

Title 495E WAC

RENTON TECHNICAL COLLEGE

Chapters

495E-104	Board of trustees.
495E-108	Practice and procedure.
495E-116	Parking and traffic.
495E-120	Student conduct code.
495E-122	Withholding services for outstanding debts.
495E-132	Financial aid.
495E-133	Organization.
495E-134	Designation of rules coordinator.
495E-140	Use of college facilities.
495E-168	Use of library resource center—Fines.
495E-276	Access to public records.
495E-280	Family Educational Rights and Privacy Act.
495E-300	Discrimination policies and procedures.
495E-325	State Environmental Policy Act rules.
495E-400	Faculty tenure, dismissal, and reduction in force.

Chapter 495E-104 WAC BOARD OF TRUSTEES

WAC

495E-104-020	Request for items to be placed on board agenda.
495E-104-030	Delegation to college president.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

495E-104-010	Time and place of board meetings. [Statutory Authority: RCW 28B.50.140 and 42.30.070. 93-13-104, § 495E-104-010, filed 6/21/93, effective 7/22/93.] Repealed by 98-02-037, filed 1/2/98, effective 2/2/98.
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WAC 495E-104-020 Request for items to be placed on board agenda. Anyone, other than a board member or a representative of the president's office wishing an item placed on the agenda of a board meeting, must have a written request in the office of the president no later than twelve o'clock noon five working days before the next scheduled meeting of the board. The president and the board chair will determine whether the item is to be placed on the agenda. The chair or a designee will notify the individual initiating the request as to whether or not the item will be placed on the agenda.

[Statutory Authority: RCW 28B.50.140 and 42.30.070. 93-13-104, § 495E-104-020, filed 6/21/93, effective 7/22/93.]

WAC 495E-104-030 Delegation to college president. The board of trustees delegates to the college president its authority and responsibility to administer Renton Technical College in accordance with laws, policies, and rules approved or sanctioned by the board of trustees. At the operational level, the president has final administrative authority over all matters affecting the college district.

(2003 Ed.)

[Statutory Authority: RCW 28B.50.140 and 42.30.070. 93-13-104, § 495E-104-030, filed 6/21/93, effective 7/22/93.]

Chapter 495E-108 WAC PRACTICE AND PROCEDURE

WAC

495E-108-010	Adoption of model rules of procedure.
495E-108-020	Appointment of residing officers.
495E-108-030	Method of recording.
495E-108-040	Application for adjudicative proceeding.
495E-108-050	Brief adjudicative procedure.
495E-108-060	Discovery.
495E-108-070	Procedure for closing parts of the hearings.
495E-108-080	Recording devices.

WAC 495E-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 are adopted for use at this college. 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 by this college, the college rules prevail.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].250, [34.05].-413, [34.05].425, [34.05].446 and [34.05].482. 93-13-105, § 495E-108-010, filed 6/21/93, effective 7/22/93.]

WAC 495E-108-020 Appointment of residing officers. The president or president's designee shall designate a presiding officer for an adjudicative proceeding except as otherwise provided by a college rule. Where more than one individual is designated to be the presiding officer, one such individual shall be designated by the president or president's designee, if not by college rule, to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].250, [34.05].-413, [34.05].425, [34.05].446 and [34.05].482. 93-13-105, § 495E-108-020, filed 6/21/93, effective 7/22/93.]

WAC 495E-108-030 Method of recording. Proceedings shall be recorded by a method determined by the presiding officer, from among those available under the model rules of procedure.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].250, [34.05].-413, [34.05].425, [34.05].446 and [34.05].482. 93-13-105, § 495E-108-030, filed 6/21/93, effective 7/22/93.]

WAC 495E-108-040 Application for adjudicative proceeding. An application for adjudicative proceeding shall be in writing. Application forms are available at the following address: 3000 Northeast Fourth Street, Renton, Washington 98056-4195.

[Title 495E WAC—p. 1]

Written application for an adjudicative proceeding must 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, 34.05.220, [34.05].250, [34.05].-413, [34.05].425, [34.05].446 and [34.05].482. 93-13-105, § 495E-108-040, filed 6/21/93, effective 7/22/93.]

WAC 495E-108-050 Brief adjudicative procedure.

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

- (1) Residency determinations;
- (2) Challenges to contents of education records;
- (3) Student conduct proceedings, except as provided in another rule;
- (4) Parking and traffic violations;
- (5) Outstanding debts owed by present or former students or employees;
- (6) Loss of eligibility for participation in college-sponsored activities.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].250, [34.05].-413, [34.05].425, [34.05].446 and [34.05].482. 93-13-105, § 495E-108-050, filed 6/21/93, effective 7/22/93.]

WAC 495E-108-060 Discovery. Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall refer to the civil rules of procedure. The presiding officer may control the frequency and nature of discovery permitted, and order discovery conferences to discuss discovery issues.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].250, [34.05].-413, [34.05].425, [34.05].446 and [34.05].482. 93-13-105, § 495E-108-060, filed 6/21/93, effective 7/22/93.]

WAC 495E-108-070 Procedure for closing parts of the hearings. Any party may apply for a protective order to close part of a hearing. The party making the request shall state the reasons for making the application to the presiding officer, and serve copies on all other parties. If another party opposes the request, a written response to the request shall be made within ten days of the request to the presiding officer. The presiding officer shall determine which, if any, parts of the proceeding shall be closed, and state the reasons in writing within twenty days of receiving the request.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].250, [34.05].-413, [34.05].425, [34.05].446 and [34.05].482. 93-13-105, § 495E-108-070, filed 6/21/93, effective 7/22/93.]

WAC 495E-108-080 Recording devices. No cameras or recording devices are allowed in those parts of proceedings that the presiding officer has determined shall be closed under WAC 495E-108-070, except for the method of official recording selected by the college.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].250, [34.05].-413, [34.05].425, [34.05].446 and [34.05].482. 93-13-105, § 495E-108-080, filed 6/21/93, effective 7/22/93.]

[Title 495E WAC—p. 2]

Chapter 495E-116 WAC PARKING AND TRAFFIC

WAC

495E-116-010	Purpose for adopting parking and traffic rules.
495E-116-020	Applicable parking and traffic rules.
495E-116-030	Definitions.
495E-116-040	Employee and student parking.
495E-116-050	Delegation of authority.
495E-116-060	Enforcement.
495E-116-070	Violation of parking and traffic rules.
495E-116-080	Issuance of traffic tickets or summons.
495E-116-090	Penalties.
495E-116-100	Appeal of citations and penalties.
495E-116-110	Disclaimer of liability by college.
495E-116-120	Designation of parking.
495E-116-130	Parking within designated spaces.
495E-116-140	Regulatory signs, markings, barricades, etc.
495E-116-150	Speed limit.
495E-116-160	Pedestrian right of way.
495E-116-170	Two-wheeled motorcycles or bicycles.
495E-116-180	Report of accidents.
495E-116-190	Disabled or inoperative vehicles—Impounding.

WAC 495E-116-010 Purpose for adopting parking and traffic rules. Under the authority granted by RCW 28B.50.140(10), the board of trustees of Renton Technical College is granted authority to adopt rules for pedestrian and vehicular traffic upon public lands devoted to, operated by, or maintained by the college. The objectives of these rules are to:

- (1) Protect and control pedestrian and vehicular traffic;
- (2) Assure access at all times for emergency traffic;
- (3) Minimize traffic disturbances during class hours;
- (4) Facilitate the work of the college by assuring access to its vehicles and by assigning limited parking space for the most efficient use by all;
- (5) Regulate the use of parking spaces;
- (6) Protect state-owned property;
- (7) Assure access to the facility by handicapped persons.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-010, filed 6/21/93, effective 7/22/93.]

WAC 495E-116-020 Applicable parking and traffic rules. (1) All rules in this chapter and all motor vehicle and other traffic laws of the state of Washington apply on the campus.

(2) The traffic code of the city of Renton applies upon all lands located within the city of Renton.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-020, filed 6/21/93, effective 7/22/93.]

WAC 495E-116-030 Definitions. The definitions set forth in this section apply throughout this chapter.

- (1) "Campus" means all lands and buildings devoted to, operated by, or maintained by Renton Technical College.
- (2) "Campus security officer" means an employee of the college who is responsible for campus security and who reports to the vice-president for plant operations.
- (3) "Employee" means an individual appointed to the faculty, staff, or administration of the college.
- (4) "Visitors" mean persons who lawfully visit the campus.
- (5) "Vehicle" means an automobile, truck, motor-driven cycle, or scooter, or other powered vehicle.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-030, filed 6/21/93, effective 7/22/93.]

WAC 495E-116-040 Employee and student parking.

(1) Each employee parking a vehicle in parking space posted as staff parking only shall display on the vehicle a currently valid parking permit obtained from the vice-president for plant operations or designee.

(2) No student may park in a parking space posted as staff or visitor parking only.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-040, filed 6/21/93, effective 7/22/93.]

WAC 495E-116-050 Delegation of authority. The authority and powers conferred upon the vice-president for plant operations by this chapter are subject to delegation in writing to that individual's subordinates.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-050, filed 6/21/93, effective 7/22/93.]

WAC 495E-116-060 Enforcement. (1) Failure to enforce parking and traffic rules on one occasion does not waive enforcement later.

(2) The vice-president for plant operations or a designee is responsible for the enforcement of this chapter.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-060, filed 6/21/93, effective 7/22/93.]

WAC 495E-116-070 Violation of parking and traffic rules. (1) Operators of illegally operated or parked vehicles shall be warned or cited through an appropriate means that they are in violation of this chapter.

(2) In instances where violations are repeated, the vehicle may be impounded.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-070, filed 6/21/93, effective 7/22/93.]

WAC 495E-116-080 Issuance of traffic tickets or summons. (1) A campus security officer or a designee may issue a warning or citation for a violation of these regulations. The warning or citation must set forth the date, the approximate time, license information, and the nature of violation.

(2) The warning or citation may be served by attaching or affixing a copy in some prominent place outside the vehicle or by personally serving the operator.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-080, filed 6/21/93, effective 7/22/93.]

WAC 495E-116-090 Penalties. (1) A campus security officer may issue a citation and/or impose a fine up to two hundred fifty dollars for the following violations:

- (a) Visitor parking violations;
- (b) Occupying more than one parking space;
- (c) Occupying a space or area not designated for parking;
- (d) Handicapped parking violation;
- (e) Parking in reserved staff space without authorization;
- (f) Blocking or obstructing traffic (may be towed if creating a safety hazard);

(2003 Ed.)

(g) Parking adjacent to a fire hydrant (may be towed if creating a safety hazard);

(h) Parking in a fire lane (may be towed if creating a safety hazard);

(i) Parking in a zone or area marked no parking;

(j) Other violations of college parking traffic rules.

(2) Vehicles parking in a manner so as to obstruct traffic, including access to and from parking spaces and areas, may be impounded and taken to a place for storage selected by the vice-president for plant operations or a designee. The expenses of the impounding and storage are the responsibility of the registered owner or driver of the vehicle.

(3) The college is not liable for loss or damage of any kind resulting from impounding and storage of vehicles.

(4) Persons may appeal the issuance of a citation according to WAC 495E-116-100.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-090, filed 6/21/93, effective 7/22/93.]

WAC 495E-116-100 Appeal of citations and penalties. (1) Appeals must be made in writing, giving full particulars, including a list of witnesses and evidence expected to be presented.

(2) Appeals must be submitted to the vice-president for plant operations within five days from the date of citation. The vice-president shall consider the appeal in a brief adjudicative proceeding.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-100, filed 6/21/93, effective 7/22/93.]

WAC 495E-116-110 Disclaimer of liability by college. The college assumes no liability under any circumstances for theft or damage occurring to vehicles, bicycles, or their contents. No bailment of any sort is created by the acquisition of a parking permit.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-110, filed 6/21/93, effective 7/22/93.]

WAC 495E-116-120 Designation of parking. The parking spaces available on campus may be allocated and designated by the vice-president for plant operations in such a manner as will best achieve the objectives of this chapter.

(1) Special provisions shall be made for physically disabled employees, visitors, students, or their designees. Physically disabled individuals using handicapped parking spaces must display in that vehicle a valid state-issued disabled parking permit or license plate. The campus security officer shall issue appropriate permits for temporarily handicapped persons.

(2) Spaces specifically designated as "visitor" are to be used only by visitors driving vehicles without continuing or annual permits, for a maximum time period of two hours.

(3) The vice-president for plant operations may designate parking spaces for special purposes as deemed necessary.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-120, filed 6/21/93, effective 7/22/93.]

[Title 495E WAC—p. 3]

WAC 495E-116-130 Parking within designated spaces. (1) No vehicle may be parked on the campus except in those areas set aside and designated for parking.

(2) No vehicle may be parked so as to occupy any portion of more than one parking space or stall.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-130, filed 6/21/93, effective 7/22/93.]

WAC 495E-116-140 Regulatory signs, markings, barricades, etc. The vice-president for plant operations or a designee may make and erect signs, barricades, and other structures and paint marks and other directions upon the streets, entrances, exits, and roadways for the regulation of traffic and parking upon the various public lands devoted to, operated by, or maintained by the college. Drivers or vehicles shall observe and obey all the signs, barricades, structures, markings, and directions given them by the campus security officer in the control and regulation of traffic and parking.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-140, filed 6/21/93, effective 7/22/93.]

WAC 495E-116-150 Speed limit. No vehicle may be operated on the campus at a speed in excess of five miles per hour, or such slower speed as is reasonable and prudent under the circumstances.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-150, filed 6/21/93, effective 7/22/93.]

WAC 495E-116-160 Pedestrian right of way. (1) The operator of a vehicle shall yield the right of way to any pedestrian. A pedestrian shall not leave a curb or other place of safety and walk or run into the path of an oncoming vehicle.

(2) When a sidewalk or crosswalk is provided, pedestrians shall proceed upon the sidewalk or crosswalk.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-160, filed 6/21/93, effective 7/22/93.]

WAC 495E-116-170 Two-wheeled motorcycles or bicycles. (1) All two-wheeled vehicles powered by an engine shall park in areas designated for motorcycles only and will not use spaces assigned to automobiles or bicycles.

(2) Bicycles and other nonengine powered cycles must be parked in bicycle racks where provided. No person may park a bicycle inside a building, on a path, sidewalk, or walkway, or in such a manner as to block or obstruct the normal flow of pedestrian traffic.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-170, filed 6/21/93, effective 7/22/93.]

WAC 495E-116-180 Report of accidents. (1) The operator of a vehicle involved in an accident on campus resulting in injury or death of a person or claimed damage to either or both vehicles exceeding five hundred dollars shall immediately report the accident to the vice-president for plant operations. Accidents occurring after the close of business must be reported the next working day. Within twenty-four hours after the accident, the operator shall file a state of Washington motor vehicle report.

[Title 495E WAC—p. 4]

(2) Other accidents may be reported to security for insurance record purposes.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-180, filed 6/21/93, effective 7/22/93.]

WAC 495E-116-190 Disabled or inoperative vehicles—Impounding. (1) Disabled or inoperative vehicles shall not be parked on the campus for a period exceeding seventy-two hours, without authorization from the vice-president for plant operations or a designee.

(2) Vehicles parked over seventy-two hours without authorization may be impounded and stored at the expense of either or both the owner and operator of the vehicle.

(3) Notice of intent to impound will be posted on the vehicle at least forty-eight hours before it will be impounded.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-106, § 495E-116-190, filed 6/21/93, effective 7/22/93.]

Chapter 495E-120 WAC STUDENT CONDUCT CODE

WAC

495E-120-010	Definitions.
495E-120-020	Statement of purpose.
495E-120-030	Jurisdiction.
495E-120-040	Student misconduct.
495E-120-045	Loss of eligibility—Student activity participation.
495E-120-050	Civil disturbances.
495E-120-060	Free movement on campus.
495E-120-070	Right to demand identification.
495E-120-080	Academic dishonesty/classroom conduct/attendance.
495E-120-090	Distribution of information.
495E-120-100	Commercial activities.
495E-120-110	Disciplinary terms.
495E-120-120	Initiation of discipline.
495E-120-130	Appeal of disciplinary action.
495E-120-140	Discipline review—Brief adjudicative proceedings.
495E-120-150	Discipline review—Formal adjudicative proceedings.
495E-120-160	Refunds and access.
495E-120-170	Readmission after suspension or expulsion.
495E-120-180	Reestablishment of academic standing.
495E-120-190	Reporting, recording, and maintaining records.

WAC 495E-120-010 Definitions. The definitions set forth in this section apply throughout this chapter.

(1) "Board" means the board of trustees for college district No. 27 and Renton Technical College.

(2) "College" means Renton Technical College.

(3) "College facilities" means the real property controlled or operated by the college and includes all buildings and appurtenances affixed thereon or attached thereto.

(4) "Disciplinary action" means action authorized under WAC 495E-120-110 for the violation of a rule in this chapter.

(5) "Disciplining official" means the vice-president for student services or designee who takes a disciplinary action.

(6) "Drug" means a narcotic drug as defined in RCW 69.50.101, a controlled substance as defined in RCW 69.50.-201 through 69.50.212, or a legend drug as defined in RCW 69.41.010.

(7) "Liquor" means the definition of liquor as contained within RCW 66.04.010.

(8) "President" means the chief executive officer of the college appointed by the board of trustees.

(9) "Student" means a person who is regularly enrolled at the college.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-010, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-020 Statement of purpose. (1) Renton Technical College is maintained by the state of Washington for the provision of programs of instruction in higher education and related community services. Like any other institution having its own special purposes, the college must maintain conditions conducive to the effective performance of its functions. Consequently, it has special expectations regarding the conduct of the various participants in the college community.

(2) Admission to the college carries with it the prescription that the student will conduct himself or herself as a responsible member of the college community. This includes an expectation that the student will obey appropriate laws, will comply with the rules of the college and its departments, and will maintain a high standard of integrity and honesty.

(3) Sanctions for violations of college rules or conduct that interferes with the operation of college affairs will be dealt with by the college, and the college may impose sanctions independently of any action taken by civil or criminal authorities. In the case of minors, misconduct may be referred to parents or legal guardians.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-020, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-030 Jurisdiction. All rules in this chapter concerning student conduct and discipline apply to every student enrolled at the college whenever the student is engaged in or present at a college-related activity whether occurring on or off college facilities.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-030, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-040 Student misconduct. Disciplinary action may be taken for a violation of any provision of this conduct code, for violation of other college rules which may from time to time be properly adopted, or for any of the following types of misconduct:

(1) Smoking in any college facility or other areas posted against smoking by college officials;

(2) The possession, use, sale, or distribution of any alcoholic beverage (except as specifically permitted by the board or president), or any illegal drug, on the college campus. The illegal use of drugs or alcohol by any student attending a college-sponsored or supervised event is also prohibited, even though the event does not take place at the college;

(3) Engaging in lewd, indecent, or obscene behavior on college facilities or at college sponsored or supervised functions;

(4) Causing an imminent danger to college facilities or to himself or herself or other persons in college facilities or to the education process of the college;

(5) Academic dishonesty, including cheating, plagiarism, or knowingly furnishing false information to the college;

(6) The intentional making of false statements or filing of false charges against the college or members of the college community;

(2003 Ed.)

(7) Forgery, alteration, or misuse of college documents, records, funds, or instruments of identification with an unlawful intent;

(8) Theft from or damage to college facilities or theft of or damage to property of a member of the college community;

(9) Failure to comply with the direction of college officials acting in the legitimate performance of their duties;

(10) Possession of firearms or weapons even if licensed to do so;

(11) Falsely setting off or otherwise tampering with any emergency equipment, alarms, or other devices;

(12) Intentionally and without authorization gaining access to a computer system or electronic data owned or used by the college, including the unauthorized copying of copyrighted software;

(13) Engaging in sexual harassment, unwelcome sexual advances, unwelcome requests for sexual favors, or other unwanted verbal or physical contact of a sexual nature toward a college student or employee;

(14) Entering any locked or otherwise closed college facility in any manner without permission;

(15) Participating in an assembly which materially and substantially interferes with the education or administrative functions of the college, or the private rights and privileges of others;

(16) Failure to comply with college attendance or other rules;

(17) Retaliation against witnesses or accusers under this chapter.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-040, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-045 Loss of eligibility—Student activity participation. Any student found to have violated chapter 69.41 RCW, Legend drugs—Prescription drugs, by virtue of a criminal conviction or otherwise, shall, in lieu of or in addition to any other disciplinary action which may be imposed, be disqualified from participation in any college-sponsored events or activities.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-045, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-050 Civil disturbances. In accordance with RCW 28B.10.570 through 28B.10.573:

(1) It shall be unlawful for any person, singly or in concert with others, to interfere by force or violence with any administrator, faculty member, or student of the college who is in the discharge or conduct of his or her duties or studies.

(2) It shall be unlawful for any person, singly or in concert with others, to intimidate by threat of force or violence any administrator, faculty member, or student of the college who is in the discharge of his or her duties or studies.

(3) The crimes described in RCW 28B.10.570 through 28B.10.573 shall not apply to any administrator or faculty member who is engaged in the reasonable exercise of their disciplinary authority.

(4) Any person or persons who violate the provisions of subsections (1) and (2) of this section will be subject to disciplinary action and/or prosecution.

[Title 495E WAC—p. 5]

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-050, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-060 Free movement on campus. The president is authorized in the instance of any event that he or she deems to impede the movement of persons or vehicles or to disrupt the ingress or egress of persons to or from the college facilities, to prohibit the entry of or withdraw the license or privileges of a person or persons to enter onto or remain upon any portion of the college facilities. The president may act through the vice-president for student services or any other designee.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-060, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-070 Right to demand identification. For the purpose of determining whether probable cause exists for the application of any section of this code to any behavior by any person on a college facility, any college personnel may demand that any person on college facilities produce evidence of student enrollment at the college.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-070, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-080 Academic dishonesty/classroom conduct/attendance. (1) Academic dishonesty: Honest assessment of student performance is of crucial importance to all members of the academic community. Acts of dishonesty are serious breaches of honor and shall be subject to discipline as follows:

(a) Any student who, for the purpose of fulfilling any assignment or task required by a faculty member as part of the student's program of instruction, shall knowingly tender any work product that the student falsely represents to the faculty member as the student's work product, shall be deemed to have committed an act of academic dishonesty. Acts of academic dishonesty shall be cause for disciplinary action under this chapter.

(b) Any student who aids or abets the accomplishment of an act of academic dishonesty, as described in (a) of this subsection, shall be subject to disciplinary action under this chapter.

(2) Classroom conduct: Any student who substantially disrupts any college class by engaging in misconduct that renders it difficult or impossible to maintain the decorum of the class shall be subject to disciplinary action.

(3) Attendance: Consistent attendance is essential to the educational process and the instructor is authorized to establish reasonable standards to encourage attendance enforceable by disciplinary action.

(4) For disciplinary action under this section, an instructor may take action authorized under WAC 495E-120-110 (1), (2), and (3), except suspension, expulsion, or monetary fine or the instructor may refer the matter to the designee of the vice-president for student services. In addition, an instructor may take immediate or summary action as he/she deems appropriate in order to preserve order or prevent disruption in the classroom. For academic dishonesty, an instructor also may adjust any grade of the student.

[Title 495E WAC—p. 6]

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-080, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-090 Distribution of information. (1) Handbills, leaflets, newspapers, and similar materials may be sold or distributed free of charge by any student or college employee on or in college facilities at locations specifically designated by the vice-president for student services, provided that such distribution or sale does not interfere with the ingress or egress of persons or interfere with the free flow of vehicular or pedestrian traffic and further provided that a copy of the material has been made available to the vice-president for student services prior to distribution.

(2) Such handbills, leaflets, newspapers, and related matter must identify the publishing agency and distributing organization or individual.

(3) Nonstudents making such sales or distributions shall register beforehand with the vice-president for student services and shall meet the same requirements.

(4) Any student who violates subsection (1) or (2) of this section will be subject to disciplinary action.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-090, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-100 Commercial activities. (1) College facilities will not be used for commercial solicitation, advertising or promotional activities except when such activities:

(a) Clearly serve educational objectives, including but not limited to display of books of interest to the academic community or the display or demonstration of technical or research equipment; and

(b) Are conducted under the sponsorship or at the request of the college.

(2) For the purpose of this section, the term "commercial activities" does not include handbills, leaflets, newspapers, and similar materials as regulated in WAC 495E-120-090.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-100, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-110 Disciplinary terms. The following disciplinary actions against a student are authorized, and the definitions set forth in this section apply throughout this chapter:

(1) Verbal warning means oral notice of violation of college rules.

(2) Reprimand means formal action censuring a student for violation of college rules for failure to satisfy the college's expectations regarding conduct. Reprimands are made in writing to the student. A reprimand indicates to the student that continuation or repetition of the specific conduct involved or other misconduct will result in one or more serious disciplinary actions described below.

(3) Disciplinary probation means formal action placing conditions upon the student's continued attendance because of violation of college rules or failure to satisfy the college's expectations regarding conduct. The disciplinary official placing the student on probation will specify, in writing, the period of probation and its conditions. Disciplinary probation warns the student that any further misconduct will automati-

(2003 Ed.)

cally raise the question of expulsion from the college. Disciplinary probation may be for a specified term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college.

(4) Summary suspension means temporary dismissal from the college and temporary termination of a student's status for a period of time not to exceed ten days due to a necessity to take immediate disciplinary action where a student presents an imminent danger to college property, or to himself or herself or other students or persons in college facilities or off campus, or to the educational process of the college.

(5) Suspension means temporary dismissal from the college and temporary termination of student status, other than summary suspension, for a specified period of time.

(6) Expulsion means dismissal from the college and termination of student status for an indefinite period of time or permanently.

(7) Monetary fine or restitution means a written order, alone or combined with another disciplinary action, requiring the student to pay, within a stated time limit, appropriate restitution for a financial loss caused by the student's misconduct and/or monetary fine not exceeding one quarter's tuition. Failure to pay shall be cause for further disciplinary action and/or cancelling and barring the student's registration.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-110, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-120 Initiation of discipline. (1) The vice-president for student services shall designate the person(s), in addition to instructors under WAC 495E-120-080, who may take any disciplinary action under this chapter. Such disciplining official ordinarily should meet or attempt to meet with the student to explain the seriousness of the matter and hear any explanation by the student before taking a disciplinary action.

(2) The student shall be given written notice of any disciplinary action except a verbal warning. Such written notice shall be delivered personally or mailed by first-class mail to the student's last known address. The notice shall state the factual basis for the action and shall advise the student of his/her right to appeal under these rules. The notice may be amended by notice reasonably in advance of a hearing.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-120, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-130 Appeal of disciplinary action.

(1) A student may appeal a disciplinary action, other than a verbal warning, of an instructor or disciplining official by filing, within twenty days after the earlier of personal delivery or mailing of notice of the disciplinary action, a written application for a brief or formal adjudicative proceeding. This application may, but need not, explain the student's position and/or be on a form provided under WAC 495E-108-040. The application shall be filed with the vice-president for student services or the person (other than the disciplining official) designated by that vice-president to receive such an appeal.

(2) The vice-president or designee receiving the appeal may, in his/her discretion, stay the effect of the discipline pending the appeal.

(2003 Ed.)

(3) The vice-president or designee receiving the appeal may meet or attempt to meet with the student, the disciplining official, and anyone else deemed to have information, for the purpose of attempting to resolve the matter by agreement.

(4) Unless the discipline is rescinded, the student confirms in writing his/her withdrawal of the application for an adjudication, or the matter is otherwise resolved by agreement, the vice-president shall conduct an adjudicative proceeding. This shall be a brief adjudicative proceeding unless:

(a) The vice-president decides to convert the case to a formal adjudicative hearing; or

(b) The discipline includes some form of dismissal from the college and the student in his/her request for an adjudication specified a formal adjudicative hearing.

(5) Disqualification of a presiding officer shall be as provided in RCW 34.05.425.

(6) The matter shall be heard by the presiding officer de novo.

(7) Failure to participate or cooperate in the proceeding may be taken into consideration by the presiding officer and shall not preclude the presiding officer from making a decision. This shall not limit the possibility of a default under RCW 34.05.440.

(8) The student may be accompanied by an advisor. However, no attorney representative of any party may participate in a meeting or hearing unless he/she has filed with the presiding officer and served on all other parties, at least five days previously, a notice of appearance. In the event of such notice, any other party may also have counsel.

(9) The presiding officer may exclude from a meeting or hearing any person whose conduct is disruptive.

(10) The presiding officer may consider evidence of any previous disciplinary action taken against the student.

(11) The presiding officer and, subsequently, a reviewing officer, may affirm, modify, or reverse the disciplinary action.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-130, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-140 Discipline review—Brief adjudicative proceedings. In a brief adjudicative proceeding:

(1) RCW 34.05.485 through 34.05.494 and WAC 10-08-080 shall govern, unless otherwise provided in these rules.

(2) The presiding officer shall be the vice-president for student services or, if he/she cannot so serve for any reason, another person designated by the president.

(3) The presiding officer shall serve on the parties and provide to the president an initial order, a brief written statement of the reasons for the decision, within ten days in accordance with RCW 34.05.485. That statement shall describe the available administrative review procedures specified in subsection (4) of this section.

(4) The initial order shall become the final order, without further action, unless within twenty-one days of service of the initial order:

(a) The president or president's designee, upon his/her own motion, determines that the initial order should be reviewed; or

(b) A party to the proceedings files with the president a written petition for administrative review of the initial order.

[Title 495E WAC—p. 7]

The president or president's designee shall be the reviewing officer and RCW 34.05.491 shall apply to any such determination or petition.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-140, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-150 Discipline review—Formal adjudicative proceedings. In a formal adjudicative proceeding:

(1) RCW 34.05.413 through 34.05.479 and chapters 10-08 and 495E-108 WAC shall govern, unless otherwise provided in these rules.

(2) The presiding officer shall be a discipline appeals committee consisting of three individuals: The vice-president for student services (who shall serve as chair and make procedural rulings on such issues as discovery, closure, and means of recording), an associate or assistant dean designated by the president, and a third individual designated by the president.

(3) The presiding officer may designate a recordkeeping clerk and/or other staff as appropriate. Hearings shall be recorded, in accordance with WAC 10-08-170. If any part of a hearing is closed in accordance with WAC 495E-108-070, the recording of that closed part shall be kept separate and confidential.

(4) The presiding officer may conduct prehearing conference(s) in accordance with RCW 34.05.431 and WAC 10-08-130.

(5) The presiding officer may permit or conduct discovery as provided in RCW 34.05.446, WAC 10-08-120, and 495E-108-060.

(6) The presiding officer shall give not less than seven days advance written notice of a hearing to all parties and all intervenors, except where such notice is waived, in accordance with RCW 34.05.434, WAC 10-08-040, or other applicable law.

(7) The burden of proof shall be on the party seeking to uphold the discipline to establish good cause by a preponderance of the evidence.

(8) Within the ninety days specified in RCW 34.05.461, and preferably within twenty days, the presiding officer shall serve on the parties and provide to the president an initial order, together with any relevant comments on the demeanor of witnesses. At the same time, a full and complete record of the proceedings shall also be transmitted to the president. The initial order shall include a statement of findings and conclusions and otherwise comply with RCW 34.05.461 and WAC 10-08-210. The initial order also shall describe the available administrative review procedures specified in subsection (9) of this section.

(9) The initial order shall become the final order, without further action, unless within twenty-one days of service of the initial order:

(a) The president or president's designee upon his/her own motion, determines that the initial order should be reviewed; or

(b) A party to the proceedings files with the president a written petition for administrative review of the initial order. The president or president's designee shall be the reviewing

officer and RCW 34.05.464 and WAC 10-08-211 shall apply to any such determination or petition.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-150, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-160 Refunds and access. (1) Refund of fees for the term in which disciplinary action is taken shall be in accordance with the college's refund policy.

(2) A student suspended or expelled on the basis of conduct which disrupted the orderly operation of the campus or any college facility may be denied access to all or any part of the campus or other facility.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-160, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-170 Readmission after suspension or expulsion. Any student suspended from the college for disciplinary reasons will normally be readmitted upon expiration of the time period for which the suspension was issued. If the student has been expelled or feels that circumstances warrant reconsideration of a suspension prior to its expiration, or if the student was suspended with conditions imposed for readmission, the student may be readmitted following approval of a written petition submitted to the vice-president for student services. Such petition must state reasons which support a reconsideration of the matter. The vice-president for student services or his/her designee shall decide the petition through a brief adjudicative proceeding. The president or designee shall be the reviewing officer.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-170, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-180 Reestablishment of academic standing. Students who have been suspended or expelled pursuant to this chapter and whose suspension or expulsion upon appeal is found to have been unwarranted shall be provided the opportunity to reestablish their academic and student standing to the extent possible within the abilities of the college, including an opportunity to retake examinations or otherwise complete course offerings missed by reason of such action.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-180, filed 6/21/93, effective 7/22/93.]

WAC 495E-120-190 Reporting, recording, and maintaining records. Records of all disciplinary cases shall be kept by the vice-president for student services. Except in proceedings where the student is exonerated, all documentary or other physical evidence considered in disciplinary proceedings and all recorded testimony shall be preserved, insofar as possible, for not less than six years. No records of proceedings wherein the student is exonerated, other than the fact of exoneration, shall be maintained in the student's file or other college repository.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-107, § 495E-120-190, filed 6/21/93, effective 7/22/93.]

Chapter 495E-122 WAC

WITHHOLDING SERVICES FOR OUTSTANDING DEBTS

WAC

495E-122-010	Policy.
495E-122-020	Notification.
495E-122-030	Procedure for brief adjudicative proceeding.
495E-122-040	Other remedies.

WAC 495E-122-010 Policy. If any person is indebted to the institution for an outstanding overdue debt, the college 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, 34.05.220 and [34.05].482. 93-13-108, § 495E-122-010, filed 6/21/93, effective 7/22/93.]

WAC 495E-122-020 Notification. (1) Upon receiving a request for services where there is an outstanding debt due to the college from the requesting person, the college shall notify the person by first-class mail addressed to his or her last known mailing address that there is an outstanding debt and that services will not be provided until the debt is satisfied.

(2) The letter of notification shall also state that the person has a right to a brief adjudicative proceeding before the vice-president for finance for the purpose of determining whether the person is so indebted. The proceeding must be requested within twenty days of the date of mailing the notification.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-108, § 495E-122-020, filed 6/21/93, effective 7/22/93.]

WAC 495E-122-030 Procedure for brief adjudicative proceeding. (1) Upon receipt of a timely request for a hearing, the vice-president for finance shall have the records and files of the college available for review and shall hold an informal hearing concerning whether the individual in fact owes any outstanding debts to the college. The hearing should be conducted within ten days of the request for a hearing.

(2) After the informal hearing, a decision shall be rendered by the vice-president for finance indicating whether in fact the college 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 ten days after the hearing.

(3) This hearing shall constitute a brief adjudicative proceeding established by the Administrative Procedure Act at RCW 34.05.482 through 34.05.494. Any review of the decision shall be by the president in accordance with RCW 34.05.488 through 34.05.491.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-108, § 495E-122-030, filed 6/21/93, effective 7/22/93.]

WAC 495E-122-040 Other remedies. Withholding of services or other action(s) under this chapter shall not bar or restrict the college from pursuing any or all other available

(2003 Ed.)

remedies, including but not limited to those in RCW 19.16-500 and 43.88.175 and/or appropriate court action.

[Statutory Authority: RCW 28B.50.140, 34.05.220 and [34.05].482. 93-13-108, § 495E-122-040, filed 6/21/93, effective 7/22/93.]

Chapter 495E-132 WAC
FINANCIAL AID

WAC

495E-132-010 Financial aid.

WAC 495E-132-010 Financial aid. Federal, state, and private financial aid applications and information may be obtained at the following address:

Office of Financial Aid
Renton Technical College
3000 Northeast Fourth Street
Renton, WA 98056

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

[Statutory Authority: RCW 28B.50.140. 93-13-109, § 495E-132-010, filed 6/21/93, effective 7/22/93.]

Chapter 495E-133 WAC
ORGANIZATION

WAC

495E-133-020 Organization—Operation—Information.

WAC 495E-133-020 Organization—Operation—Information. (1) Organization. Renton Technical College is established in Title 28B RCW as a public institution of higher education. The college is governed by a five-member board of trustees, appointed by the governor. The board employs a president, who acts as the chief executive officer of the college. The president establishes the structure of the administration.

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

3000 Northeast Fourth Street
Renton, WA 98056

The office hours are 7:30 a.m. to 4:30 p.m., Monday through Friday, except legal holidays.

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

Registrar
Renton Technical College
3000 Northeast Fourth Street
Renton, WA 98056

[Statutory Authority: RCW 28B.50.140 and 34.05.220. 93-13-110, § 495E-133-020, filed 6/21/93, effective 7/22/93.]

[Title 495E WAC—p. 9]

Chapter 495E-134 WAC

DESIGNATION OF RULES COORDINATOR

WAC

495E-134-010 Rules coordinator.

WAC 495E-134-010 Rules coordinator. The rules coordinator for Renton Technical College as designated by the president is:

Vice-President, Human Resources
3000 Northeast Fourth Street
Renton, WA 98056

[Statutory Authority: RCW 34.05.310(3), 93-13-111, § 495E-134-010, filed 6/21/93, effective 7/22/93.]

Chapter 495E-140 WAC

USE OF COLLEGE FACILITIES

WAC

495E-140-010 Use of college facilities.
495E-140-020 Limitation of use to school activities.
495E-140-030 Statement of intentions.
495E-140-040 General policies limiting use.
495E-140-050 Administrative control.
495E-140-060 Trespass.
495E-140-070 Prohibited conduct at college facilities.
495E-140-080 Control of pets in college facilities.
495E-140-090 Basis of fee assessment.
495E-140-100 Application procedures.
495E-140-110 Supervision during activity.

WAC 495E-140-010 Use of college facilities. Renton Technical College provides 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 if 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, 93-13-112, § 495E-140-010, filed 6/21/93, effective 7/22/93.]

WAC 495E-140-020 Limitation of use to school activities. (1) When allocating use of college facilities, the highest priority is always given to activities specifically related to the college's mission. No arrangements will be made that may interfere with or operate to the detriment of the college's own teaching, research, or public service programs. In particular, college buildings, properties, and facilities, including those assigned to student programs, are used primarily for:

- (a) The regularly established teaching, research, or public service activities of the college and its departments;
- (b) Training, cultural, educational, or recreational activities of the students, faculty, or staff;
- (c) 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;
- (d) Public events of a cultural or professional nature brought to the campus at the request of college departments

[Title 495E WAC—p. 10]

or committees and presented with their active sponsorship and active participation;

(e) 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.

(2) College facilities may be used by student organizations for regular business meetings, social functions, and programs open to the public. Any recognized campus student organization may invite speakers from outside the college community. 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, implicitly or explicitly, of the speaker's views.

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

(4) 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 costs associated with 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, 93-13-112, § 495E-140-020, filed 6/21/93, effective 7/22/93.]

WAC 495E-140-030 Statement of intentions. The college neither intends nor desires to compete unfairly 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 will work cooperatively with local private enterprise to the mutual benefit of all concerned.

[Statutory Authority: RCW 28B.50.140, 93-13-112, § 495E-140-030, filed 6/21/93, effective 7/22/93.]

WAC 495E-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, forums, or formal political caucuses.

(2) Religious groups shall not use the college facilities as a permanent meeting place. Use may 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.

(4) No one using college facilities may post promotional signs or posters on buildings, trees, walls, or bulletin boards, or distribute samples outside the rooms or facilities to which access has been granted, except with written permission of the vice-president for plant operations.

(5) These rules 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 in designated areas on the campus where, and at times when, such distribution will not interfere with the orderly administration of the college affairs or the free flow of traffic. Any distribution of materials must be authorized in advance by the vice-president for plant operations and 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 which will not interfere with the normal conduct of college affairs as determined by the vice-president for plant operations.

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

(9) The right of peaceful dissent within the college community will be preserved. The college retains the right to take steps 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 not a legitimate 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 such public property, unreasonably interferes with ingress and egress to college buildings, the college may choose to impose its own sanctions although remedies might also be available through local law enforcement agencies.

(13) All activities and uses of college facilities shall comply with applicable laws and rules and college policies.

[Statutory Authority: RCW 28B.50.140. 93-13-112, § 495E-140-040, filed 6/21/93, effective 7/22/93.]

(2003 Ed.)

WAC 495E-140-050 Administrative control. The board hereby delegates to the president authority to set up administrative procedures for the use of college facilities; and to establish rental schedules where appropriate.

[Statutory Authority: RCW 28B.50.140. 93-13-112, § 495E-140-050, filed 6/21/93, effective 7/22/93.]

WAC 495E-140-060 Trespass. (1) Individuals who are not students or members of the faculty or staff and who violate these rules 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 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 accordance with these rules.

[Statutory Authority: RCW 28B.50.140. 93-13-112, § 495E-140-060, filed 6/21/93, effective 7/22/93.]

WAC 495E-140-070 Prohibited conduct at college facilities. (1) The unlawful use or possession of drugs, narcotics, or intoxicants on college property or at college functions is prohibited. Students obviously under the influence of intoxicants, unlawful drugs, or narcotics while in college facilities are subject to disciplinary action.

(2) The use of tobacco is prohibited in or on any college facility.

(3) Destruction of college or other public property is also prohibited.

[Statutory Authority: RCW 28B.50.140. 93-13-112, § 495E-140-070, filed 6/21/93, effective 7/22/93.]

WAC 495E-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, or persons with specific handicapping conditions or as specifically permitted by the vice-president for plant operations.

[Statutory Authority: RCW 28B.50.140. 93-13-112, § 495E-140-080, filed 6/21/93, effective 7/22/93.]

WAC 495E-140-090 Basis of fee assessment. (1) Use fees reflect the college's assessment of the present market, the cost of operations, and an evaluation of the intended purpose and its relationship to the purposes of this college. The board of trustees has determined that groups or organizations affiliated with the college should be permitted access to facilities at the lowest charge on the fee schedule, which may include complimentary use. A current fee schedule is available to interested persons from the office of vice-president for plant operations.

(2) The college does not wish to compete with private enterprise. Facility use for noncollege activities will not be granted at rates or upon terms less than fair rental value.

[Title 495E WAC—p. 11]

[Statutory Authority: RCW 28B.50.140. 93-13-112, § 495E-140-090, filed 6/21/93, effective 7/22/93.]

WAC 495E-140-100 Application procedures. (1) At least seven working days prior to date of intended use of any college facility, or such lesser period as is approved by the vice-president for plant operations, an authorized representative of the requesting organization must submit a proper and complete written application for use of college facilities, which may be obtained through the college's office of vice-president for plant operations. A single application may be sufficient for a series of meetings by an organization unless those meetings vary significantly in some substantive way; if so, separate applications will be required.

(2) An authorized representative of the using organization shall sign the application, which upon approval by the vice-president for plant operations shall serve as the rental agreement. By affixing a signature as representing the using organization, the signatory specifies that he or she has authority to enter into the agreement on behalf of the organization and if the organization fails to pay the amount due, the signatory becomes responsible for all charges. These charges may include interest on overdue accounts as specified on the rental form but not less than one percent per month.

(3) Large events, events requiring expenditures on the part of the college, or where significant areas are blocked out for the renter, up to fifty percent nonrefundable advance deposit may be required at the time of application.

(4) The college reserves the right to make pricing changes without prior written notice.

(5) Use of a facility is limited to the facility specified on the agreement.

(6) The priorities for facility use place primary emphasis on regular college events and activities. The president and the vice-president for plant operations each reserve the right to cancel any permit and refund any payments for use of college facilities and equipment when they deem such action advisable and in the college's best interests.

(7) In the event of a cancellation by the applicant, that organization is liable for all college costs and expenses in preparing the facility for its use.

(8) Any admission charge is to be specified by the applicant and approved by the college in advance.

[Statutory Authority: RCW 28B.50.140. 93-13-112, § 495E-140-100, filed 6/21/93, effective 7/22/93.]

WAC 495E-140-110 Supervision during activity. (1) Signatories to the rental agreement as well as adult organization leaders are responsible for group conduct and are expected to remain with their group during activities. When the use of particular facilities makes it advisable that supervision be provided, the college reserves the right to require that a staff member monitor the activity. Such service shall be paid at the current rate, by the organization requesting use of the facility, and does not relieve the organization from safeguarding the college's property.

(2) The security staff or some other authority of the college will open and lock all rented facilities. Keys to buildings or facilities will not be issued or loaned to any using organization with the exception of keys to designated off-campus

[Title 495E WAC—p. 12]

locations or by approval of the vice-president for plant operations.

[Statutory Authority: RCW 28B.50.140. 93-13-112, § 495E-140-110, filed 6/21/93, effective 7/22/93.]

Chapter 495E-168 WAC

USE OF LIBRARY RESOURCE CENTER—FINES

WAC

495E-168-010	Title.
495E-168-020	Loans.
495E-168-030	Fines.
495E-168-040	Student notice.
495E-168-050	Inspection.
495E-168-060	Prohibited entry.

WAC 495E-168-010 Title. WAC 495E-168-010 through 495E-168-040 will be known as the library-resource center code of Renton Technical College.

[Statutory Authority: RCW 28B.50.140. 93-13-113, § 495E-168-010, filed 6/21/93, effective 7/22/93.]

WAC 495E-168-020 Loans. Materials from the college library-resource center are checked out only to the following groups:

- (1) All currently registered students of the college;
- (2) All current faculty and administrative staff members;
- (3) All persons currently employed in classified staff positions;

(4) All holders of currently valid courtesy cards. This latter group includes members of the board of trustees, community educators whose work might necessitate usage of library-media materials, and other individuals who show a particular need for specialized items in the library-media collections which are not available elsewhere;

(5) Students from other institutions with which the college library-resource center has a reciprocal lending agreement through a "shared use plan." This group may use materials on a loan basis at the discretion of the circulation supervisor who will determine lending priorities based upon the current usage of individual items by Renton Technical College students.

[Statutory Authority: RCW 28B.50.140. 93-13-113, § 495E-168-020, filed 6/21/93, effective 7/22/93.]

WAC 495E-168-030 Fines. In cases where damage to or loss of library resource center material is evident, the offending patron will be assessed the replacement cost. When library resource center materials are retained by the borrower beyond the designated due date, a fine will be levied. When materials are not returned, or fines not paid, holds may be placed on the transcript records of those involved, or other remedies pursued, in accordance with chapter 495E-122 WAC. In extreme cases, when expensive or valuable items are involved, the provisions of RCW 27.12.340 may be invoked.

[Statutory Authority: RCW 28B.50.140. 93-13-113, § 495E-168-030, filed 6/21/93, effective 7/22/93.]

(2003 Ed.)

WAC 495E-168-040 Student notice. Additional information about the operation of the library-resource center and the rules for loaning books, other print materials, and non-print materials shall be posted in the library-resource center.

[Statutory Authority: RCW 28B.50.140, 93-13-113, § 495E-168-040, filed 6/21/93, effective 7/22/93.]

WAC 495E-168-050 Inspection. The library shall have the right to inspect packages, brief cases, containers, articles, and materials leaving the library resource center to prevent the unauthorized removal of library resources. The inspection may be done by persons or devices designed to detect unauthorized removals.

[Statutory Authority: RCW 28B.50.140, 93-13-113, § 495E-168-050, filed 6/21/93, effective 7/22/93.]

WAC 495E-168-060 Prohibited entry. The library resource center shall have the right to prevent entry of foods and beverages, animals, or other things detrimental to the library purpose.

[Statutory Authority: RCW 28B.50.140, 93-13-113, § 495E-168-060, filed 6/21/93, effective 7/22/93.]

**Chapter 495E-276 WAC
ACCESS TO PUBLIC RECORDS**

WAC

495E-276-010	Purpose.
495E-276-020	Definitions.
495E-276-030	Description of central and field organization of Community College District No. 27.
495E-276-040	Operations and procedures.
495E-276-050	Public records available.
495E-276-060	Public records officer.
495E-276-070	Office hours.
495E-276-080	Requests for public records.
495E-276-090	Copying.
495E-276-100	Determination regarding exempt records.
495E-276-110	Review of denials of public records requests.
495E-276-120	Protection of public records.
495E-276-130	Records indexes and exemptions.
495E-276-140	Adoption of form.

WAC 495E-276-010 Purpose. The purpose of this chapter is to ensure that Renton Technical College complies with the provisions of chapter 42.17 RCW and in particular with those sections of that chapter dealing with public records.

[Statutory Authority: RCW 28B.50.140 and 42.17.250 et seq. 93-13-114, § 495E-276-010, filed 6/21/93, effective 7/22/93.]

WAC 495E-276-020 Definitions. (1) "Public record" and "writing" have the meanings set forth in RCW 42.17.020.

(2) "Renton Technical College" is an agency organized by statute pursuant to RCW 28B.50.040, and hereinafter may 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 and 42.17.250 et seq. 93-13-114, § 495E-276-020, filed 6/21/93, effective 7/22/93.]

WAC 495E-276-030 Description of central and field organization of Community College District No. 27. (1) Renton Technical College is a state agency established and

(2003 Ed.)

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 at 3000 Northeast Fourth Street, Renton, WA 98056-4195.

(2) The district is operated under the supervision and control of the state board for community and technical colleges and a college 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 495E-104-010. 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 and policies, in harmony with the rules established by the state board for community and technical colleges, 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 Renton Technical College, a current copy of which is available for inspection at the administrative office of the district.

[Statutory Authority: RCW 28B.50.140 and 42.17.250 et seq. 93-13-114, § 495E-276-030, filed 6/21/93, effective 7/22/93.]

WAC 495E-276-040 Operations and procedures. (1) The board of trustees normally takes action at regular or special meetings through duly adopted resolutions or motions or promulgation of rules in accordance with the requirements of 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 Renton Technical College, a current copy of which is available for inspection at the administrative office of the district.

[Statutory Authority: RCW 28B.50.140 and 42.17.250 et seq. 93-13-114, § 495E-276-040, filed 6/21/93, effective 7/22/93.]

WAC 495E-276-050 Public records available. All public records of the district are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by 20 U.S.C. § 1232g, 34 CFR Part 99, RCW 42.17.310, chapter 495E-280 WAC, or other statutes or rules.

[Statutory Authority: RCW 28B.50.140 and 42.17.250 et seq. 93-13-114, § 495E-276-050, filed 6/21/93, effective 7/22/93.]

WAC 495E-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 regarding release of public records, coordinating district employees in this regard, and generally ensuring compliance by district employees with public records disclosure requirements.

[Statutory Authority: RCW 28B.50.140 and 42.17.250 et seq. 93-13-114, § 495E-276-060, filed 6/21/93, effective 7/22/93.]

WAC 495E-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 and 42.17.250 et seq. 93-13-114, § 495E-276-070, filed 6/21/93, effective 7/22/93.]

WAC 495E-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 by mail or during customary office hours 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 for forwarding to the records officer. The request shall include:

(a) The name, address, and telephone number of the person requesting the record;

(b) The time of day and calendar date on which the request was made;

(c) If the matter requested is referenced within the current index maintained by the public records officer, a reference to the requested record as it is described in such current index;

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

(e) If the requested record includes a list of individuals, a sworn certification and declaration by the requester that the list and names will not be used for any commercial purpose.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer, or 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 and 42.17.250 et seq. 93-13-114, § 495E-276-080, filed 6/21/93, effective 7/22/93.]

WAC 495E-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 but 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 the person requesting the copied public record has tendered payment for such copying to the appropriate district

[Title 495E WAC—p. 14]

official. All charges must be paid by money order, cashier's check, or cash in advance.

[Statutory Authority: RCW 28B.50.140 and 42.17.250 et seq. 93-13-114, § 495E-276-090, filed 6/21/93, effective 7/22/93.]

WAC 495E-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 495E-276-080 is exempt pursuant to RCW 42.17.310 or another statute or rule. Such determination shall be made by the public records officer or his/her designee.

(2) Pursuant to RCW 42.17.260, the district will delete identifying details when it makes a record available, to the extent required to prevent an unreasonable invasion of personal privacy interests: Provided, however, In each case the justification for the deletion shall be explained in writing.

(3) The response to a request for a public record must be made promptly. Within five business days, the records officer must respond in accordance with RCW 42.17.320.

(4) All denials of requests 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.

(5) The district's disclosure of a record that it may have authority to withhold under a permissive exemption shall not waive that exemption or in any way preclude the district from asserting that exemption upon a future request for the same or another record.

[Statutory Authority: RCW 28B.50.140 and 42.17.250 et seq. 93-13-114, § 495E-276-100, filed 6/21/93, effective 7/22/93.]

WAC 495E-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 to the district president or his/her designee. The written request shall specifically refer to the written statement which constituted or accompanied the denial.

(2) Within two business days after receiving the written request for review, the president of the district, or his or her designee, shall complete such review and issue a final written decision.

(3) During the course of the review the president or his or her designee shall consider the obligations of the district to comply with the intent of chapter 42.17 RCW insofar as it requires providing full public access to official records, but shall also consider the exemptions provided in RCW 42.17.-310 and other pertinent statutes and rules, 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 and 42.17.250 et seq. 93-13-114, § 495E-276-110, filed 6/21/93, effective 7/22/93.]

(2003 Ed.)

WAC 495E-276-120 Protection of public records.

Public records and a facility for their inspection will be provided by the public records officer. Such records shall not be removed from the custody of the records officer. Copying of such records may be arranged according to the provisions of WAC 495E-276-090.

[Statutory Authority: RCW 28B.50.140 and 42.17.250 et seq. 93-13-114, § 495E-276-120, filed 6/21/93, effective 7/22/93.]

WAC 495E-276-130 Records indexes and exemptions. (1) The district will maintain indexes of its public records in accordance with RCW 42.17.260. The indexes 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.

(2) For purposes of RCW 42.17.260(2), the laws other than those listed in chapter 42.17 RCW which the district believes may exempt or prohibit disclosure of district information or records include: 20 U.S.C. §1232 g, 34 CFR Part 99, and RCW 5.60.060 and 42.32.030.

[Statutory Authority: RCW 28B.50.140 and 42.17.250 et seq. 93-13-114, § 495E-276-130, filed 6/21/93, effective 7/22/93.]

WAC 495E-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 RENTON TECHNICAL COLLEGE

- (1) Name (please print) Signature
Name or Organization, if applicable
Mailing Address of Applicant Phone Number
(2) Date Request Made Time of Day Request Made
(3) Identification Reference on Current Index (Please describe)
(4) Description of Record, or Matter, Requested if not Identifiable by Reference to the Renton Technical College Index
(5) (If request covers a list of individuals:) The undersigned records requester certifies and declares under penalty of perjury under the laws of the State of Washington that no list or names of individuals obtained through this request will be used for any commercial purpose:

Requested By. . . . Date. . . . Time
Received By. . . . Date. . . . Time

ACTION ON REQUEST

Request: APPROVED. . . DENIED Date. . .

By.

Name Title

Reasons for Denial:

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.
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[Statutory Authority: RCW 28B.50.140 and 42.17.250 et seq. 93-13-114, § 495E-276-140, filed 6/21/93, effective 7/22/93.]

Chapter 495E-280 WAC

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

WAC

- 495E-280-010 General policy.
495E-280-015 Definitions.
495E-280-020 Annual notification of rights.
495E-280-030 Procedure to inspect education records.
495E-280-040 Disclosure of education records.
495E-280-050 Limits on rights to review and inspect and obtain copies of education records.
495E-280-060 Record of request and disclosures.
495E-280-070 Disclosure of directory information.
495E-280-080 Requests for corrections, hearings, adding statements to education records.
495E-280-090 Fees for copies.
495E-280-100 Waiver.
495E-280-110 Type and location of education records.
495E-280-120 Remedy for students protected by this act.

WAC 495E-280-010 General policy. Renton Technical College adopts the policy contained in this chapter in compliance with the Family Educational Rights and Privacy Act (20 U.S.C. §1232g) and its implementing regulation (34 C.F.R. §99). Briefly, Renton Technical College is required to provide students with access to their own education records, to permit students to challenge their records on the grounds that they are inaccurate, misleading, or otherwise in violation of the student's privacy or other right, to obtain written consent before releasing certain information, and to notify students of these rights.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].482, 20 U.S.C. §1232g and 34 C.F.R. Part 99. 93-13-115, § 495E-280-010, filed 6/21/93, effective 7/22/93.]

WAC 495E-280-015 Definitions. For the purposes of this policy, the following definitions of terms apply:

(1) "Student" means any individual who is or has been in attendance at Renton Technical College and regarding whom the college maintains education records.

(2) "Education records" are those records, files, and documents (in handwriting, print, tape, film, microfiche, or other medium) maintained by Renton Technical College which contain information directly related to an individual student. Education records include the following:

(a) Records pertaining to admission, advisement, registration, grading, and progress toward a degree that are maintained by the registrar.

(b) Testing information used for advisement purposes by the counseling center.

(c) Information concerning payment of fees as maintained by the registrar.

(d) Financial aid information as collected by the financial aid office.

(e) Information regarding students participating in student government that is maintained by the student programs office.

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

(4) "Written consent" means a written authorization for disclosure of student education records which:

- (a) Is signed and dated;
- (b) Specifies the records to be disclosed; and
- (c) Specifies to whom disclosure is authorized.

(5) "Personally identifiable" means data or information which includes: The name of the student, the student's parent(s) or other family member; a personal identifier such as the student's Social Security number or student number; or personal characteristics or other information which would make the student's identity easily traceable.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].482, 20 U.S.C. §1232g and 34 C.F.R. Part 99. 93-13-115, § 495E-280-015, filed 6/21/93, effective 7/22/93.]

WAC 495E-280-020 Annual notification of rights.

Renton Technical College will notify students of their rights under the Family Educational Rights and Privacy Act (F.E.R.P.A.) and these rules by publication in the college catalog and by distribution of that catalog during the registration process. The college shall make available upon request a copy of these rules governing release of student records. In addition, the college shall post at conspicuous places on the campus information regarding the existence of this policy and of the availability of copies.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].482, 20 U.S.C. §1232g and 34 C.F.R. Part 99. 93-13-115, § 495E-280-020, filed 6/21/93, effective 7/22/93.]

WAC 495E-280-030 Procedure to inspect education records.

(1) Students may inspect and review their education records upon request to the appropriate college official as designated in WAC 495E-280-110.

(2) A student must submit to the appropriate college official a written request which identifies as precisely as possible the records he or she wishes to inspect.

(3) The appropriate college official will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given in forty-five days or less from the receipt of the request.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].482, 20 U.S.C. §1232g and 34 C.F.R. Part 99. 93-13-115, § 495E-280-030, filed 6/21/93, effective 7/22/93.]

WAC 495E-280-040 Disclosure of education records.

(1) In addition to "directory information" the college may, at its discretion, make disclosures from education records:

(a) To college officials including college administrative and clerical staff, faculty, and students employed by the col-

lege when the information is required for advisement, counseling, recordkeeping, reporting, or other legitimate educational interest consistent with their specific duties and responsibilities;

(b) To officials of another school in which the student seeks or intends to enroll;

(c) To authorized federal, state, or local officials as required by law;

(d) In connection with financial aid which the student has applied for or received, when necessary for lawful purposes;

(e) To appropriate parties in a health or safety emergency;

(f) To accrediting organizations to carry out their accrediting functions;

(g) To parents of a student who claim the student as a dependent for income tax purposes;

(h) To comply with a judicial order or a lawfully issued subpoena; and

(i) To an organization conducting a study for or on behalf of educational agencies or institutions, when legally authorized.

(2) The college shall not permit access to or release of education records or personally identifiable information contained therein, other than "directory information," without the written consent of the student, to any party other than the above.

(3) Education records released to third parties shall be accompanied by a statement indicating that the information cannot be subsequently released in a personally identifiable form to other parties without obtaining the consent of the student, except that the college may permit third party disclosure to other parties listed in subsection (1)(a) through (i) of this section.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].482, 20 U.S.C. §1232g and 34 C.F.R. Part 99. 93-13-115, § 495E-280-040, filed 6/21/93, effective 7/22/93.]

WAC 495E-280-050 Limits on rights to review and inspect and obtain copies of education records.

(1) When a record contains information about more than one student, the student may inspect and review only the information which relates to him or her.

(2) Renton Technical College reserves the right to refuse to permit a student to inspect the following records:

(a) Financial records, including any financial statement of the student's parents;

(b) Confidential letters and statements of recommendation for which the student has lawfully waived his or her right of access, or which were placed in the file before January 1, 1975; and

(c) Records connected with an application to attend Renton Technical College if that application was denied.

(3) Renton Technical College reserves the right to deny transcripts or copies of records not required to be made available by the Federal Educational Rights and Privacy Act in any of the following situations:

(a) The student has an unpaid financial obligation to the college;

(b) There is an unresolved disciplinary action against the student.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].482, 20 U.S.C. §1232g and 34 C.F.R. Part 99. 93-13-115, § 495E-280-050, filed 6/21/93, effective 7/22/93.]

WAC 495E-280-060 Record of request and disclosures. (1) The college shall maintain a record of requests for and disclosures of personally identifiable information in the education records of each student. The record maintained under this section shall be available for inspection and review as provided by law or rule.

(2) The college shall maintain the record with the education records of the student as long as the records are maintained.

(3) The record must include:

(a) The names of parties who have requested or received personally identifiable information;

(b) The interests the parties had in requesting or obtaining the information; and

(c) The names and interests of additional parties to which the receiving party may disclose or redisclose the information.

(4) The following parties may inspect the record of requests and disclosures relating to a student:

(a) The student;

(b) The college officials who are responsible for the custody of the records; and

(c) Persons authorized to audit the recordkeeping procedures of the college.

(5) The college is not required to maintain a record if the request was from, or the disclosure was to:

(a) The student;

(b) A school official;

(c) A party with written consent from the student; or

(d) A party seeking directory information.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].482, 20 U.S.C. §1232g and 34 C.F.R. Part 99. 93-13-115, § 495E-280-060, filed 6/21/93, effective 7/22/93.]

WAC 495E-280-070 Disclosure of directory information. Directory information may be disclosed at the discretion of the college and without the consent of the student unless the student has elected to prevent disclosure by filing a written objection to disclosure with the registrar within ten days of his/her registration for that term. The objection continues in effect during succeeding terms unless revoked in writing by the student.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].482, 20 U.S.C. §1232g and 34 C.F.R. Part 99. 93-13-115, § 495E-280-070, filed 6/21/93, effective 7/22/93.]

WAC 495E-280-080 Requests for corrections, hearings, adding statements to education records. Students have the right to request to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records:

(1) A student must submit a written request to amend his or her education record to the appropriate college official

(2003 Ed.)

responsible for the custody of the record as designated in WAC 495E-280-110. The request must identify the part of the record he/she wants changed and specify why the record is believed to be inaccurate, misleading, or in violation of his or her privacy or other rights.

(2) A student whose request for amendment of his or her education record has been denied may request a hearing by submitting a written request to the vice-president for student services or designee within ten days following the denial. The written request must be signed by the student and shall indicate the reasons why the records should be amended. The vice-president for student services or designee shall notify the student of the hearing within thirty days after receipt of a properly filed request. In no case will the notification be less than ten days in advance of the date, time, and place of the hearing.

(3) The hearing shall be a brief adjudicative proceeding as provided in RCW 34.05.482 through 34.05.494 and shall be conducted by the vice-president for student services or his/her designee. At the hearing, the student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the request to amend the student's education records. The student may be assisted by one or more individuals, including an attorney.

(4) The vice-president for student services or designee will prepare a written decision, within ten days after the conclusion of the hearing, based on the evidence presented at the hearing. The decision will include the reasons for the decision and will advise the parties that it is subject to administrative review by the college president under RCW 34.05.488 through 34.05.491 if a written or oral request for such review is received by the president within twenty-one days. A copy of the decision shall be served on the student.

(5) If the final decision is that the information is inaccurate, misleading, or in violation of the student's right of privacy, the custodian of the record will amend the record accordingly and notify the student, in writing, that the record has been amended.

(6) If the final decision is that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, the custodian of the record will notify the student in writing that the student has a right to place in the record a rebuttal statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.

(7) The student's rebuttal statement will be maintained as part of the student's education records as long as the contested portion is maintained. If the contested portion of the education record is disclosed, the statement will also be disclosed.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].482, 20 U.S.C. §1232g and 34 C.F.R. Part 99. 93-13-115, § 495E-280-080, filed 6/21/93, effective 7/22/93.]

WAC 495E-280-090 Fees for copies. Copies of student records shall be made at the expense of the requesting party at actual cost for copying as posted at the admissions/records office.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].482, 20 U.S.C. §1232g and 34 C.F.R. Part 99. 93-13-115, § 495E-280-090, filed 6/21/93, effective 7/22/93.]

WAC 495E-280-100 Waiver. A student may waive any of his or her rights under this chapter by submitting a written, signed, and dated waiver to the office of the registrar. Such a waiver shall be specific as to the records and persons or institutions covered. A waiver continues in effect according to its terms unless revoked in a subsequent writing which is signed and dated.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].482, 20 U.S.C. §1232g and 34 C.F.R. Part 99. 93-13-115, § 495E-280-100, filed 6/21/93, effective 7/22/93.]

WAC 495E-280-110 Type and location of education records.

<u>TYPES</u>	<u>CUSTODIAN</u>
Admission Records, Cumulative Academic Records, Testing Records, Registration and Payment of Tuition Records	Registrar
Financial Aid Records, Student Employment Records	Financial Aid Director

All records are maintained in the Administration Building, 3000 Northeast Fourth Street, Renton, WA 98056.

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].482, 20 U.S.C. §1232g and 34 C.F.R. Part 99. 93-13-115, § 495E-280-110, filed 6/21/93, effective 7/22/93.]

WAC 495E-280-120 Remedy for students protected by this act. A student may file a written complaint with the United States Department of Education regarding an alleged college violation of the Federal Educational Rights and Privacy Act or 34 C.F.R § 99. The address is:

Family Policy and Regulations Office
U.S. Department of Education
Washington, D.C. 20202

[Statutory Authority: RCW 28B.50.140, 34.05.220, [34.05].482, 20 U.S.C. §1232g and 34 C.F.R. Part 99. 93-13-115, § 495E-280-120, filed 6/21/93, effective 7/22/93.]

Chapter 495E-300 WAC

DISCRIMINATION POLICIES AND PROCEDURES

WAC

495E-300-010	General policy.
495E-300-020	Informal procedure.
495E-300-030	Formal procedure.
495E-300-040	Other remedies.
495E-300-050	Policy statement on disabilities.

WAC 495E-300-010 General policy. Any applicant for admission, enrolled student, applicant for employment or employee of Renton Technical College who believes she/he has been discriminated against on any unlawful basis, including sex, marital status, race, color, national origin, handicap/disability, age, or religion, may lodge an institutional grievance by following the procedures below.

[Title 495E WAC—p. 18]

[Statutory Authority: RCW 28B.50.140, 93-13-116, § 495E-300-010, filed 6/21/93, effective 7/22/93.]

WAC 495E-300-020 Informal procedure. (1) All applicants, employees, and students should feel free to discuss perceived discrimination with the individual responsible and with the person immediately in charge, such as the first-line supervisor or instructor, to see if the situation can be resolved informally. Applicants, employees, and students may also consult directly and confidentially with the college affirmative action officer without making a formal written complaint. However, they are not required to use the informal process and may go directly to the formal procedure.

(2) Any college official receiving any discrimination complaint shall contact the affirmative action officer or designee as soon as practicable. The college official shall arrange for the complainant to receive a copy of the complaint procedure.

[Statutory Authority: RCW 28B.50.140, 93-13-116, § 495E-300-020, filed 6/21/93, effective 7/22/93.]

WAC 495E-300-030 Formal procedure. Employees and students may make a written complaint concerning discriminatory behavior to the affirmative action officer or his/her designee.

(1) Complaints will be held in confidence to the extent this is reasonably possible. No action against the person accused will ordinarily be taken on behalf of the complainant unless the complainant consents to be identified to the accused, although the college reserves all rights to take appropriate corrective measures regardless of the actions of the complainant.

(2) The complainant or accused may bring a person of his or her choice to any meetings about the complaint.

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

(4) The affirmative action officer will meet, consult, and investigate as he/she deems appropriate. An informal hearing may be substituted for or added to an investigation if the complainant and the accused agree. The affirmative action officer or designee will be responsible for conducting any such hearing.

(5) The affirmative action officer or designee shall promptly communicate his/her findings to both the complainant and the accused, and then shall make a written report of those findings and a recommendation to the appropriate disciplinary authority or other college official (but not one who would hear any appeal).

(6) Appropriate corrective measures, if any, will be decided by the appropriate disciplinary authority or official. If an accused employee or student disagrees with the determination or appropriateness of the corrective measures, that individual may contest those measures through any available faculty or classified grievance procedures, if they are covered by a bargained agreement, or the student code appeal procedure.

(7) Information will be entered in a personnel or student file only to the extent that a formal reprimand or other disciplinary action has been taken. If no disciplinary action is

taken, the affirmative action officer will keep a record of the investigation for a period of three years and then that record will be destroyed. If a complaint is filed with an outside state or federal agency, files will be maintained until that complaint is resolved. When such files are used, written notice will be placed in the file indicating the person using the file and the date used.

[Statutory Authority: RCW 28B.50.140. 93-13-116, § 495E-300-030, filed 6/21/93, effective 7/22/93.]

WAC 495E-300-040 Other remedies. These procedures outlined in WAC 495E-300-010 through 495E-300-030, are internal college procedures and, as such, serve to resolve complaints within the college's administrative framework. These procedures do not restrict or replace an individual's right to file a timely complaint with an external agency such as the Office of Civil Rights, Equal Employment Opportunity Commission, or the Washington state human rights commission.

[Statutory Authority: RCW 28B.50.140. 93-13-116, § 495E-300-040, filed 6/21/93, effective 7/22/93.]

WAC 495E-300-050 Policy statement on disabilities. Students with documented disabilities who meet admission qualifications will be provided reasonable accommodation. Accommodations may be made in the style of instructional delivery, method of evaluation, or curricular aides. The college will not lower the standard measurement of competency for the certificate of merit or the standards of a degree.

Specific support services and auxiliary aide should be determined prior to registration. State vocational rehabilitation agencies or common school districts charged with providing support to handicapped students will retain primacy of responsibility for necessary auxiliary aids.

Renton Technical College encourages all students to achieve the highest level of skill development possible, as well as to achieve the ability to function independently in the workplace. Therefore, accommodations will be provided on a decreasing basis to the extent that the student's reasonable requirements diminish as the student becomes increasingly successful in training and nears job placement.

[Statutory Authority: RCW 28B.50.140. 93-13-116, § 495E-300-050, filed 6/21/93, effective 7/22/93.]

Chapter 495E-325 WAC

STATE ENVIRONMENTAL POLICY ACT RULES

WAC

495E-325-010 Implementation of State Environmental Policy Act.

WAC 495E-325-010 Implementation of State Environmental Policy Act. (1) It shall be the policy of Renton Technical College that all actions taken by the district shall comply with the provisions of chapter 43.21C RCW (the State Environmental Policy Act), and chapters 197-11 and 132-24 WAC.

(2) The president of the district or his/her designee shall be responsible for administering and implementing this policy.

(2003 Ed.)

[Statutory Authority: RCW 28B.50.140. 93-13-117, § 495E-325-010, filed 6/21/93, effective 7/22/93.]

Chapter 495E-400 WAC

FACULTY TENURE, DISMISSAL, AND REDUCTION IN FORCE

WAC

495E-400-010	Applicable law.
495E-400-020	Definitions.
495E-400-030	Evaluation of probationer by review committee.
495E-400-040	Faculty statement on maintaining professional competency.
495E-400-050	Grounds constituting sufficient cause.
495E-400-060	Reduction in force.

WAC 495E-400-010 Applicable law. Faculty tenure, dismissal, and reduction in force of the faculty of Renton Technical College shall be governed by the laws of the state of Washington, these rules, and applicable collective bargaining agreement(s).

[Statutory Authority: RCW 28B.50.140, [28B.50.]852 and 34.05.220. 93-13-118, § 495E-400-010, filed 6/21/93, effective 7/22/93.]

WAC 495E-400-020 Definitions. In addition to the definitions given in chapter 28B.50 RCW, as used herein the term:

(1) "Appointing authority" shall mean the board of trustees for Renton Technical College and College District 27.

(2) "President" shall mean the president of Renton Technical College.

[Statutory Authority: RCW 28B.50.140, [28B.50.]852 and 34.05.220. 93-13-118, § 495E-400-020, filed 6/21/93, effective 7/22/93.]

WAC 495E-400-030 Evaluation of probationer by review committee. The criteria considered by the review committee evaluating a faculty probationer shall include, without limitation: Teaching skill, relationships with students, staff, and administrators, knowledge of the subject matter he/she is charged with teaching, and overall contribution to the college.

[Statutory Authority: RCW 28B.50.140, [28B.50.]852 and 34.05.220. 93-13-118, § 495E-400-030, filed 6/21/93, effective 7/22/93.]

WAC 495E-400-040 Faculty statement on maintaining professional competency. A tenured faculty member shall maintain professional competency in teaching skills and his/her particular discipline, through pursuit of a related organized course of study, research, inservice training, conference attendance, additional vocational experience, and maintenance of certification.

[Statutory Authority: RCW 28B.50.140, [28B.50.]852 and 34.05.220. 93-13-118, § 495E-400-040, filed 6/21/93, effective 7/22/93.]

WAC 495E-400-050 Grounds constituting sufficient cause. Sufficient cause for dismissal or removal of a faculty member shall include any unlawful act of violence, any unlawful act resulting in destruction of college property, conviction of a felony, sexual harassment, any unlawful interference with the orderly conduct of the educational process, incompetence, failure to perform an assignment or duty

[Title 495E WAC—p. 19]

required by law or contract or layoff and/or reduction in force.

[Statutory Authority: RCW 28B.50.140, [28B.50.]852 and 34.05.220. 93-13-118, § 495E-400-050, filed 6/21/93, effective 7/22/93.]

WAC 495E-400-060 Reduction in force. (1) Except in cases of financial emergency declared by the state board and acted on by the district board under RCW 28B.50.873, the president shall determine which program(s) and/or support services are most necessary to maintain the educational mission of the college and where and when any reduction in force of tenured or probationary faculty members will occur.

(2) The president shall give advance written notice of any program reduction which is likely to cause a reduction in force of faculty to interested faculty members and to the district board, which shall affirm, modify, or reverse that reduction subject only to judicial review.

(3) If the president determines that a reduction in force of faculty is necessary, the president shall conduct the reduction, in accordance with applicable collective bargaining agreements. Unless provided otherwise by an applicable agreement, the order of employee reduction will be based on seniority within the program or service being reduced. Unless provided otherwise by an applicable agreement, each affected tenured or probationary faculty member shall be given written notice of termination or reduced hours and an opportunity to seek review, which review may be initiated only by the faculty member filing with the president, within twenty days of receipt of the notice, a written request for review. Such review shall be limited to determining whether he/she is a proper employee to be terminated or reduced, and shall otherwise be made in accordance with RCW 28B.50.-863 et seq. when appropriate.

[Statutory Authority: RCW 28B.50.140, [28B.50.]852 and 34.05.220. 93-13-118, § 495E-400-060, filed 6/21/93, effective 7/22/93.]