliness for completion of courses, certification, and degree requirements;

(b) Substitution of specific courses required for the completion of degrees;

(c) Adaptation of the manner in which specific courses are conducted;

(d) Flexibility in teaching methods and test-taking arrangements;

(e) Flexibility in credits required to satisfy institutional eligibility.

(9) Auxiliary aids and services.

(a) Flexible procedures in the admissions process, (early registration or priority registration);

(b) Qualified sign language, oral and tactile interpreters, or other technological alternatives;

(c) Access to adaptive equipment including, but not limited to TDDs, FM communicators, closed caption devices, amplified telephone receivers, closed circuit televisions, low-vision reading aids, player/recorders for 15/16 4-track tapes, photocopy machine able to use eleven-by-seventeen inch paper, braille devices and computer enhancements;

(d) Textbooks and other educational materials in alternative media, including, but not limited to large print, braille, electronic format, and audio tape;

(e) Provision of readers, notetakers, and/or proofreaders; and

(f) Release of syllabi, study guides, and other appropriate instructor-produced materials in advance of general distribution and access beyond the regular classroom session to slides, films, overheads, and other media, and taping of lectures.

(10) Access.

(a) Ongoing review and coordination of efforts to ensure campus accessibility, including barrier-free design, signage, identification of hazards of mobility barriers, maintenance of access during construction, snow and ice clearance, and adequate disability parking for all facilities;

(b) Facilitating physical access to programs and services including relocating classes, activities, and services to accessible facilities;

(c) Referral to appropriate on-campus and off-campus resources, services and agencies; and

(d) Accessibility to tutoring, mentoring, peer counseling, and academic advising, if available on campus, for students with disabilities.

(11) Procedures for course substitutions and waivers.

Policy. Skagit Valley College recognizes that certain disabilities may preclude a student from successfully completing a specific course requirement for a degree (for example, math) even with appropriate accommodations. Skagit Valley College recognizes its obligation to accommodate disabled students without compromising the integrity of the academic program.

Under the ADA, the college is not required to waive essential requirements of a student's program of instruction. Therefore, every student enrolled in a degree program at the college is required to meet the essential requirements of the degree program.

Skagit Valley College recognizes that altered methods of course delivery and/or providing core services will enable most disabled students to successfully complete course requirements, except in unusual circumstances. Therefore, disabled students will attempt to successfully complete required courses with accommodations.

If a student is unsuccessful in completing a course, that student may request course substitution under this policy.

Waivers of degree program requirements will be rarely given, and then only after students have attempted, with appropriate reasonable accommodations, to meet those requirements.

(12) Procedure for requesting course substitution.

(a) Course substitutions will be approved only when such substitution is consistent with the essential degree requirements.

(b) Requests for substitution for a required course shall be considered only when a qualified student with a disability has demonstrated that, even with academic adjustments and auxiliary aids/services provided by the college, he or she is unable to successfully complete the course solely because of his/her disability.

(c) All requests for course substitution shall be submitted to the disabled student services coordinator in a timely manner and shall include the following information:

(i) A description of the accommodations previously provided to the student for the course;

(ii) An explanation of the relationship of the student's disability to the lack of success in completing the course;

(iii) The proposed substitute course, if known;

(iv) A statement by the student that he/she has made a good faith effort to complete the required course with appropriate accommodations;

(v) A statement from a medical, psychological or learning disabilities specialist who works in the field of the disability which makes this request for substitution necessary; and

(vi) A release signed by the student, authorizing the department chair, appropriate dean or associate dean, and vice-president of educational services to review the documentation on the student's disability and to contact the evaluating doctor, psychologist, or learning disabilities specialist.

(d) The disabled student services coordinator shall forward the request, with documentation through the appropriate approval process as designated below.

(13) Waiver/substitution committee.

(a) All requests for course substitutions/waivers shall be submitted through Skagit Valley College's formal waiver process. This process consists of obtaining approval from the appropriate department chair, dean or associate dean and the vice-president of educational services.

(b) Request for a course substitution shall be approved if the proposed substitution meets the learning objective of the degree requirement.

(c) The appropriate dean or associate dean shall respond in writing to all requests for course substitutions within two weeks of receiving the request. The response shall include a brief summary of the basis for the decision.

(14) **Waiver of degree requirements.** Requests for waiver of a program requirement will only be considered when the course substitution is not successful. The waiver request shall be considered in the same manner as provided above.

(15) Reasonable accommodation—disputes.

(a) If a student believes that the disabled student services coordinator has not identified or provided reasonable academic adjustments or auxiliary aids, that student may seek review of the coordinator's actions by the dean of guidance and special populations.

(b) The student will submit the appeal to the dean of guidance and special populations. The dean will review the student's position, and respond within five days.

(c) If resolution is not reached the dean will refer the appeal to the formal grievance process.

(d) The decision of the grievance committee is the final decision of the institution.

[Statutory Authority: RCW 28B.50.140. 96-01-077, § 132D-315-005, filed 12/18/95, effective 1/18/96.]

Chapter 132D-325 WAC

STATE ENVIRONMENTAL POLICY ACT RULES

WAC

132D-325-010 Implementation of State Environmental Policy Act.

WAC 132D-325-010 Implementation of State Environmental Policy Act. (1) It shall be the policy of Community College District No. 4 that all actions taken by the district shall comply with the provisions of chapter 43.21C RCW (the State Environmental Policy Act), chapters 197-10 [197-11] and 132-24 WAC, as presently enacted or hereafter amended.

(2) The president of Community College District No. 4 or his or her designee shall be responsible for administering and implementing this policy.

[Statutory Authority: RCW 28B.50.140. 89-09-042 (Order 89-02), § 132D-325-010, filed 4/14/89.]

Chapter 132D-350 WAC

RESTRICTED USE OF SKATEBOARDS, ROLLER SKATES, SCOOTERS, TWO-WHEELED MOTOR BIKES AND BICYCLES (RECREATIONAL EQUIPMENT)

WAC

132D-350-010	Purpose.
132D-350-020	Definitions.
132D-350-030	Authority.
132D-350-040	Regulation of skateboards, roller skates, scooters, two-wheeled motor bikes or bicycles.
132D-350-050	Enforcement.

WAC 132D-350-010 Purpose. The purpose of these regulations is:

(1) To protect and control pedestrian traffic and traffic of persons using the above-mentioned recreational equipment.

(2) To protect from physical damage and more than ordinary wear the wooden and concrete benches, brick and paved walkways, stairs, steps, loading ramps, plazas, and ramps for the disabled, caused by the use of the recreational equipment on such areas.

[Statutory Authority: RCW 28B.50.140. 89-11-026 (Order 89-11), § 132D-350-010, filed 5/11/89.]

WAC 132D-350-020 Definitions. As used in this chapter, "skateboard" shall mean a toy consisting of an oblong or rectangular board, made of wood, plastic, metal or components thereof, with a pair of small wheels at each end, ridden, as down an incline, usually in a standing position. It may or may not be motorized; "roller skates" shall mean a shoe with

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a set of wheels attached for skating over a flat surface, or a metal frame with wheels attached that can be fitted to the sole of the shoe; "scooter" shall mean a foot-operated vehicle consisting of a narrow board mounted between two wheels, tandem, with an upright steering handle attached to the front wheel; "two-wheeled motor bikes or bicycles" shall mean all two-wheeled vehicles powered by a motor or foot-operated (see also parking and traffic regulations, chapter 132D-116 WAC). These "toys" shall be commonly referred to as recreational equipment for the purpose of this policy.

[Statutory Authority: RCW 28B.50.140. 89-11-026 (Order 89-11), § 132D-350-020, filed 5/11/89.]

WAC 132D-350-030 Authority. The board of trustees of Skagit Valley College, Community College District No. 4, is granted authority under Title 28B RCW to exercise full control of the college and its property and is authorized to promulgate rules and regulations to carry out its duties.

[Statutory Authority: RCW 28B.50.140. 89-11-026 (Order 89-11), § 132D-350-030, filed 5/11/89.]

WAC 132D-350-040 Regulation of skateboards, roller skates, scooters, two-wheeled motor bikes or bicycles. The above may not be used on the campus except in areas as may be designated for such use by the dean of administrative and student services or his or her designee(s).

[Statutory Authority: RCW 28B.50.140. 89-11-026 (Order 89-11), § 132D-350-040, filed 5/11/89.]

WAC 132D-350-050 Enforcement. (1) Enforcement of this chapter shall be the responsibility of the president and the dean of administrative and student services or his or her designee(s).

(2) A user of the above-described recreational equipment who refuses to abide by these regulations will be asked to leave the campus. Refusal to obey will subject the person to being cited for trespass under the provisions of chapter 9A.52 RCW.

(3) If the user is a student, the student will be asked to refrain from using the equipment on campus. If the student refuses, a proceeding may be initiated under the student rights and responsibilities code, chapter 132D-120 WAC.

[Statutory Authority: RCW 28B.50.140. 89-11-026 (Order 89-11), § 132D-350-050, filed 5/11/89.]

Chapter 132D-400 WAC

LOSS OF ELIGIBILITY—STUDENT ATHLETIC PARTICIPATION

WAC

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

WAC 132D-400-010 Grounds for ineligibility. Any student found by the college to have violated chapter 69.41 RCW by virtue of a criminal conviction or otherwise insofar as it prohibits the possession, use or sale of legend drugs,

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including anabolic steroids, will be disqualified from participation in any school-sponsored athletic event or activity.

[Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-400-010, filed 2/16/90, effective 3/19/90.]

WAC 132D-400-020 Suspension procedure—Right to informal hearing. Any student notified of a claimed violation of WAC 132D-400-010 shall have the right to a brief adjudicative hearing if a written request for such a hearing is received by the dean of students 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 school-sponsored athletic events for the remainder of the school year.

[Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-400-020, filed 2/16/90, effective 3/19/90.]

WAC 132D-400-030 Hearing. If a timely written request for a hearing is made, the dean of students shall designate a hearing officer who shall be a college officer who is not involved with the athletic program to conduct the brief adjudicative hearing. The hearing officer shall promptly conduct the hearing and permit affected parties to explain both the college's view of the matter and the student's view of the matter. The brief adjudicative proceeding shall be conducted in accordance with the Administrative Procedure Act, RCW 34.05.482-494.

[Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-400-030, filed 2/16/90, effective 3/19/90.]

WAC 132D-400-040 Decision. The college official who acts as hearing officer shall issue a written decision which shall include a brief statement of the reasons for the decision and a notice that judicial review may be available. All documents presented, considered or prepared by the hearing officer shall be maintained as the official record of the brief administrative proceeding. A decision must be promptly rendered after the conclusion of the brief adjudicative hearing and in no event later than 20 days after the request for hearing is received by the dean of students.

[Statutory Authority: RCW 28B.50.140, chapters 34.05 and 69.41 RCW and 26 U.S.C. 1232g. 90-05-045, § 132D-400-040, filed 2/16/90, effective 3/19/90.]