Title 106 WAC
CENTRAL WASHINGTON UNIVERSITY

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Chapter 106-16 PARKING AND TRAFFIC REGULATIONS OF CENTRAL WASHINGTON STATE COLLEGE

106-16-010 General information. [Order 1, § 106-16-010, filed 8/13/71.] Repealed by Order 15, filed 8/17/73. Later promulgation, see WAC 106-116-011.
106-16-040 Authority of college security officers. [Order 1, § 106-16-040, filed 8/13/71.] Repealed by Order 15, filed 8/17/73. Later promulgation, see WAC 106-116-040.
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106-16-102 Faculty-staff and students [Order 1, § 106-16-102, filed 8/13/71.] Repealed by Order 15, filed 8/17/73. Later promulgation, see WAC 106-116-103.
106-16-103 Additional vehicles. [Order 1, § 106-16-103, filed 8/13/71.] Repealed by Order 15, filed 8/17/73.
106-16-104 Failure to register. [Order 1, § 106-16-104, filed 8/13/71.] Repealed by Order 15, filed 8/17/73.
106-16-200 Metered parking. [Order 7, § 106-16-200, filed 8/18/72, effective 9/20/72.] Repealed by Order 15, filed 8/17/73. Later promulgation, see WAC 106-116-200.
106-16-201 Parking areas. [Order 6, § 106-16-201, filed 7/25/72; Order 1, § 106-16-201, filed 8/13/71.] Repealed by Order 15, filed 8/17/73. Later promulgation, see WAC 106-116-201.
106-16-203 Residence hall parking. [Order 6, § 106-16-203, filed 7/25/72; Order 1, § 106-16-203, filed 8/13/71.] Repealed by Order 15, filed 8/17/73.

(2005 Ed.)
Chapter 106-36

ENTERTAINMENT POLICIES

106-36-800 Entertainment policy. [Order 3244, § 106-36-800, filed 12/8/71.] Repealed by Order 17, filed 7/2/74.

106-36-801 Entertainment defined. [Order 7, § 106-36-801, filed 8/18/72, effective 9/20/72; Order 3244, § 106-36-801, filed 12/8/71.] Repealed by Order 17, filed 7/2/74.

106-36-802 Festivals. [Order 3244, § 106-36-802, filed 12/8/71.] Repealed by Order 17, filed 7/2/74.

106-36-805 Approval of entertainment required. [Order 7, § 106-36-805, filed 8/18/72, effective 9/20/72; Order 3244, § 106-36-805, filed 12/8/71.] Repealed by Order 17, filed 7/2/74.


106-36-830 Obligations of officially recognized student organizations and private entities. [Order 3244, § 106-36-830, filed 12/8/71.] Repealed by Order 17, filed 7/2/74.

106-36-831 Obligations of officially recognized student organizations and private entities—Deposit of rental fee. [Order 3244, § 106-36-831, filed 12/8/71.] Repealed by Order 17, filed 7/2/74.

106-36-832 Obligations of officially recognized student organizations and private entities—Damages bond. [Order 7, § 106-36-832, filed 8/18/72, effective 9/20/72; Order 3244, § 106-36-832, filed 12/8/71.] Repealed by Order 17, filed 7/2/74.

106-36-840 Scheduling responsibilities, requirements, priorities and procedure. [Order 3244, § 106-36-840, filed 12/8/71.] Repealed by Order 17, filed 7/2/74.

106-36-841 Scheduling responsibilities, requirements, priorities and procedure—Procedure for request. [Order 3244, § 106-36-841, filed 12/8/71.] Repealed by Order 17, filed 7/2/74.

106-36-842 Responsibilities of the director of social activities and private entities. [Order 3244, § 106-36-842, filed 12/8/71.] Repealed by Order 17, filed 7/2/74.

106-36-843 Responsibilities of the director of social activities and private entities—Limitation on use of facilities and authority of scheduling officer. [Order 7, § 106-36-843, filed 8/18/72, effective 9/20/72; Order 3244, § 106-36-843, filed 12/8/71.] Repealed by Order 17, filed 7/2/74.

106-36-844 Responsibilities of the director of social activities and private entities—Requirements for scheduling. [Order 3244, § 106-36-844, filed 12/8/71.] Repealed by Order 17, filed 7/2/74.

106-36-845 Requirements for execution of contract and contents. [Order 3244, § 106-36-845, filed 12/8/71.] Repealed by Order 17, filed 7/2/74.


Chapter 106-112

PERSONNEL RULES


106-112-010 Student employment procedures—Regular student employment. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-112-010, filed 7/11/78; Order 4, § 106-112-010, filed 6/16/72, effective 7/20/72.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).


106-112-100 Policy on nepotism. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-112-100, filed 7/11/78; Order 4073, § 106-112-100, filed 8/23/74.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).

106-112-105 Decisions on relatives. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-112-105, filed 11/7/86; Order 4073, § 106-112-105, filed 11/14/77; Order 4074, § 106-112-100, filed 8/23/74.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).


Chapter 106-136
USE OF COLLEGE FACILITIES

106-136-100 Student publications. [Order 4, § 106-136-100, filed 6/16/72, effective 7/20/72.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).


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Resolution of conflicts with other university policies. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 79-06-046 (Order 43), § 106-136-590, filed 5/16/79; Order 13, § 106-136-590, filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).]

Resolution of conflicts with other university policies—Commercial enterprise. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 79-06-046 (Order 43), § 106-136-591, filed 5/16/79; Order 12, § 106-136-591, filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).]

Resolution of conflicts with other university policies—Entertainment. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-10-106 (Order 41), § 106-136-592, filed 10/4/78; Order 17, § 106-136-592, filed 7/2/74.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).

Resolution of conflicts with other university policies—Leasing fee or rental rate. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 79-06-046 (Order 43), § 106-136-593, filed 5/16/79; Order 12, § 106-136-593, filed 4/11/73.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).


Practice and Procedure


106-136-911 Use of computer facilities by students, faculty and staff—Instructional requirements. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 79-06-046 (Order 43), § 106-136-911, filed 5/16/79; Order 2, § 106-136-911, filed 1/13/72.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).


Chapter 106-108 

Chapter 106-08 WAC

PRACTICE AND PROCEDURE

WAC

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

106-08-500 Petitions for rule-making, amendment or repeal—Who may petition. [Order 3244, § 106-08-500, filed 12/8/71.] Repealed by Order 5, filed 7/20/72.
106-08-510 Petitions for rule-making, amendment or repeal—Requirements. [Order 3244, § 106-08-510, filed 12/8/71.] Repealed by Order 5, filed 7/20/72.
106-08-520 Petitions for rule-making, amendment or repeal—Agency must consider. [Order 3244, § 106-08-520, filed 12/8/71.] Repealed by Order 5, filed 7/20/72.
106-08-530 Petitions for rule-making, amendment or repeal—Notice of disposition. [Order 3244, § 106-08-530, filed 12/8/71.] Repealed by Order 5, filed 7/20/72.

**WAC 106-08-001 Regular meetings.** The regular meetings of the board of trustees of Central Washington University shall be held in Room 412 in Barge Hall on the Central Washington University campus in Ellensburg, Washington.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 83-23-007 (Order CWU AO 60), § 106-08-001, filed 11/14/78; Order 39, § 106-08-001, filed 5/16/79; 78-12-023 (Order 42), § 106-08-001, filed 11/14/78; 78-08-011 (Order 39), § 106-08-001, filed 7/11/78; Order 3244, § 106-08-001, filed 12/8/71.]

**WAC 106-08-002 Formal hearing policy.** In each instance that a formal hearing is required by institutional policy or chapter 34.05 RCW, the provisions of WAC 106-08-002 through 106-08-999 shall be applicable.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-20-062 (Order CWU AO 73), § 106-08-001, filed 9/30/94, effective 10/31/94. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 83-23-007 (Order 59), § 106-08-001, filed 11/14/78. Statutory Authority: RCW 28B.19.050 and 28B.40.120, 79-06-046 (Order 43), § 106-08-001, filed 5/16/79; 78-12-023 (Order 42), § 106-08-001, filed 11/14/78; 78-08-011 (Order 39), § 106-08-001, filed 7/11/78; Order 3244, § 106-08-001, filed 12/8/71.]

**WAC 106-08-005 Definitions.** As used herein, the term "agency" shall mean the board of trustees of Central Washington University or any duly appointed hearing officer or officers.

[Statutory Authority: RCW 28B.19.050 and 28B.40.120, 78-06-011 (Order 39), § 106-08-005, filed 7/11/78; Order 3244, § 106-08-005, filed 12/8/71.]

**WAC 106-08-010 Adoption of model rules of procedure.** The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended, are hereby adopted for use at this institution. Those rules may be found in chapter 10-08 WAC. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and procedural rules adopted in this title, the procedural rules adopted by this institution shall govern. Rules adopted at this institution prior to July 1, 1989, remain in full force and effect unless specifically repealed or amended.

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-010, filed 10/31/91, effective 12/1/91; Order 3244, § 106-08-010, filed 12/8/71.]

**WAC 106-08-020 Appointment of presiding officers.** The president or president's designee shall designate a presiding officer for an adjudicative proceeding. The presiding officer shall be an administrative law judge, a member in good standing of the Washington State Bar Association, a panel of individuals, the president or his or her designee, or any combination of the above. Where more than one individual is designated to be the presiding officer, one person shall be designated by the president or president's designee to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-020, filed 10/31/91, effective 12/1/91.]

**WAC 106-08-030 Application for adjudicative proceeding.** An application for an adjudicative proceeding shall be in writing. Application forms are available at the following address:

Business Office
Central Washington University
Ellensburg, WA 98926

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

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-030, filed 10/31/91, effective 12/1/91.]

**WAC 106-08-040 Adjudicative proceedings open.** All adjudicative proceedings shall be open to the public, with the exception of student, faculty, and administrative, civil service-exempt disciplinary proceedings unless the subject of the proceedings chooses an open proceeding.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-20-062 (Order CWU AO 73), § 106-08-040, filed 9/30/94, effective 10/31/94. Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-040, filed 10/31/91, effective 12/1/91.]

**WAC 106-08-050 Brief adjudicative procedures.** This rule is adopted in accordance with RCW 34.05.482 through 34.05.494, the provisions of which are hereby adopted. Brief adjudicative procedures shall be used in all matters related to:

1. Residency determinations made pursuant to RCW 28B.15.013, conducted by the admissions office; and
2. Challenges to contents of education records;
(3) Student conduct proceedings. The procedural rules in chapter 106-120 WAC apply to these proceedings;

(4) Parking violations. The procedural rules in chapter 106-116 WAC apply to these proceedings;

(5) Outstanding debts owed by students or employees;

(6) Loss of eligibility for participation in institution-sponsored athletic events, pursuant to chapter 106-122 WAC.

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-050, filed 10/31/91, effective 12/1/91.]

WAC 106-08-060 Discovery in adjudicative proceedings. Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall make reference to the civil rules of procedure. The presiding officer shall have the power to control the frequency and nature of discovery permitted, and to order discovery conferences to discuss discovery issues.

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-060, filed 10/31/91, effective 12/1/91.]

WAC 106-08-070 Method of recording. Proceedings shall be recorded by a method determined by the presiding officer, among those available pursuant to the model rules of procedure in WAC 10-08-170.

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-070, filed 10/31/91, effective 12/1/91.]

WAC 106-08-080 Recording devices. No cameras or recording devices shall be allowed in those parts of proceedings which the presiding officer has determined shall be closed pursuant to WAC 10-08-040, except for the method of official recording selected by the institution.

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-080, filed 10/31/91, effective 12/1/91. Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-08-080, filed 7/11/78; Order 3244, § 106-08-080, filed 12/8/71.]

WAC 106-08-090 Service of process—By whom served. The agency shall cause to be served all orders, notices and other papers issued by it, together with any other papers which it is required by law to serve. Every other paper shall be served by the party filing it.

[Order 3244, § 106-08-090, filed 12/8/71.]

WAC 106-08-100 Petitions for stay of effectiveness. Disposition of a petition for stay of effectiveness of a final order shall be made by the official, officer, or body of officers, who entered the final order.

[Statutory Authority: RCW 28B.35.120(12). 91-22-037 (Order CWU AO 68), § 106-08-100, filed 10/31/91, effective 12/1/91; Order 3244, § 106-08-100, filed 12/8/71.]

WAC 106-08-110 Service of process—Service upon parties. The final order, and any other paper required to be served by the agency upon a party, shall be served upon such party or upon the agent designated by him or her or by law to receive service of such papers, and a copy shall be furnished to counsel of record.

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counsel of a party, or who is financially interested in the proceedings.

[Order 3244, § 106-08-250, filed 12/8/71.]

WAC 106-08-260 Depositions and interrogatories in contested cases—Authorization. A party desiring to take the deposition of any person upon oral examination shall give reasonable notice of not less than three days in writing to the agency and all parties. The notice shall state the time and place for taking the deposition, the name and address of each person to be examined, if known, and if the name is not known, a general description sufficient to identify the person or the particular class or group to which the person belongs. On motion of a party upon whom the notice is served, the agency may for cause shown, enlarge or shorten the time. If the parties so stipulate in writing, depositions may be taken before any person, at any time or place, upon any notice and in any manner and when so taken may be used as other depositions.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-20-062 (Order CWU AO 73), § 106-08-260, filed 9/30/94, effective 10/31/94; Order 3244, § 106-08-260, filed 12/8/71.]

WAC 106-08-270 Depositions and interrogatories in contested cases—Protection of parties and deponents. After notice is served for taking a deposition, upon its own motion or upon motion reasonably made by any party or by the person to be examined and upon notice and for good cause shown, the agency may make an order that the deposition shall not be taken, or that it may be taken only at some designated place other than that stated in the notice, or that it may be taken only on written interrogatories, or that certain matters shall not be inquired into, or that the scope of the examination shall be limited to certain matters, or that the examination shall be held with no one present except the parties to the action and their officers or counsel, or that after being sealed, the deposition shall be opened only by order of the agency, or that business secrets or secret processes, developments, or research need not be disclosed, or that the parties shall simultaneously file specified documents or information enclosed in sealed envelopes to be opened as directed by the agency; or the agency may make any other order which justice requires to protect the party or witness from annoyance, embarrassment, or oppression. At any time during the taking of the deposition, on motion of any party or of the deponent and upon a showing that the examination is being conducted in bad faith or in such manner as unreasonably to annoy, embarrass, or oppress the deponent or party, the agency may order the officer conducting the examination to cease forthwith from taking the deposition, or may limit the scope and manner of the taking of the deposition as above provided. If the order made terminates the examination, it shall be resumed thereafter only upon the order of the agency. Upon demand of the objecting party or deponent, the taking of the deposition shall be suspended for the time necessary to make a motion for an order.

[Order 3244, § 106-08-270, filed 12/8/71.]

WAC 106-08-280 Depositions and interrogatories in contested cases—Oral examination and cross-examination. Examination and cross-examination shall proceed as at an oral hearing. In lieu of participating in the oral examination, any party served with notice of taking a deposition may transmit written cross interrogatories to the officer who, without first disclosing them to any person, and after the direct testimony is complete, shall propound them seriatim to the deponent and record or cause the answers to be recorded verbatim.

[Order 3244, § 106-08-280, filed 12/8/71.]

WAC 106-08-290 Depositions and interrogatories in contested cases—Recordation. The officer before whom the deposition is to be taken shall put the witness on oath and shall personally or by someone acting under the officer's direction and in the officer's presence, record the testimony by typewriter directly or by transcription from stenographic notes, wire or record recorders, which record shall separately and consecutively number each interrogatory. Objections to the notice, qualifications of the officer taking the deposition, or to the manner of taking it, or to the evidence presented or to the conduct of the officer, or of any party, shall be noted by the officer upon the deposition. All objections by any party not so made are waived.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-20-062 (Order CWU AO 73), § 106-08-290, filed 9/30/94, effective 10/31/94; Order 3244, § 106-08-290, filed 12/8/71.]

WAC 106-08-300 Depositions and interrogatories in contested cases—Signing attestation and return. (1) When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by the witness, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness, the officer shall sign it and state on the record the fact of the refusal to sign together with the reason, if any, given therefore; and the deposition may then be used as fully as though signed, unless on a motion to suppress the agency holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

(2) The officer shall certify on the deposition that the witness was duly sworn by him or her and that the deposition is a true record of the testimony given by the witness. The officer shall then securely seal the deposition in an envelope endorsed with the title of proceeding and marked "Deposition of (here insert name of witness)", and shall promptly send it by registered or certified mail to the agency for filing. The party taking the deposition shall give prompt notice of its filing to all other parties. Upon payment of reasonable charges therefore, the officer shall furnish a copy of the deposition to any party or to the deponent.

[Order 3244, § 106-08-270, filed 12/8/71.]
WAC 106-08-310 Depositions and interrogatories in contested cases—Use and effect. Subject to rulings by the agency upon objections a deposition taken and filed as provided in this rule will not become a part of the record in the proceeding until received in evidence by the agency upon its own motion or the motion of any party. Except by agreement of the parties or ruling of the agency, a deposition will be received only in its entirety. A party does not make a party, or the party of a party, or any hostile witness his or her witness by taking a deposition. Any party may rebut any relevant evidence contained in a deposition whether introduced by him or her or any other party.

WAC 106-08-320 Depositions and interrogatories in contested cases—Fees of officers and deponents. Deponents whose depositions are taken and the officers taking the same shall be entitled to the same fees as are paid for like services in the superior courts of the state of Washington, which fees shall be paid by the party at whose instance the depositions are taken.

WAC 106-08-330 Depositions upon interrogatories—Submission of interrogatories. Where the deposition is taken upon written interrogatories, the party offering the testimony shall separately and consecutively number each interrogatory and file and serve them with a notice stating the name or descriptive title and address of the officer before whom they are to be taken. Within ten days thereafter a party served may serve cross-interrogatories upon the party proposing to take the deposition. Within five days thereafter, the latter may serve redirect interrogatories upon the party who served cross-interrogatories.

WAC 106-08-340 Depositions upon interrogatories—Interrogation. Where the interrogatories are forwarded to an officer authorized to administer oaths as provided in WAC 106-08-250 the officer taking the same after duly swearing the deponent, shall read to the deponent seriatim, one interrogatory at a time and cause the same and the answer thereto to be recorded before the succeeding interrogatory is asked. No one except the deponent, the officer, and the court reporter or stenographer recording and transcribing it shall be present during the interrogation.

WAC 106-08-350 Depositions upon interrogatories—Attestation and return. The officer before whom interrogatories are verified or answered shall:

(1) Certify under the officer’s official signature and seal that the deponent was duly sworn by him or her, that the interrogatories and answers are a true record of the deponent’s testimony, that no one except deponent, the officer and the stenographer were present during the taking, and that neither the officer nor the stenographer is a party, privy to a party, or interested in the event of the proceedings, and

(2) Promptly send by registered or certified mail the original copy of the deposition and exhibits with the officer’s attestation to the agency, one copy to the counsel who submitted the interrogatories and another copy to the deponent.

WAC 106-08-360 Depositions upon interrogatories—Provisions of deposition rule. In all other respects, depositions upon interrogatories shall be governed by the previous deposition rule.

WAC 106-08-400 Hearing officers. In each instance that a formal hearing is required by institutional policy or chapter 34.05 RCW, and upon receipt of a request for a formal hearing filed in accordance with chapter 34.05 RCW, the chair, vice-chair, or another member of the board of trustees, on the basis of longevity and in the preceding order, may appoint one or more hearing officers, not to exceed three for any one hearing, to preside over, conduct and make proposals for decisions, including findings of fact and conclusions of law, in each instance, and shall afford an opportunity for a formal hearing after not less than ten days notice and provide such individual requesting formal hearing with notice of the hearing in accordance with the provisions of chapter 34.05 RCW.

WAC 106-08-410 Hearing procedures. Each hearing shall be conducted in the manner provided for in these rules and in chapter 34.05 RCW.

WAC 106-08-420 Duties of hearing officers. (1) All hearing officers appointed in accordance with WAC 106-08-400 shall conduct hearings in the same manner and shall have the same authority as provided in hearings by the board of trustees as set forth in these rules and in chapter 34.05 RCW:

Provided, That hearing officers shall only make proposals for decisions.

(2) The proposals for decisions and findings of fact and conclusions of law shall be forthwith served upon the parties and transmitted to the board of trustees, together with a record of the proceeding. Within thirty days of service of such proposal for decisions, any party adversely affected may file exceptions, and thereafter all parties may present written argument to the board of trustees, which shall consider the whole record or such portions as may be cited by the parties,
WAC 106-08-430 Stipulations and admissions of record. The existence or nonexistence of a material fact, as made or agreed in a stipulation or in an admission of record, will be conclusively presumed against any party bound thereby, and no other evidence with respect thereto will be received upon behalf of such party, provided:

(1) Upon whom binding. Such a stipulation or admission is binding upon the parties by whom it is made, their privies and upon all other parties to the proceeding who do not expressly and unequivocally deny the existence or nonexistence of the material fact so admitted or stipulated, upon the making thereof, if made on the record at a prehearing conference, oral hearing, oral argument, or by a writing filed and served upon all parties within five days after a copy of such stipulation or admission has been served upon them;

(2) Withdrawal. Any party bound by a stipulation or admission of record at any time prior to final decision may be permitted to withdraw the same in whole or in part by showing to the satisfaction of the agency that such stipulation or admission was made inadvertently or under a bona fide mistake of fact contrary to the true fact and that its withdrawal at the time proposed will not unjustly prejudice the rights of other parties to the proceeding.

WAC 106-08-440 Definition of issues before hearing. In all proceedings the issues to be adjudicated shall be made initially as precise as possible, in order that the agency may proceed promptly to conduct the hearings on relevant and material matter only.

WAC 106-08-450 Continuances. Any party who desires a continuance shall, immediately upon receipt of notice of a hearing, or as soon thereafter as facts requiring such continuance come to his or her knowledge, notify the agency of said desire, stating in detail the reasons why such continuance is necessary. The agency, in passing upon a request for continuance, shall consider whether such request was promptly and timely made. For good cause shown, the agency may grant such a continuance and may at any time order a continuance upon its motion. During a hearing, if it appears in the public interest or in the interest of justice that further testimony or argument should be received, the agency may in its discretion continue the hearing and fix the date for introduction of additional evidence or presentation of argument. Such oral notice shall constitute final notice of such continued hearing.

WAC 106-08-460 Rules of evidence—Admissibility criteria. Subject to the other provisions of these rules, all relevant evidence is admissible which, in the opinion of the agency is the best evidence reasonably obtainable, having due regard for its necessity, availability, and trustworthiness. In passing upon the admissibility of evidence, the agency shall give consideration to, but shall not be bound to follow, the rules of evidence governing civil proceedings, in matters not involving trial by jury, in the superior court of the state of Washington.

WAC 106-08-470 Tentative admission—Exclusion—Discontinuance—Objections. When objection is made to the admissibility of evidence, such evidence may be received subject to a later ruling. The agency may, in its discretion, either with or without objection, exclude inadmissible evidence or order cumulative evidence discontinued. Parties objecting to the introduction of evidence shall state the precise grounds of such objection at the time such evidence is offered.

WAC 106-08-480 Form and content of decisions in contested cases. Every decision and order, whether proposed, initial, or final, shall:

(1) Be correctly captioned as to name of agency and name of proceeding;

(2) Designate all parties and counsel to the proceeding;

(3) Include a concise statement of the nature and background of the proceeding;

(4) Be accompanied by appropriate numbered findings of fact and conclusions of law;

(5) Whenever practical, the conclusions of law shall include the reason or reasons for the particular order or remedy afforded;

(6) Wherever practical, the conclusions and/or order shall be referenced to specific provisions of the law and/or regulations appropriate thereto, together with reasons and precedents relied upon to support the same.

Chapter 106-20 WAC ORGANIZATION

WAC 106-20-100 Organization—Operation—Information.

WAC 106-20-100 Organization—Operation—Information. (1) Organization. Central Washington University is established in Title 28B RCW as a public institution of higher education. The institution is governed by a seven-member board of trustees, appointed by the governor. The board employs a president, who acts as the chief executive officer of the institution. The president establishes the structure of the administration.

(2) Operation. The administration office is located at the following address:
Chapter 106-50 WAC

RULES COORDINATOR

WAC 106-50-100 Address of rules coordinator.

WAC 106-50-100 Address of rules coordinator. The rules coordinator for this institution shall have an office in the following location:

President's Office
Central Washington University
400 East 8th Avenue
Ellensburg, WA 98926-7501

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


106-72-010 General policy. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-72-010, filed 7/11/78; Order 3274, § 106-72-010, filed 12/6/71.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).

106-72-100 Procedures, rules, and regulations—Employment, job placement, and promotion. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-72-100, filed 7/11/78; Order 3274, § 106-72-100, filed 12/6/71.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).


106-72-120 Procedures, rules, and regulations—Nonacademic personnel. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-72-120, filed 7/11/78; Order 3274, § 106-72-120, filed 12/6/71.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).

106-72-140 Procedures, rules, and regulations—Suppliers. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-72-140, filed 7/11/78; Order 3274, § 106-72-140, filed 12/6/71.] Repealed by 86-23-
WAC 106-72-005 Equal opportunity/affirmative action in employment. Central Washington University is an equal opportunity employer. The university will:

1. Recruit, hire, train, and promote persons in all job titles, without regard to race, color, creed, religion, national origin, age, sex, sexual orientation, marital status, disability, or status as a disabled veteran or Vietnam-era veteran.

2. Ensure that all personnel actions such as compensation, benefits, transfers, terminations, layoffs, return from layoff, reductions in force (RIF), university-sponsored training, education, tuition assistance, and social and recreation programs, will be administered without regard to race, color, creed, religion, national origin, age, sex, sexual orientation, marital status, disability, or status as a disabled veteran or Vietnam-era veteran.

Central Washington University is committed to affirmative action for Asians, Blacks, Hispanics, Native Americans, women, persons forty years of age or older, persons of disability, disabled veterans and Vietnam-era veterans. This commitment is expressed through the university's efforts to eliminate barriers to equal employment opportunity and improve employment opportunities encountered by these protected groups.

WAC 106-72-015 Annual workforce analysis. (1) The affirmative action office will conduct an annual workforce analysis for each academic department and a separate utilization analysis for protected group members (i.e., minorities, women, Vietnam-era and disabled veterans, persons of disability, and persons over the age of forty in each major job group. The university will set forth specific goals and timetables where underutilization is identified. Underutilization is defined as having fewer protected group members in a particular job than would reasonably be expected by their availability. (Higher Education Guidelines, Executive Order 11246.)

(2) The university and each organizational unit will make every possible effort to recruit and employ qualified minorities and women to fill vacancies in order to achieve its goals, searching for personnel in areas and channels previously unexplored to the extent necessary to overcome underutilization. Before each vacancy can be officially filled, a designee of the affirmative action office or the personnel services office must certify that the appropriate recruitment and hiring procedures have been followed.


WAC 106-72-025 Equal opportunity for students. Central Washington University will provide students equal access to all programs and services on the basis of merit without regard to race, color, religion, national origin, age, sex, sexual orientation, marital status, disability, or status as a disabled veteran or Vietnam-era veteran.

No person will be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity supported by the university including, but not limited to, admissions, academic programs, student employment, counseling and guidance services, financial aid, recreational activities, and intercollegiate athletics.

Programs may be developed by the university, however, for special student populations as affirmative action measures to overcome the effects of past discrimination.

No member of the university community shall treat students differently because of their race, color, religion, national origin, age, sex, sexual orientation, marital status, disability (except to provide reasonable accommodation), or status as a disabled veteran or Vietnam-era veteran. The university has established mechanisms to address complaints to discriminatory treatment, including harassing behaviors (e.g., physical, verbal, graphic, or written) which might lead to the creation of a hostile environment.

[Statutory Authority: RCW 28B.35.120(12) and 28B.10.528. 96-02-013 § 106-72-025, filed 12/21/95, effective 1/21/96; 94-20-062 (Order CWU AO 73), § 106-72-025, filed 9/30/94, effective 10/31/94. Statutory Authority: RCW 28B.35.120(12). 92-02-006, § 106-72-005, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-72-025, filed 11/7/86.]

WAC 106-72-130 Procedures, rules, and regulations—Contracts and contractors. The business manager, through the director of auxiliary services, director of facilities management, director of business services and contracts, and the director of facilities planning and construction shall comply with federal, state, and local nondiscrimination policies and procedures when soliciting bids on all contracts for construction, goods, and services. Bids will be solicited by women and minority group vendors and contractors. Agencies engaged in business with the university will be notified in writing of the university's affirmative action program and asked to provide a statement of nondiscrimination.

In the case of federal contracts for research grants and awards, the office of graduate studies will be charged with development and inclusion in any contract a statement of nondiscrimination in the fulfillment of such contract.

[Statutory Authority: RCW 28B.35.120(12), 92-02-006, § 106-72-130, filed 12/20/91, effective 1/20/92. Statutory Authority: RCW 28B.19.050 and...
WAC 106-72-150 Procedures, rules, and regulations—Student employment. Students employed by the university on a part-time basis shall be hired first on the basis of qualifications to accomplish job specifications and secondly on the basis of need. A sincere effort, however, must be made by those employing such students that the student work force be composed of a significant number of minority students and members of both sexes. Job placement and opportunity for promotion shall be no different for one student than for another but shall be solely a matter of competence.

WAC 106-72-200 Procedures, rules, and regulations—Student services. It is the goal of this university to create and maintain all student services which are responsible to the needs and desires of all students and which reflect a policy of nondiscrimination. In all areas of student services, students are to be treated as individuals without regard for race, color, creed, religion, national origin, age, sex, sexual orientation, marital status, disability, or status as a disabled veteran or Vietnam-era veteran.

WAC 106-72-220 Procedures, rules, and regulations—Academic program. It shall be the goal of this university to recruit and enroll a student body which reflects a significant number of minority group members. Significant means enrolling graduating minority high school students at the same rate as graduating nonminority high school students. The university shall, in the fulfillment of this goal, make special efforts within its financial resources to bring about this desired student mix.

No students are to be given special consideration in fulfilling graduation requirements at the university, except as may be available for all students through established university policy.

WAC 106-72-250 Procedures, rules, and regulations—Government contracts. The university will establish and maintain nondiscriminatory practices in the fulfillment of all its contracts with any governmental agency. It will fully comply with any federal, state, or local governmental regulations which request a policy or procedural statement on nondiscrimination.

In the case of federal contracts for research grants and awards, the office of graduate studies and research will be charged with development and inclusion in any contract a statement of nondiscrimination in the fulfillment of such contract.

WAC 106-72-400 Affirmative action grievance procedure. (1) A person who believes he or she has been discriminated against by Central Washington University because of race, color, creed, religion, national origin, age, sex, sexual orientation, marital status, disability, or status as a disabled veteran or Vietnam-era veteran status is encouraged to utilize the grievance procedures provided by Central Washington University. There are informal and formal means of addressing complaints through the affirmative action office. These should be used as soon as possible after the alleged act of discrimination. No individual shall be penalized or retaliated against in any way by the university community for his or her participation in this complaint procedure.

(2) All persons who seek the advice and assistance of the affirmative action office shall have explained to them the informal and formal grievance procedures available to them through the university as well as the existence of external complaint procedures available through state and federal agencies. They shall also receive a copy of the affirmative action grievance procedure.

WAC 106-72-410 Informal grievance procedure. Informal review and consultative processes are highly desirable means of resolving problems. Use of those methods by individuals (e.g., students, employees, applicants) at the lowest possible level within the university is strongly encouraged.

(1) Individuals who believe that they have been the target of discrimination by Central Washington University are encouraged to discuss the matter initially with their department chair, dean, administrative supervisor, or department head. Students are encouraged to discuss the matter with the appropriate department chair, dean, or the vice-president for student affairs. The matter may be concluded by mutual consent at this point. However, complainants should feel free to bring the alleged act of discrimination to the attention of the director of affirmative action at any time.

(2) Any person may contact the affirmative action office for informal discussion, advice, and assistance. The affirmative action director or a designee will assist the complainant(s) in determining whether there exists any relationship of the complaint to civil rights legislation and the university's affirmative action program.

(3) With the consent of the complainant, there may be facilitation or informal intervention by the affirmative action director or a designee. Discussion of the grievance by the affirmative action director or a designee with the immediate supervisor of the respondent may follow the visit to the affirmative action office by the complainant. The discussion between the director of affirmative action and the immediate supervisor shall be confidential. The complainant may choose to participate in this discussion at his/her option. At this time it shall be the option of the director of affirmative action.
action to notify the respondent's next higher supervisory authority of the complaint.

(4) All discussions held under this informal procedure shall have the goal of resolving the matter without the necessity of entering into a formal complaint procedure.

WAC 106-72-420 Formal grievance procedure. The procedures hereunder pertain to the filing of a formal complaint. Any aggrieved person may file a formal complaint against any employee of the university if he or she believes illegal discrimination has taken place by filing a written description of the alleged discrimination with the affirmative action office on a form provided by that office. Statements should be as detailed and accurate as possible, including a statement of the specific allegation of discrimination. The complaint should be filed within thirty days of the alleged act of discrimination except at the discretion of the affirmative action director.

WAC 106-72-430 Formal grievance procedure—Acknowledgement of written complaint. A complainant shall receive acknowledgement of the filing of a formal written complaint. Upon written notice, the complainant may withdraw the complaint at any point during the formal procedure.

WAC 106-72-440 Formal grievance procedure—Grievance committee. An affirmative action grievance committee shall be appointed annually by the president and shall consist of five individuals representing the various university constituencies, including minority group members and both men and women. The committee shall be made up of one administrator, two faculty members, and two civil service employees and shall select its own chair. If a complainant is a student and so requests, two students may be substituted by the president for a like number of existing members of the committee. Members of the affirmative action grievance committee shall remove themselves from the case if they deem themselves biased or personally interested in its outcome.

WAC 106-72-450 Formal grievance procedure—Distribution of copies of complaint. The vice-president or other equivalent unit head, other appropriate administrators, and the respondent shall receive a copy of the complaint from the director of affirmative action within five working days of the filing by the complainant.

WAC 106-72-460 Formal grievance procedure—Appointment of investigating officer. The director of affirmative action or a designee appointed in consultation with the affirmative action grievance committee shall serve as investigating officer in a given complaint.

WAC 106-72-470 Formal grievance procedure—Responsibilities of investigating officer. The investigating officer shall have twenty working days to:

(1) Meet with the complainant and respondent.
   (a) The complainant and respondent may each be accompanied by one advocate or an observer.
   (b) The complainant and the respondent must submit the names of all witnesses they wish the investigator to interview and all statements and documents they wish the investigator to examine.

(2) Examine documentation and interview witnesses.
(3) Consult with the appropriate vice-president, or equivalent unit head and/or other appropriate administrator, and the assigned assistant attorney general.
(4) Prepare a written investigative report.

WAC 106-72-480 Formal grievance procedure—Separate meetings with complainant and respondent/filing investigative report. The investigating officer may meet individually with the complainant and respondent to discuss the report in the hope that a resolution can be reached which will lead to a withdrawal of the formal complaint by the complainant. If such a withdrawal is not received in writing by the office of affirmative action within ten working days of the completion of the investigative report, copies of the investigative report shall be provided to:

(1) The university president;
(2) The affirmative action grievance committee;
(3) The complainant(s);
(4) The respondent(s);
(5) The appropriate administrator(s);
(6) The director of affirmative action (if the investigation is conducted by a designee).

WAC 106-72-490 Formal grievance procedure—Committee recommendation. The affirmative action grievance committee shall review the complaint and the findings of the investigating officer and determine whether or not the facts warrant a proceeding. The committee's decision shall be limited to one of the following statements:

(1) Based on the evidence presented to us, we find probable cause for believing that a discriminatory act has been committed; or
(2) Based on the evidence presented, we find no probable cause for believing that a discriminatory act has been committed.
WAC 106-72-500 Formal grievance procedure—Written committee report. The committee shall make its report in writing to the university president, the affirmative action director, and the parties involved within fifteen working days of receipt of the report by the investigating officer. The deliberations of the committee shall not be disclosed to anyone except the affirmative action director who shall hold them confidential.

WAC 106-72-510 Formal grievance procedure—Procedural notice. If probable cause is found, a proceeding will be held.

(1) The chair of the committee shall establish a date for the proceeding. A notice establishing the date, time, and place of the proceeding shall be provided the parties not more than ten working days from the issuance of the probable cause or no cause decision. The composition of the proceeding committee shall be provided also.

(2) The proceeding shall be held no less than fifteen working days from the mailing of the notice of proceeding unless all of the parties, with the consent of the chair, agree to shorten the time to less than fifteen days.

WAC 106-72-520 Adjudicative proceeding—Challenges. Each party shall have the privilege of one challenge without stated cause and unlimited challenges for stated bias or interest. In the case of a challenge for stated bias or interest, a majority of the affirmative action grievance committee members must be satisfied that a challenged member cannot hear the case impartially before the member can be disqualified. In the case of removal of a member through a challenge process, the president shall restore the committee to full membership.

WAC 106-72-530 Adjudicative proceeding—Expedient conduct. The proceeding shall be conducted as expeditiously as possible and on successive days if possible.

WAC 106-72-540 Adjudicative proceeding—Availability of necessary parties. The parties and any others the affirmative action grievance committee deem necessary to the proceedings shall make themselves available to appear at the proceeding unless they can verify to the committee that their absence is unavoidable.

WAC 106-72-550 Adjudicative proceeding—Counsel. The complainant and the respondent shall be permitted to have with them/her a party of their own choosing to act as advisor and counsel.

WAC 106-72-560 Adjudicative proceeding—Confidentiality. Proceedings shall be closed to all except those persons directly involved in the case as determined by the grievance committee. Statements, testimony, and all other evidence given at the proceeding shall be confidential and shall not be released to anyone and may be used by the committee only for the purpose of making its findings and recommendations to the president. (However, it will be made available to federal and/or state compliance agencies upon request.)

WAC 106-72-570 Adjudicative proceeding—Responsibilities of parties. The chair of the grievance committee shall convene and regulate the proceeding. All parties and members of the panel must be present during the proceeding unless excused by the chair for good cause. Repeated failure, without reasonable explanation, of either party to appear shall be grounds for defaulting that party's case. The complainant shall have the burden of presenting the case and the respondent shall have the burden of challenging sufficiency of the evidence presented.

WAC 106-72-580 Adjudicative proceeding—Rights of parties. (1) Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved and to examine and cross-examine witnesses.

(2) No individual shall be compelled to divulge information in any form which she/he could not be compelled to divulge in, or in connection with, superior court proceedings.

(3) Any legal opinion or interpretation given to the grievance committee by the parties may be shared with all parties to the case.

WAC 106-72-590 Adjudicative proceeding—Powers of proceeding panel. The proceeding panel shall be empowered to: Examine witnesses and receive evidence; suspend the proceeding on account of or exclude from attendance any person(s) felt to be unreasonably disruptive of the proceed-
WAC 106-72-600 Findings of grievance committee. The affirmative action grievance committee shall file its findings and recommendations with the president, the affirmative action director, the complainant, and the respondent within fifteen working days after the conclusion of the proceeding. If the findings and recommendations of the affirmative action grievance committee are acceptable to the complainant and the respondent, the president may directly implement any of the recommendations.

WAC 106-72-610 Appeal procedure. (1) If the complainant or respondent objects to the findings and recommendations and wishes to appeal, a written appeal may be submitted to the president within ten working days from the date the report is delivered to the complainant and the respondent. The appeal must specify in detail the findings, recommendations, or other aspects of the report or decision to which exception is taken, as well as the reasons for the exceptions and the desired corrective action after consideration of the appeal by the president.

(2) After considering an appeal, the president shall issue a written decision to the parties involved within ten working days of receipt of the appeal. The decision of the president will not be further appealable within the university.

Chapter 106-116 WAC PARKING AND TRAFFIC REGULATIONS

WAC 106-116-011 Preamble.

106-116-020 Objectives of parking and traffic rules and regulations.

106-116-030 Applicable traffic rules and regulations.

106-116-040 Infractions.

106-116-050 Permit required.

106-116-060 Additional or replacement vehicles.

106-116-070 Animal traffic.

106-116-080 Permitted parking areas.

106-116-090 No parking areas.

106-116-100 Specific parking prohibitions.

106-116-110 Apartment residents.

106-116-120 Locating legal parking space.

106-116-130 Faculty-staff parking.

106-116-140 Fire lanes and service drives.

106-116-150 Parking within designated spaces.

106-116-160 Liability.

106-116-170 Parking of trailers, campers, and similar purpose vehicles on campus.

106-116-180 Mall traffic.

106-116-190 Display of permits.

106-116-200 Disability parking permit.

106-116-210 General permits.
106-116-020  Objectives of parking and traffic rules and regulations. (1) To protect and control pedestrian and vehicular traffic.
(2) To assure access at all times for emergency equipment.
(3) To minimize traffic disturbance during class hours.
(4) To facilitate the work of the university by assuring access by vehicles and by assigning the limited parking space for the most efficient use.

WAC 106-116-011 Preamble. Drivers on the property of Central Washington University are responsible for their vehicle's safe and lawful operation. A CWU parking permit or daily permit is required in designated parking lots. Individuals operating or parking vehicles on university-owned property must do so in compliance with these regulations, and ordinances and laws of the city of Ellensburg, county of Kittitas, and state of Washington.

(2005 Ed.)

[Title 106 WAC—p. 17]
WAC 106-116-030 Applicable traffic rules and regulations. (1) The motor vehicle code and other traffic laws of the state of Washington shall be applicable upon all lands located within the state of Washington.

(2) The traffic code of the city of Ellensburg shall be applicable upon all lands located within the city of Ellensburg.

(3) These regulations shall be applicable to all lands owned and leased by Central Washington University.

WAC 106-116-042 Infractions. The public safety and police services department and its duly sworn officers have authority to issue infractions for violations of Washington Administrative Codes and ordinances and laws of the city of Ellensburg, county of Kittitas, and state of Washington, when violations occur.

WAC 106-116-102 Permit required. (1) A permit is required for all motor vehicles that park on posted university grounds at specified times. Fees may be charged and parking permits issued, which will allow vehicles to be parked in specific areas.

(2) A faculty, staff, or student owner, operator, and/or permit holder for a motor vehicle shall be held responsible for any violation involving that vehicle.

WAC 106-116-103 Additional or replacement vehicles. If you have a current CWU parking permit and obtain an additional or different motor vehicle, you must register that vehicle with parking services.

WAC 106-116-10401 Animal traffic. It shall be unlawful for any person to drive, lead, walk, or ride any cattle, horse, or beast of burden upon any of the lawns, beds, sidewalks, malls, service drives, or parking lots of Central Washington University except as authorized by permit.

of public safety and police services for parades and university-sponsored activities.

WAC 106-116-201 Permitted parking areas. University-owned parking areas are posted with permitting requirements. Permit requirements will be enforced Monday through Friday, 7:30 a.m. to 4:30 p.m., unless otherwise posted. No parking is permitted from 2:00 a.m. to 6:00 a.m. where posted.

WAC 106-116-202 No parking areas. Parking is permitted only in areas designated and marked for parking in accordance with all signs posted in the designated parking area.

For example, prohibited areas include fire hydrants, fire lanes, yellow curb zones, crosswalks, driveways, service drives, or any area not expressly permitted by sign or these regulations. Vehicles are not permitted to be parked on any undeveloped university property without the approval of the chief of the public safety and police services. This section will be enforced twenty-four hours a day.

WAC 106-116-203 Specific parking prohibitions. (1) Parking in areas and places normally used for moving traffic is a specific violation of these regulations.

(2) Parking in such a position with relation to other parked cars or marked parking spaces as to impede, restrict, or prevent free ingress or egress by other automobiles violates these regulations.

(3) Parking in areas marked for a special permit or clearly designated by signing for special use not available to the general public or regular permit holders is prohibited. Examples: Parking in a space marked "disability permit..."
only," or "health center permit only," or "psychology permit only."

(4) Parking and/or driving on sidewalks is prohibited.
(5) Parking or driving on lawns or flower beds is prohibited.

(6) Compact car zones are placed there for safety reasons. These spaces are to be used by small cars only. This does not include pickups (of any size), sport utility vehicles, station wagons or any other large vehicles.

[WAC 106-116-207  Faculty-staff parking. Residents of Brooklane Village, Roy P. Wahle Complex, Student Village Apartments, and Getz Short Apartments may be required to display resident parking identification permits to park in the parking area adjacent to their respective apartments but must register their vehicles with the housing office.

[WAC 106-116-205  Apartment residents. The responsibility for locating legal parking space rests with the operator of the motor vehicle. Lack of space will not be considered a valid excuse for violating any parking regulation.

(2) The fact that a person may park or observe others parked in violation of the regulations without receiving an infraction notice does not mean that the regulation is no longer in effect.

[WAC 106-116-206  Parking of trailers, campers, and similar purpose vehicles on campus. It shall be unlawful for any individual, firm, or corporation to park any type of vehicle on the grounds of Central Washington University for the purpose of using such vehicle as a living unit. Any exception must be approved, in writing; by the chief of public safety and police services.

[WAC 106-116-212  Liability. Neither the university nor its employees shall be liable for damages to or theft from a vehicle while parked in university-owned parking lots.

[WAC 106-116-213  Parking of trailers, campers, and similar purpose vehicles on campus. It shall be unlawful for any individual, firm, or corporation to park any type of vehicle on the grounds of Central Washington University for the purpose of using such vehicle as a living unit. Any exception must be approved, in writing; by the chief of public safety and police services.

[Title 106 WAC—p. 19]
WAC 106-116-303 Display of permits. (1) Parking permits shall be conspicuously hung from the inside rearview mirror, or other location specified at time of issuance.

(2) Special permits must be displayed in the manner described at time of issuance.

WAC 106-116-304 Disability parking permit. Any university employee, student, or visitor who can show physical disability may appear at the service of disabled parking service for a disability parking permit. Certification by a physician may be required. Disability permits issued by the state of Washington in all forms and disability permits issued by other state agencies or institutions shall be honored. Additionally, a CWU parking permit or daily permit is necessary in parking lots normally requiring permits.

WAC 106-116-305 General permits. (1) Daily parking permits are available from the automatic ticket dispensers and cashier's office. These permits must be displayed in clear view on the dash of the vehicle as instructed on the permit, readable from outside the vehicle.

(2) Thirty-minute "load/unload permits" are available for loading and unloading. Load/unload permits are available to vendors conducting business on campus, service vehicles, and student vehicles. Load/unload permits are available at the public safety and police services department and the parking kiosk.

(3) No permits are available for inoperative or disabled vehicles. Public safety and police services should be contacted if your vehicle becomes disabled in a university-owned parking lot.

(4) Quarterly, academic year, and calendar year permits are available to faculty, staff, and students through the cashier's office.

WAC 106-116-308 Replacement of parking permit. Lost or stolen parking permits must be reported to the public safety and police services department. Upon verification, the permit may be replaced for a $10.00 processing fee.

WAC 106-116-310 Contractor parking permits. All contractors responsible for construction projects on the campus or for repair and maintenance contracts and those who make continuous deliveries of supplies must contact the public safety and police services department, prior to starting work, to obtain permits for the parking of those vehicles necessary to carry on the work.

WAC 106-116-311 Parking fee refunds. (1) Application for parking permit fee refunds are to be made at the parking office. The parking permit must be surrendered upon application for a refund.

(2) A full parking fee refund is obtainable only within the first seven calendar days of any academic quarter in which the permit is issued.

(3) Refunds are permitted of a prorated basis only under the following conditions:

(a) Student teaching, or other off-campus program;
(b) Withdrawal from the university;
(c) Termination of employment.

(4) Refunds will not be made for daily permits.

(5) Prorated refunds will be measured upward to the nearest 1/3, 2/3, and full cost increments.
WAC 106-116-312 Permit revocation. Parking permits are the property of the university and will be recalled for any of the following reasons:

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

(2) When a permit is used on an unregistered vehicle or by an unauthorized individual.

(3) When there is falsification of the vehicle ownership statement.

(4) When there is counterfeiting or altering of a parking permit.

WAC 106-116-410 Continuous parking. Vehicles receiving an infraction notice for violating parking and traffic regulations and which have not been moved within twenty-four hours following the issuance of the original infraction notice, shall be in violation of this section, and may be subject to removal at owner’s expense.

WAC 106-116-501 Basic speed limit. The speed limit on the university-owned streets shall be as posted, except:

(1) The speed limit in the parking areas is 15 m.p.h.

(2) No person shall operate a motor vehicle on the campus at a speed greater than is reasonable and prudent for existing conditions.

(3) The speed limit on malls and service drives is 10 m.p.h.

WAC 106-116-513 Procedure—Infractions and service thereof. Upon probable cause to believe that a violation of these regulations has occurred, an appropriate notice of infraction may be issued setting forth the date, the approximate time, the locality, and the nature of the violation. Such notice may be served by delivering or attaching a copy thereof to the alleged violator, or by placing a copy thereof in some prominent place within or upon the vehicle. Service by mail shall be accomplished by placing a copy of the notice in the mail addressed to the alleged violator.

WAC 106-116-514 Election to forfeit or contest. The notice of infraction issued pursuant to WAC 106-116-513 of these regulations shall inform the alleged violator that he/she may elect either to forfeit the monetary penalty to the infraction(s) charged or to contest the matter(s).

(1) If the alleged violator chooses to forfeit the penalty, he/she may do so by paying the appropriate amount to the cashier’s office, Barge Hall. Payment will be in cash, check, certified check, or by money order. Such payment may also be made by mail. Such forfeiture shall constitute a waiver of a right to a hearing.

(2) If the alleged violator chooses to contest, he/she may do so by contacting parking services, where parking infraction appeal forms are available upon request. The completed form stating the reasons for challenging the validity of the assessed obligation must be filed in the parking office within fifteen days of the date of the infraction notice. The appeal must be reviewed by the university parking appeal board. The parking appeal board will render a decision in good faith.

(3) A person charged with a parking infraction who deems himself or herself aggrieved by the final decision of the university parking appeal board may, within ten days after written notice of the final decision, appeal by filing a written notice thereof with the public safety and police services department. Documents relating to the appeal shall immediately be forwarded to the lower Kittitas County district court which shall have jurisdiction over such offense and such appeal shall be heard de novo.

WAC 106-116-515 Procedure—Complaint and information. (1) An infraction notice served in accordance with the provisions of WAC 106-116-513 of these regulations shall constitute the complaint or information against the person to whom delivered or mailed. The person to whom the vehicle permit was issued shall be held liable, or if no permit has been issued, the owner of the vehicle shall be held liable.

(2) The complaint or information may be amended at any time, either in writing (delivered or mailed to the alleged violator) or upon motion at a judicial hearing in his or her presence, to include new charges of violations of these regulations.

(2005 Ed.)

WAC 106-116-521 Monetary penalties. (1) The monetary penalties to be assessed for violations of these regulations shall be those detailed in WAC 106-116-603.

(2) The chief of public safety and police services or designee will cause:
(a) These regulations or a reasonable condensation thereof to be prominently displayed in the public safety and police services department.
(b) The amount of the monetary penalty to be written on the parking-violation notices served on alleged violators.
(c) Removal or immobilization of vehicles at owner's expense when infractions remain unpaid.

WAC 106-116-601 Traffic regulation signs, markings, barricades, etc. (1) The director of the public safety and police services department or designee are authorized to erect signs, barricades, and other structures and to paint marks and other directions upon the streets and roadways for the regulation of traffic and parking upon state lands devoted mainly to the educational or research activities of Central Washington University. Such signs, barricades, structures, markings, and directions shall be so made and placed as to, in the opinion of the director of public safety and police services or designee, best effectuate the objectives stated in WAC 106-116-020 of these regulations.

(2) No sign, barricade, structure, marking, or direction for the purpose of regulating traffic or parking shall be moved, defaced, or in any way changed by any person without authorization from the director of public safety and police services.

WAC 106-116-603 Monetary penalty schedule.

<table>
<thead>
<tr>
<th>Offense</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Improper display of permit . . . . . . . . . . .</td>
<td>$15.00</td>
</tr>
<tr>
<td>(2) Parking faculty-staff area . . . . . . . . . .</td>
<td>25.00</td>
</tr>
<tr>
<td>(3) Parking yellow stripe or curb . . . . . . . .</td>
<td>25.00</td>
</tr>
</tbody>
</table>

Failure to respond within twenty-eight days will result in doubling of the original monetary penalty and a $5.00 administrative fee. However, in accordance with RCW 46.63.110(3), the penalty for failure to respond shall not exceed $25.00 for any single infraction. Further failure to respond may result in one or more of the following sanctions:

(a) Withholding of transcripts;
(b) Deduction from payroll checks;
(c) Withholding of parking permits; and/or
(d) Referral to collection agency.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 04-17-067, § 106-116-603, filed 8/12/04, effective 9/12/04; 02-18-077, § 106-116-603, filed 8/30/02, effective 9/30/02; 98-23-022, § 106-116-603, filed 11/9/98, effective 12/10/98. Statutory Authority: RCW 28B.10.528, 28B.10.560 and 28B.35.120. 90-10-049 (Order CWU AO 72), § 106-116-603, filed 8/24/90, effective 8/29/90. Statutory Authority: RCW 28B.19.050 and 28B.35.120. 81-08-010 (Order 46), § 106-116-603, filed 3/23/81; 80-11-027 (Order 45), § 106-116-603, filed 8/14/80. Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-02-023 (Order 37), § 106-116-603, filed 1/13/78; Order 24, § 106-116-603, filed 7/30/75; Order 19, § 106-116-603, filed 8/22/74; Order 15, § 106-116-603, filed 8/17/73.]

[Title 106 WAC—p. 22] (2005 Ed.)
WAC 106-116-701 Impounding procedures. (1) Any vehicle parked upon the Central Washington University campus lands in violation of these regulations, including the motor vehicle and other traffic laws of the state of Washington and the traffic code of the city of Ellensburg, may be impounded and taken to such place for storage as the director of public safety and police services selects.  

(2) The expense of such impounding and storage shall be charged to the owner or operator of the vehicle and paid prior to the release of the vehicle.  

(3) CWU and its employees shall not be liable for loss or damage of any kind resulting from such immobilization, impounding and storage.

WAC 106-116-702 Inoperative vehicles. Disabled or inoperative vehicles shall be removed from the campus within seventy-two hours (three days). Vehicles which have been parked in excess of seventy-two hours (three days) and which appear to be inoperative or unmovable may be impounded and stored at the expense of the owner and/or operator.

WAC 106-116-801 Motorcycle regulations. Motorcycle operators will be expected to obey the same traffic, parking, and registration regulations as automobile operators on campus.  

Motorcycle operators should use designated motorcycle parking areas when provided.

WAC 106-116-850 Skateboard regulations. The purposes of WAC 106-116-850 through 106-116-859 are:  

(1) To protect and control pedestrian traffic and traffic of persons using skateboards.

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

WAC 106-116-853 Definitions. As used in WAC 106-116-850 through 106-116-859 "skateboard" means a device made of wood, plastic, metal, or components thereof, with wheels, ridden, as down an incline, usually in a standing position. It may or may not be motorized.
Chapter 106-120 WAC

STUDENT JUDICIAL CODE

WAC 106-120-003 Purpose.
106-120-004 Definitions.
106-120-005 Provision for due process.
106-120-006 Students subject to judicial code.
106-120-007 Cooperation with law enforcement agencies.
106-120-021 Campus judicial council.
106-120-022 Subsidiary judicial agencies.
106-120-023 Campus judicial council—Membership.
106-120-024 Campus judicial council—Quorum.
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106-120-027 Proscribed conduct.
106-120-028 Disciplinary sanctions.
106-120-033 Readmission after suspension.
106-120-031 Initiation, investigation, and disposition of complaints.
106-120-032 Procedures for proceeding before the campus judicial council.
106-120-143 Summary suspension proceedings.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

Rights and responsibilities. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-10-106 (Order 41), § 106-120-001, filed 10/4/78; Order 7, § 106-120-001, filed 8/18/72, effective 9/20/72.] Repealed by 85-07-032 (Order 58), filed 3/15/85. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).

Rights and responsibilities of students. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 79-06-046 (Order 43), § 106-120-010, filed 5/16/79; 78-10-106 (Order 41), § 106-120-010, filed 10/4/78; Order 22, § 106-120-010, filed 7/29/75; Order 7, § 106-120-010, filed 8/18/72, effective 9/20/72.] Repealed by 85-07-032 (Order 58), filed 3/15/85. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).


Rights and responsibilities of students—Student representation in college governance. [Order 7, § 106-120-012, filed 8/18/72, effective 9/20/72.] Repealed by Order 22, § 7/29/75.


Complaints—Disposition—Pending criminal proceedings for the campus judicial council. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-10-106 (Order 41), § 106-120-041, filed 10/4/78; Order 7, § 106-120-041, filed 8/18/72, effective 9/20/72.] Repealed by 85-07-032 (Order 58), filed 3/15/85. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).

Notice requirements. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-10-106 (Order 41), § 106-120-042, filed 10/4/78; Order 22, § 106-120-042, filed 7/29/75; Order 7, § 106-120-042, filed 8/18/72, effective 9/20/72.] Repealed by 85-07-032 (Order 58),
106-120-043 Meeting with the dean of student development. [Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).]
106-120-050 Campus judicial council. [Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).]
106-120-051 Membership in campus judicial council. [Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).]
106-120-061 Permission to enter or remain on campus. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 79-06-04 (Order 43), § 106-120-061, filed 5/16/79; 78-10-106 (Order 41), § 106-120-061, filed 10/4/78; Order 22, § 106-120-061, filed 7/29/75; Order 7, § 106-120-061, filed 8/18/72, effective 9/20/72.] Repealed by 85-07-032, filed 3/15/85. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).
106-120-062 Notice of suspension proceedings. [Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).]
106-120-063 Decision by the dean. [Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).]
106-120-064 Decision by the hearing board. [Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).]
106-120-070 The residence hall arbitration council. [Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).]
106-120-071 The residence hall arbitration council. [Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).]
106-120-072 Disruptions of a council hearing. [Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).]
106-120-073 Hearing procedures. [Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).]
106-120-074 Membership with the dean of student development. [Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).]
106-120-075 Procedures for hearing—Interference with proceedings. [Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).]
106-120-080 Hearing procedures. [Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).]
106-120-081 Initiation of summary suspension proceedings. [Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).]
106-120-082 Annual review of the residence hall arbitration council. [Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).]
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106-120-800 Right to form organizations. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 79-06-046 (Order 43), § 106-120-800, filed 5/16/79; Order 7, § 106-120-800, filed 8/18/72, effective 9/20/72.] Repealed by 85-07-032 (Order 58), filed 3/15/85. Statutory Authority: RCW 28B.19.050 and 28B.35.120 (11).


106-120-911 Constitution of the associated students of Central—Name. [Order 20, § 106-120-911, filed 3/24/75; Order 7, § 106-120-911, filed 8/18/72, effective 9/20/72.] Repealed by 78-09-045 (Order 40), filed 8/18/78. Statutory Authority: RCW 28B.19.050 and 28B.40.120.


106-120-913 Constitution of the associated students of Central—Organization. [Order 20, § 106-120-913, filed 3/24/75; Order 7, § 106-120-913, filed 8/18/72, effective 9/20/72.] Repealed by 78-09-045 (Order 40), filed 8/18/78. Statutory Authority: RCW 28B.19.050 and 28B.40.120.

106-120-914 Constitution of the associated students of Central—The board of control. [Order 31, § 106-120-914, filed 8/17/76; Order 20, § 106-120-914, filed 3/24/75; Order 14, § 106-120-914, filed 7/23/73; Order 7, § 106-120-914, filed 9/18/72, effective 9/20/72.] Repealed by 78-09-045 (Order 40), filed 8/18/78. Statutory Authority: RCW 28B.19.050 and 28B.40.120.


106-120-916 Constitution of the associated students of Central—The judicial branch. [Order 31, § 106-120-916, filed 8/17/76; Order 20, § 106-120-916, filed 3/24/75; Order 14, § 106-120-916, filed 7/23/73; Order 7, § 106-120-916, filed 8/18/72, effective 9/20/72.] Repealed by 78-09-045 (Order 40), filed 8/18/78. Statutory Authority: RCW 28B.19.050 and 28B.40.120.

106-120-917 Constitution of the associated students of Central—Elections. [Order 20, § 106-120-917, filed 3/24/75; Order 7, § 106-120-917, filed 8/18/72, effective 9/20/72.] Repealed by 78-09-045 (Order 40), filed 8/18/78. Statutory Authority: RCW 28B.19.050 and 28B.40.120.

106-120-918 Constitution of the associated students of Central—Organization. [Order 20, § 106-120-918, filed 3/24/75; Order 14, § 106-120-918, filed 7/23/73; Order 7, § 106-120-918, filed 8/18/72, effective 9/20/72.] Repealed by 78-09-045 (Order 40), filed 8/18/78. Statutory Authority: RCW 28B.19.050 and 28B.40.120.


Reviser’s note: * Order 40 (WSR 78-09-045) repeals sections 106-120-919 through 106-120-922 by section number, however, it repeals sections 106-120-920 through 106-120-923 by section caption. Since section 106-120-919 had previously been repealed by Order 22, filed July 29, 1975, it appears the intent was to repeale WAC 106-120-923 which appears in the above disposition table.

WAC 106-120-003 Purpose. The students of Central Washington University are responsible for complying with policies, standards, rules, and requirements for academic and social behavior formulated by the university for the maintenance of and orderly and responsible functioning of the university community. At the same time, students have protection through orderly procedures against arbitrary or capricious actions or decisions by university authorities. Due process is recognized as essential to the proper enforcement of university rules. The purpose of this chapter is to provide a procedure and rules by which a student will be afforded due process in the matter of alleged violations of university standards, rules and requirements governing academic and social conduct of students.

The university recognizes a responsibility to resolve behavior problems before they escalate into serious problems requiring the application of these rules. Therefore, the vice-president for student affairs shall generally review and/or investigate student behavioral problems which are referred by university community members or any subsidiary judicial agencies to the campus judicial council, or which otherwise come to the attention of the vice-president through campus safety reports or other official university reports. The vice-president shall be as proactive as is possible concerning the resolution of student behavioral problems and use reasonable arbitration and conflict resolution methods in order to prevent such problems from further interfering with the university community or the student's own educational progress.

[WAC 106-120-004 Definitions. (1) "University" shall mean Central Washington University.

[Title 106 WAC—p. 26]
(2) "Vice-president" shall mean the vice-president for student affairs of the university or the vice-president’s designee.

(3) "Student" shall mean a person enrolled either full or part time, pursuing undergraduate or graduate studies, or a person accepted for admission or readmission to the university.

(4) "University community" shall include the employees and students of Central Washington University and all property and equipment of the university.

(5) "Hazing" shall include any method of initiation into a student organization or living group, or any pastime or amusement engaged in with respect to such an organization or living group that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm, to any student or other person attending Central Washington University. The term does not include customary athletic events or other similar contests or competitions.


WAC 106-120-005 Provision for due process. The vice-president shall provide for due process for students throughout the behavioral problem solving intervention by following the proper steps related to the initiation, investigation, and disposition of complaints against a student which is outlined in WAC 106-120-131.


WAC 106-120-006 Students subject to judicial code. Any student is subject to these rules, independent of any other status the individual may have with the university. Any action taken against a student under these rules shall be independent of other actions taken by virtue of another relationship with the university in addition to that of student.


WAC 106-120-007 Cooperation with law enforcement agencies. Central Washington University distinguishes its responsibility for student conduct from the controls imposed by the larger community beyond the university, and of which the university is a part. The university does not have the responsibilities of a parent for the conduct of students, and is not responsible for conduct of students off campus. When students are charged with violations of laws of the nation or state, or ordinances of the county or city, the university will neither request nor agree to special consideration for students because of their status as students, but the university will cooperate with law enforcement agencies, courts, and any other agencies in programs for rehabilitation of students.

Central Washington University reserves the right to impose the provisions of this chapter and apply further sanctions before or after law enforcement agencies, courts, and other agencies have imposed penalties or otherwise disposed of a case.

[Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 85-07-032 (Order 58), § 106-120-007, filed 3/15/85.]

WAC 106-120-021 Campus judicial council. The campus judicial council shall be the principal campus-wide judicial body with jurisdiction over all students, whether graduate or undergraduate, and student organizations and authority to hear all charges of misconduct. It has authority to impose the sanctions described in WAC 106-120-028.


WAC 106-120-022 Subsidiary judicial agencies. Other divisions of the university may elect to establish subsidiary judicial agencies over which the campus judicial council will have appellate jurisdiction. Subsidiary judicial agencies or persons levying sanctions should devise sanctions which are in proportion to both the nature and extent of the misconduct, and which redress injury, damage, expense, inconvenience and/or grievance as far as possible. Appeal from subsidiary councils or agencies must be made within five working days from the time of publication of findings by said subsidiary judicial agency. Failure to file such an appeal will constitute and be construed as full acceptance by all parties of the findings.


WAC 106-120-023 Campus judicial council—Membership. The campus judicial council shall consist of three faculty members holding the rank of assistant professor or above, and eight students, at least one of whom should be a graduate student if a graduate student files for appointment to the council.

(1) The faculty members of the council shall be designated in accordance with procedures established by the faculty senate.

(2) The student members of the council shall be selected in accordance with procedures established by the constitution of the associated students of Central Washington University. Eight student members shall be appointed, each student being appointed for a term of one calendar year. Terms of office for students begin with the first day of instruction of the academic year for which the student is appointed.


WAC 106-120-024 Campus judicial council—Chair. A campus judicial council chair shall be elected at the first meeting each academic year and shall continue in office until the person resigns or is recalled. The duties of the chair are as follows:

(1) To call regular and special meetings of the council by notification to members at least twenty-four hours in advance of the meeting time, except in bona fide emergency situations.

(2) To preside over all regular and special meetings.
(3) To act as presiding officer at all meetings of the pro-
ceeding board.
[Statutory Authority: Chapter 34.05 RCW and RCW 28B.35.120(11), 91-
04-054, § 106-120-024, filed 2/4/91, effective 3/7/91. Statutory Authority:
RCW 28B.19.050 and 28B.35.120(11). 85-07-032 (Order 58), § 106-120-
024, filed 3/15/85.]

WAC 106-120-025 Campus judicial council—Quo-
rum. Two of the faculty members and three of the student
members of the council shall constitute a quorum.
[Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 85-07-032
(Order 58), § 106-120-025, filed 3/15/85.]

WAC 106-120-025 Campus judicial council—Advi-
sor. The vice-president shall appoint a faculty member as a
judicial council advisor whose duties shall be to convene the
council, and advise the council during all meetings and hear-
ings.
[Statutory Authority: Chapter 34.05 RCW and RCW 28B.35.120(11), 91-
04-054, § 106-120-026, filed 2/4/91, effective 3/7/91. Statutory Authority:
RCW 28B.19.050 and 28B.35.120(11). 85-07-032 (Order 58), § 106-120-
026, filed 3/15/85.]

WAC 106-120-027 Proscribed conduct. A student
shall be subject to disciplinary action or sanction upon viola-
tion of any of the following conduct proscriptions:
(1) Disruptive and disorderly conduct which interferes
with the rights and opportunities of other students to pursue
their academic studies.
(2) Academic dishonesty in all its forms including, but
without being limited to:
(a) Cheating on tests,
(b) Copying from another student's test paper,
(c) Using materials during a test not authorized by the
person giving the test.
(d) Collaboration with any other person during a test
without authority.
(e) Knowingly obtaining, using, buying, selling, trans-
porting, or soliciting in whole or in part the contents of an
unadministered test or information about an unadministered
test.
(f) Bribing any other person to obtain an unadministered
test or information about an unadministered test.
(g) Substitution for another student or permitting any
other person to substitute for oneself to take a test.
(h) "Plagiarism" which shall mean the appropriation of
any other person's work and the unacknowledged incorpora-
tion of that work in one's own work offered for credit.
(i) "Collusion" which shall mean the unauthorized col-
aboration with any other person in preparing work offered
for credit.
(3) Filing a formal complaint with the vice-president
with the intention of falsely accusing another with having
violated a provision of this code.
(4) Furnishing false information to any university offi-
cial, especially during the investigation of alleged violations
of this code.
(5) Furnishing false information to the campus judicial
council with the intent to deceive, the intimidation of wit-
nesses, the destruction of evidence with the intent to deny its
presentation to the campus judicial council or the willful fail-
ure to appear before the campus judicial council or the vice-
president when properly notified to appear.
(6) Intentionally setting off a fire alarm or reporting a
fire or other emergency or tampering with fire or emergency
equipment except when done with the reasonable belief in the
existence of a need therefore.
(7) Forgery, alteration, or misuse of university docu-
tments, records, or identification cards.
(8) Sexual assault in any form, including acquaintance
rape and other forced and/or nonconsensual sexual activity.
(9) Actual or attempted physical/emotional abuse of any
person or conduct which threatens or endangers the health
and safety of any person or which intentionally or recklessly
causes a reasonable apprehension of harm to any person.
(10) Harassment of any sort or any malicious act which
causes harm to any person's physical or mental well being.
(11) Recklessly engaging in conduct which creates a
substantial risk of physical harm to another person.
(12) Creating noise in such a way as to interfere with uni-
versity functions or using sound amplification equipment in a
loud and raucous manner.
(13) Theft or malicious destruction, damage or misuse
of university property, private property of another member of
the university community, whether occurring on or off cam-
pus; or theft or malicious destruction, damage or misuse on
campus of property of a nonmember of the university com-
munity.
(14) Unauthorized seizure or occupation or unauthorized
presence in any university building or facility.
(15) Intentional disruption or obstruction of teaching,
research, administration, disciplinary proceedings, or other
university activities or programs whether occurring on or off
campus or of activities or programs authorized or permitted
by the university to be conducted on campus.
(16) Intentional participation in a demonstration which is
in violation of rules and regulations governing demonstra-
tions promulgated by the university.
(17) Unauthorized entry upon the property of the univer-
sity or into a university facility or any portion thereof which
has been reserved, restricted in use, or placed off limits;
unauthorized presence in any university facility after closing
hours; or unauthorized possession or use of a key to any un-
iversity facility.
(18) Possession or use on campus of any firearm, danger-
ous weapon or incendiary device or explosive unless such
possession or use has been authorized by the university.
(19) Possession, use, or distribution on campus of any
controlled substance as defined by the laws of the United
States or the state of Washington except as expressly permit-
ted by law.
(20) Violation of the university policy on alcoholic bev-
erages which states:
(a) Persons twenty-one years of age or older may possess
and/or consume alcoholic beverages within the privacy of
their residence hall rooms or apartments. Washington state
law provides severe penalties for the possession or consump-
tion of alcoholic beverages by persons under twenty-one
years of age and for persons who furnish alcoholic beverages
to minors. All university students should be aware of these
laws and the possible consequences of violations.

[Title 106 WAC—p. 28]
(b) The university does not condone the consumption of alcoholic beverages by minors at functions sponsored by Central Washington University organizations. Organizations are held responsible for the conduct of their members at functions sponsored by the organization and for failure to comply with Washington state law.

(c) The campus judicial council may place on probation any organization or prohibit a specific campus social function when the consumption of alcoholic beverages has become a problem of concern to the university.

(21) Conduct which violates the university policies on computer use.

(22) Violation of clearly stated proscriptions in any published rule or regulation promulgated by any official campus committee or commission or council acting within the scope of its authority.

(23) Violation on campus of any state or federal law or violation of any state or federal law off campus while participating in any university sponsored activity.

(24) Conspiracy to engage in haz ing or participation in hazing of another.

WAC 106-120-028 Disciplinary sanctions. The following definitions of disciplinary terms have been established and may be the sanctions imposed by the vice-president or by the campus judicial council.

(1) Warning. Notice in writing that the student has violated university rules or regulations or has otherwise failed to meet the university's standard of conduct. Such warning will contain the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

(2) Disciplinary probation. Formal action specifying the conditions under which a student may continue to be a student at the university including limitation of specified activities, movement, or presence on the CWU campus. The conditions specified may be in effect for a period of time or for the duration of the student's attendance at the university.

(3) Restitution. An individual student may be required to make restitution for damage or loss to university or other property and for injury to persons. Failure to make restitution will result in suspension for an indefinite period of time as set forth in subsection (4) below provided that a student may be reinstated upon payment.

(4) Suspension. Dismissal from the university and from status as a student for a stated period. The notice suspending the student will state in writing the term of the suspension and any condition(s) that must be met before readmission is granted. The student so suspended must demonstrate that the conditions for readmission have been met. There is to be no refund of fees for the quarter in which the action is taken, but fees paid in advance for a subsequent quarter are to be refunded.

(5) Deferred suspension. Notice of suspension from the university with the provision that the student may remain enrolled contingent on meeting a specified condition. Not meeting the contingency shall immediately invoke the suspension for the period of time and under the conditions originally imposed.

(6) Expulsion. The surrender of all rights and privileges of membership in the university community and exclusion from the campus without any possibility for return.

(7) For the specific instance of hazing, forfeiture of any entitlement to state-funded grants, scholarships, or awards for a specified period of time.

WAC 106-120-033 Readmission after suspension. Any student suspended from the university under the provisions of the student judicial code may be readmitted upon expiration of the time period specified in the document of original suspension.

If circumstances warrant reconsideration of the suspension prior to its time of expiration, the student may be readmitted following approval of a written petition submitted to the vice-president. Such petitions must state reasons which either provide new evidence concerning the situation which resulted in the suspension, or demonstrate that earlier readmission is in the best interest of the student and the university. Approval for such readmission must be given by the vice-president or by the campus judicial council.

Students who have been suspended and whose suspension upon appeal is found to have been unwarranted shall be provided full opportunity to reestablish their academic and student standing to the extent possible within the abilities of the university, including an opportunity to retake examinations or otherwise complete course offerings missed by reason of such action.

WAC 106-120-131 Initiation, investigation, and disposition of complaints. (1) Philosophy.

When student behavioral problems occur, the university employs a team problem-solving approach. The director of housing, director of residence living, and the chief of public safety and police services join the assistant and associate vice-president weekly to review residence living incident reports filed by living group advisors and hall managers, as well as campus police reports which cover both on-campus and off-campus students. This problem-solving team then deals with student behavioral problems which constitute violations of this code.

The problem-solving team works together to suggest intervention strategies which are considered to be most appropriate and effective for eliminating specific negative student behaviors.

(2) Process.
Incidents which come to the attention of the problem-solving team may be addressed in one of the following ways:

(a) No action;
(b) Informal meetings with relevant university officials;
(c) Referral to the residence hall arbitration council, for resolving certain disputes within the residence halls;
(d) Proceedings in the office of the vice-president.

Official proceedings in the vice-president's office are conducted when it becomes apparent to the problem-solving team that the initial and more informal forms of intervention with a student have been unsuccessful in positively modifying a student's behavior. The following rules will govern the processing of alleged violations of the proscribed conduct listed in the student judicial code.

(3) A complaint alleging misconduct against any student at the university may be filed by anyone at the office of the vice-president. Students, faculty members, administrators, and other employees of the university shall have concurrent authority to request the commencement of the disciplinary proceedings provided for in this chapter. A person filing a complaint shall be complainant of record.

(4) Any student charged in a complaint shall receive oral or written notification from the vice-president. Such notice shall:

(a) Inform the student that a complaint has been filed alleging that the student violated specific provisions of the student judicial code and the date of the violation(s);
(b) Set forth those provisions allegedly violated;
(c) Specify a time and date the student is required to meet with the vice-president or designee; and
(d) Inform the student that failure to appear at the appointed time at the vice-president's office may result in the student's suspension from the university.

(5) When the vice-president meets with the student, the vice-president shall:

(a) Provide for the student a copy of the student judicial code;
(b) Review the facts of the alleged violation with the student; and
(c) Conduct an investigation into the alleged violation.

(6) Upon completion of the review with the student and/or the investigation, the vice-president may:

(a) Drop the charges, when they appear to be invalid or without substance or capricious;
(b) Issue a verbal warning;
(c) Apply any of the sanctions as outlined in WAC 106-120-028 if such sanction is warranted by the evidence;
(d) Refer the case to the campus judicial council; or
(e) Invoke the summary suspension procedure as outlined in WAC 106-120-143 when deemed appropriate.

The vice-president shall inform the student that the vice-president's sanction may be appealed to the campus judicial council, and that if an appeal is made, the vice-president shall take no action or make any determination, except for summary suspension, in the matter other than to inform the student of the time, date, and location of the proceeding by the campus judicial council.


WAC 106-120-132 Procedures for proceeding before the campus judicial council. (1) When a case is referred to the campus judicial council the vice-president shall forward to the council:

(a) A statement describing the alleged misconduct;
(b) The name and address of the complainant;
(c) The name and address of the student charged; and
(d) All relevant facts and statements.

(2) The council chair shall call a special meeting of the council and arrange for a proceeding in the following manner:

(a) The council shall determine the time and place of the proceeding, which shall be at least ten days after delivery of written notice to the student. In the interest of timelessness and efficiency, upon the request of either the student or the vice-president, this ten-day interval may be waived by the vice-president, with the student's permission. Time and place shall be set to make the least inconvenience for all interested parties. The chair may change the time and place of the proceeding for sufficient cause.

(b) The council shall draw lots for five student names, one of whom will serve as an alternate to be available until the proceeding board has been constituted.

(c) No case shall be heard unless the full membership of the proceeding board is present.

(d) All cases will be heard de novo, whether the case be an appeal from a subsidiary judicial body or is heard as an original complaint.

(3) The council chair shall send written notice by certified mail of the proceeding to the student's last known address. The notice shall contain:

(a) A statement of the date, time, place and nature of the proceeding;
(b) To the extent known, a list of witnesses who will appear; and
(c) A summary description of any documentary or other physical evidence that would be presented by the university.

(4) The student shall have all authority possessed by the university to obtain information he/she specifically describes in writing and tenders to the council chair no later than two days prior to the proceeding or to request the presence of witnesses, or the production of other evidence relevant to the proceeding. However, the university shall not be liable for information requested by the student or the presence of any witnesses when circumstances beyond the control of the university prevent the obtaining of such information or the attendance of such witnesses at the proceeding.

(5) Proceedings will ordinarily be held in closed session unless the proceeding board determines there is a compelling reason for the proceeding to be open, or the student requests an open proceeding. A closed proceeding shall include only members of the proceeding board, persons directly involved in the proceeding as parties and persons called as witnesses.

(6) The proceeding shall be audio tape recorded, and the tape shall be on file at the office of the vice-president for a period of three years.

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(7) The university shall be represented by the vice-president who shall present the university's case against the student.

(8) The student may be accompanied by counsel, or another third party, who may offer advice. If the student utilizes an attorney as advisor, the student must give to the vice-president two days notice of intent to do so. If the student elects to be advised by an attorney, the vice-president may elect to have the university advised by an attorney general.

(9) The council chair shall insure that:

(a) The proceeding is held in an orderly manner giving full care that the rights of all parties to a full, fair and impartial proceeding are maintained.

(b) The charges and supporting evidence or testimony shall be presented first, and that there is full opportunity for the accused student to challenge the testimony and/or evidence, and to cross examine appropriately.

(c) The student charged shall next present evidence or testimony to refute the charge, and that there is full opportunity for the accuser to challenge testimony and/or evidence, and to cross examine appropriately.

(d) Only those materials and matters presented at the proceeding will be considered as evidence. The presiding officer shall exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence.

(10) Any person disruptive of the proceeding or any other procedure described in this document may be excluded from the process by the chair of the campus judicial council or by the vice-president, using such means as are necessary to ensure an orderly process. Any student engaging in such interference shall be in contempt and may be summarily suspended from the university by the campus judicial council or the vice-president immediately. The student shall be subject to a suspension or any lesser sanction as may be determined by the campus judicial council or the vice-president at the time the interference takes place or within fifteen working days thereafter.

(11) The student has a right to a fair and impartial proceeding, but the student's failure to cooperate with or attend a proceeding procedure shall not preclude the committee from making its finding of facts, conclusions, and recommendations. Failure by the student to cooperate may be taken into consideration by the campus judicial council and the vice-president in deciding the appropriate disciplinary action.

(12) Upon conclusion of the proceeding, the proceeding board in closed session shall consider all the evidence presented and decide by majority vote to exonerate the student or to impose one of the sanctions authorized by this document.

(13) The student shall be provided with a copy of the board's findings of fact and conclusions regarding whether the student did violate any rule or rules of the student judicial code and the board's decision as to the appropriate sanction to be imposed.

(14) If a student charged with misconduct under this code has been charged with a crime for the same act or closely related acts by federal, state, or local authorities, or if it appears that such criminal charge is under consideration, the campus judicial council may postpone action on the complaint until there has been a disposition of the criminal charge or of the consideration of filing such charge. However, prior to action by other agencies, the council may proceed to hear and decide the case if in the judgment of the council, the nature of the alleged misconduct and the circumstances surrounding it pose a serious risk to the health or well being of the student or other members of the university. If there is a determination of guilt by the council and if the subsequent criminal proceedings result in a judgment of acquittal, the student may petition the campus judicial council for a rehearing.

WAC 106-120-143 Summary suspension proceedings. The vice-president may summarily suspend any student from the university pending investigation, action of prosecution of charges of an alleged proscribed conduct violation or violations, if the vice-president has reason to believe that the student's physical or emotional safety and well-being, or the safety and well-being of other university community members, or the protection of property requires such suspension.

(1) If the vice-president finds it necessary to exercise the authority to summarily suspend a student the vice-president shall:

(a) Give to the student an oral or written notice of intent to determine if summary suspension is an appropriate action;

(b) Give an oral or written notice of the alleged misconduct and violation(s) to the student;

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

(d) Give an oral or written notice of the time and place of the summary suspension proceeding before the vice-president;

(e) Determine a time for the summary suspension proceeding to be held within thirty-six hours;

(f) Give an oral or written explanation of the summary suspension which may be imposed on the student.

(2) At the place and time designated for the summary suspension proceeding, the vice-president shall:

(a) Consider the evidence relating specifically to the probability of danger to the student, to others on the campus, or to property;

(b) Provide the student with an opportunity to show why continued presence on campus does not constitute a danger to the physical and emotional well being of self or others, or a danger to property;

(c) Give immediate oral notice of his or her decision to the student to be followed by written notice;

(d) If summary suspension is warranted, summarily suspend the student for no more than fifteen working days with a judicial council proceeding of the allegations to have commenced by the end of the suspension period.

(3) If a student has been instructed by the vice-president to appear for summary suspension proceedings and then fails to appear at the time designated, the vice-president may suspend the student from the university, and shall give written notice of suspension to the student at the last address of record on file with the university.

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Chapter 106-122 WAC—Central Washington University

Chapter 106-122 WAC

LOSS OF ELIGIBILITY—STUDENT ATHLETIC PARTICIPATION

WAC 106-122-100 Immediate suspension.

WAC 106-122-100 Immediate suspension. Student athletes found to have violated chapter 69.41 RCW (Legend drugs—Prescription drugs) shall, upon conviction, be immediately suspended from participation in school-sponsored athletic events by the director of athletics. The period of loss of eligibility to participate will be determined by the director of athletics at the conclusion of a brief adjudicative hearing, to be commenced within twenty days of the suspension.

Chapter 106-124 WAC

GENERAL CONDUCT—RIGHTS AND RESPONSIBILITIES OF UNIVERSITY COMMUNITY MEMBERS

WAC 106-124-010 Financial obligations of students.


WAC 106-124-150 Firearms, explosives, dangerous chemicals—Restrictions.

WAC 106-124-801 Animals prohibited.

WAC 106-124-900 Tobacco use.

WAC 106-124-910 Tobacco regulations.

WAC 106-124-920 Tobacco use violations.

Chapter 106-121 WAC—Central Washington University

Chapter 106-124 WAC

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER


Chapter 106-122 WAC

LOSS OF ELIGIBILITY—STUDENT ATHLETIC PARTICIPATION

WAC 106-122-100 Immediate suspension.

Chapter 106-124 WAC

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WAC 106-124-910 Tobacco regulations.

WAC 106-124-920 Tobacco use violations.

WAC 106-124-100 Financial obligations of students. Admission to or registration with the university, conferring of degrees, and issuance of academic transcripts or grade reports may be withheld for failure to meet financial obligations to the university.


[Title 106 WAC—p. 32]
WAC 106-124-011 Financial obligations of students—Appeal procedure. Every student has the right to appeal an assessment by the university of a fee, fine, charge, debt, or other financial obligation by filing a written petition with the appropriate dean or nonacademic area director stating the student's reasons for challenging the validity of the assessed obligation. The written petition must be filed not more than thirty days after the notice of assessment was sent to the student. The dean or director, or designee, shall review the university's decision to assess the fee, fine, charge, debt, or other financial obligation in light of the student's petition appealing the assessment and shall render a decision thereon which shall be final.


WAC 106-124-150 Alumni records. Alumni records are not considered to be student records and do not fall within the provisions of the Family Educational Rights and Privacy Act of 1974. The alumni affairs office shall be the office through which the university maintains communication with its alumni, and it shall be responsible for the maintenance of current files covering alumni information. Alumni records and mailing lists maintained by the alumni affairs office shall be confidential property of the university and the alumni association and shall not generally be available to any other agency or casual inquirers.

[Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-124-150, filed 11/7/86.]

WAC 106-124-700 Firearms, explosives, dangerous chemicals—Restrictions. No person shall have in his possession any gun, pistol, firearm, explosive, dangerous chemicals, or other dangerous weapons or instruments on university-owned or university-leased property except as follows:

(1) Authorized law enforcement officers shall be permitted to carry arms while on duty and engaged in their regular duties;

(2) Activities requiring use of the prohibited items may be conducted upon approval of the president or his designee;

(3) Persons with firearms in their possession shall be permitted to travel enroute to or from the university-provided firearm storage facilities only.

Violators of this WAC shall be subject to appropriate disciplinary or legal action.


WAC 106-124-801 Animals prohibited. (1) No animals, including dogs and cats, except service dogs, will be allowed, under any circumstances, in any university-operated building.

(2) All dogs on campus shall be under direct physical control, leashed by their owner or custodian.

(3) Dogs not under direct physical control of their owner or custodian, i.e., unleashed or tied and owner or custodian not present, shall be subject to impoundment and their owners subject to fines as determined under city ordinances.


WAC 106-124-900 Tobacco use. In order to provide a healthful environment for Washington state citizens and university employees and students, the use of tobacco products by students, employees, and visitors in any university academic or administrative building is prohibited. This prohibition includes all smoking materials and chewing tobacco.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 04-12-015, § 106-124-900, filed 5/24/04, effective 6/24/04.]

WAC 106-124-910 Tobacco regulations. (1) The act(s) of smoking or chewing tobacco shall not be permitted inside any Central Washington University administrative or academic building or in identified external areas that may affect those people inside the administrative and academic buildings.

(2) Smoking is prohibited within twenty feet of administrative and academic buildings, except in designated areas determined by the vice-president for business and financial affairs or his or her designee.

(3) Smoking will be allowed in identified outdoor smoking areas on campus. Signs will be posted to identify smoke-free buildings and, if a smoking area is designated, the location of that area. Smokers can request a designated area through the office of the vice-president for business and financial affairs.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 04-12-015, § 106-124-910, filed 5/24/04, effective 6/24/04.]

WAC 106-124-920 Tobacco use violations. Violations of tobacco use regulations may result in a fifty-dollar infraction and will be handled in accordance with RCW 70.160.-070.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 04-12-015, § 106-124-920, filed 5/24/04, effective 6/24/04.]

Chapter 106-140 WAC

USE OF FACILITIES

WAC

106-140-010 Business sales.


106-140-020 Advertising—Advertising in recognized student and faculty publications.

106-140-021 Advertising—Advertising on bulletin boards.

106-140-023 Advertising rates—Student publications.

106-140-025 Advertising rates—KCAT radio station.

106-140-027 Gallery art display.

106-140-031 Publicity and literature—Outdoor signs.

106-140-032 Publicity and literature—Bulletin boards.

106-140-033 Publicity and literature—Personal "for sale" notices.

106-140-034 Publicity and literature—Free dissemination of literature.

106-140-035 Publicity and literature—Use of tables.

106-140-036 Publicity and literature—Commercial advertising prohibited.

106-140-040 Selling on campus.
Title 106 WAC: Central Washington University

106-140-010 Business sales. The soliciting, selling, exposing for sale, or offering to sell of any goods, services, articles, wares or merchandise of any nature whatsoever, within the boundaries of Central Washington University property is prohibited except by written permission of the board of trustees, president, or his designee. Provided, That this section shall not apply to any otherwise legal private, personal, noncommercial sales between individuals where no general or public solicitation, exposure for sale or offer to sell is involved, or to the soliciting, selling, exposing for sale, or offering to sell of individual books, newspapers, magazines, pamphlets, and similar published materials.

or recognized organization. Such activities must be in compliance with the commercial activity policies of the university.


WAC 106-140-020 Advertising—Advertising in recognized student and faculty publications. Advertising in publications of the university and its recognized student or faculty organizations or on university-operated radio or television broadcasts is permitted within the requirements of journalistic policies, prices, rules, and regulations established by each program.


WAC 106-140-021 Advertising—Advertising on bulletin boards. Advertising in order of priority, by students, university employees, and recognized organizations thereof on bulletin boards is approved but shall be subject to regulation by the vice-president for student affairs or his or her designated representative with respect to priority when there is a lack of space, and to the size and duration of the posting. This section applies to bulletin boards located at the following places:

<table>
<thead>
<tr>
<th>Location</th>
<th>Users</th>
</tr>
</thead>
<tbody>
<tr>
<td>Samuelson Union Building</td>
<td>All recognized campus organizations and students.</td>
</tr>
<tr>
<td>Mitchell Hall</td>
<td>All recognized campus organizations and students.</td>
</tr>
<tr>
<td>Bookstore</td>
<td>All recognized campus organizations and students.</td>
</tr>
<tr>
<td>Any additional ASC bulletin board space which may be provided by the university or by a recognized organization.</td>
<td>All recognized campus organizations.</td>
</tr>
</tbody>
</table>

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WAC 106-140-023 Advertising rates—Student publications. The following rules shall be followed regarding advertising rates in student publications:

1. Display advertising rates shall be appropriately and publicly announced prior to each year's publication period.
2. Rates shall bear reasonable relationship to prevailing commercial standards and shall be based upon current economic conditions, publication financial requirements, and competitive situations.
3. Differentials in display advertising rates shall be permitted based upon frequency and amount of advertising by advertisers and upon classification of advertisements, such as "local" or "national."
4. Classified advertising rates, appropriately set and properly announced, shall be on the basis of cost per line.
5. Closing dates for receipt of advertising material shall be set according to current mechanical publication requirements.
6. Acceptability of advertisements shall be determined prior to each year's publication period and based upon current state law, other university rules and regulations, and commonly accepted practices and mores.


WAC 106-140-025 Advertising rates—KCAT radio station. Whenever possible, the advertising rates of KCAT shall be in accordance with the standards set by the Intercollegiate Broadcasting System.

[Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-140-025, filed 11/7/86.]

WAC 106-140-027 Gallery art display. Displays of art which may be provided by the university or by a recognized organization. Nature of advertisements: Activities of the sponsoring organization only. Advertising by other than Central Washington University affiliated or recognized groups is not permitted at any time on university property and will be removed upon discovery.


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rules and be subject to the supervision of the gallery director and/or department chair.

[Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-140-027, filed 11/7/86.]

WAC 106-140-031 Publicity and literature—Outdoor signs. These signs may include banners, posters, stick signs, sandwich boards, or other types of signs. Any sign causing destruction of property will be removed upon discovery.

(1) Student activity signs approved by the scheduling center may be placed anywhere on the major walkways or malls immediately adjacent to the Samuelson Union Building.

(2) Stick signs and banners or posters may be posted in the immediate area of Commons and Holmes dining hall entrances. Signs in these areas will be limited to two feet by three feet in size. Pep banners or any other large signs to be posted in the immediate area of Commons or Holmes dining hall entrances must receive specific approval of the scheduling center and the director of food services.

(3) For Central Washington University student election campaigns, other areas such as the west end of Black Hall or the east end of Hertz Hall may be designated by the election committee subject to the approval of the university official responsible for that area.

(4) All signs, banners, and posters on the physical property immediately surrounding dormitories must be approved by the scheduling center and housing manager.

(5) Signs shall not be posted on trees or doors anywhere on campus; any so placed may be removed and destroyed by Central Washington University and Central Washington University may charge the group or individual responsible for such sign placement for the labor required to restore the premises.

(6) Outdoor signs shall be removed within thirty-six hours after an event.

(7) If signs and debris are not removed by the individuals or groups responsible for their erection within thirty-six hours after an event, after warning the individual or group, the university may take steps to remove the debris, litter, or material and charge the group or individual responsible for such erection, installation, or placement, for the labor required to restore the premises to the original condition.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-20-075 (Order CWU AO 76), § 106-140-031, filed 10/3/94, effective 11/3/94. Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-140-034, filed 7/11/78; Order 2, § 106-140-034, filed 1/13/72.]

WAC 106-140-032 Publicity and literature—Bulletin boards. Posting on bulletin boards for regularly scheduled meetings shall not be earlier than three days before an event; posters for major activities such as speakers and dances shall not be placed on bulletin boards until seven days before the event. All posters shall be removed within thirty-six hours after the event. Maximum allowable size of any sign is 12 x 18 inches; any sign in excess of the stated size may be removed at any time.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-20-075 (Order CWU AO 76), § 106-140-032, filed 10/3/94, effective 11/3/94; Order 2, § 106-140-032, filed 1/13/72.]

WAC 106-140-033 Publicity and literature—Personal "for sale" notices. The items may be posted in the designated areas of the Samuelson Union Building only when neatly typed or written on a 3 x 5 inch card for no longer than one month after posting and shall be subject to approval by the scheduling office.

[Order 2, § 106-140-033, filed 1/13/72.]

WAC 106-140-034 Publicity and literature—Free dissemination of literature. Individuals may use campus walkways to disseminate free literature, except commercial advertising; however, such dissemination shall not be permitted to interfere with individuals entering or leaving buildings or with building occupants. This privilege may be revoked if deemed necessary by the university. Dissemination of literature within any buildings, limited or restricted use areas, including the stadium or tennis courts, is prohibited.

[Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-140-034, filed 7/11/78; Order 2, § 106-140-034, filed 1/13/72.]

WAC 106-140-035 Publicity and literature—Use of tables. Representatives of organizations recognized by the associated students of Central may arrange for use of literature tables through the scheduling office. Such tables shall be used only for literature from students, faculty, or departments.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-20-075 (Order CWU AO 76), § 106-140-035, filed 10/3/94, effective 11/3/94; Order 2, § 106-140-035, filed 1/13/72.]

WAC 106-140-036 Publicity and literature—Commercial advertising prohibited. University facilities and property shall not be used for commercial advertising by non-university groups or individuals except by written permission of the president, or designee.

[Statutory Authority: RCW 28B.35.120(12) and 28B.10.528. 95-22-058, § 106-140-036, filed 10/30/95, effective 11/30/95. Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-140-036, filed 7/11/78; Order 2, § 106-140-036, filed 1/13/72.]

WAC 106-140-040 Selling on campus. Selling within the boundaries of Central Washington University property may be permitted in the manner and at the locations as set forth below:

(1) University housing:

(a) The selling of items in vending machines is controlled by and administered through the office of the director of auxiliary services, excepting those in the student union building, which are under the control of the student union building administration.

(b) Residents in university housing are allowed to sell or to offer services on commission with a special permit from the director of auxiliary services or designee. Students may request such a permit only for their assigned room or housing unit because door-to-door selling is not allowed on campus.

(2) Other campus areas, as follows:

(a) Selling by individual students or by recognized organizations in classroom buildings, administrative buildings, or service buildings is not allowed without special permission that must be obtained from the vice-president for business
and financial affairs or designee not less than five business days prior to the date the requested activity is to take place.

(b) The university athletic committee regulates the selling policy at university athletic events. Applications for permission to sell at such events shall be made to the university athletic director or designee.

(c) The Samuelson Union board regulates selling by individuals and groups in the Samuelson Union Building. Applications for permission to sell in the Samuelson Union Building shall be made to the vice-president for student affairs or designee through the scheduling center. Off-campus vendors may rent table space in the union building for a maximum of two days (five if ware fairs are included) per academic quarter. Requests for exceptions to this regulation will be made to the vice-president for student affairs or designee.

(3) Violations of the foregoing on any university property should be reported promptly to the vice-president for business and financial affairs except for Samuelson Union Building which should be reported to the vice-president for student affairs.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12), 94-20-075 (Order CWU AO 76), § 106-140-040, filed 10/3/94, effective 11/3/94. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11), 86-23-007 (Order 59), § 106-140-040, filed 11/7/86. Statutory Authority: RCW 28B.40.120. 78-02-048 (Order 38), § 106-140-040, filed 1/19/78; Order 2, § 106-140-040, filed 1/13/72.]

WAC 106-140-050 Soliciting and selling of published materials. The personal, noncommercial soliciting, selling, exposing for sale, or offering to sell by a person or persons, of any books, newspapers, magazines, pamphlets, and similar published materials shall be permitted within the boundaries of Central Washington University property, provided that such published materials are not already available for sale at the university, and shall be subject to regulation by the university president or his designee as to the time, place, and manner thereof. Applications for permission to solicit or sell under this policy shall be submitted to the president or his designee twenty-four hours prior to the time such use of the university facilities is desired. The president or his designee shall establish the time, place, and manner that such soliciting and selling shall occur within the boundaries of university property. All rules and regulations, orders or directives adopted by the president or his designee pursuant to this section shall be promulgated.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12), 94-20-075 (Order CWU AO 76), § 106-140-050, filed 10/3/94, effective 11/3/94. Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-140-050, filed 7/11/78; Order 2, § 106-140-050, filed 1/13/72.]

WAC 106-140-051 Soliciting and selling of published materials—Exceptions. WAC 106-140-050 shall not apply to otherwise legal private sales between individuals where no general or public solicitation, exposure for sale, or offer to sell is involved.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12), 94-20-075 (Order CWU AO 76), § 106-140-051, filed 10/3/94, effective 11/3/94; Order 2, § 106-140-051, filed 1/13/72.]

WAC 106-140-052 Soliciting and selling of published materials—Prohibitions. The soliciting, selling, exposing for sale, or offering to sell of any material in violation of Washington state law is prohibited.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12), 94-20-075 (Order CWU AO 76), § 106-140-052, filed 10/3/94, effective 11/3/94; Order 2, § 106-140-052, filed 1/13/72.]

WAC 106-140-110 Telephone services—Long distance calls. Personal long distance calls may not be charged to any university telephone number; any individual doing so shall pay for the cost of the toll charge, plus an additional penalty charge established by the university. Long distance telephone calls may be placed from university telephones by charging the call to a nonuniversity telephone number or to a credit card.

Violation of this section may result in disciplinary action.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12), 94-20-075 (Order CWU AO 76), § 106-140-110, filed 10/3/94, effective 11/3/94. Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-140-110, filed 7/11/78; Order 4, § 106-140-110, filed 6/16/72, effective 7/20/72.]

WAC 106-140-111 Telephone services—Requests for repairs. All requests for repair of university telephones are to be made with university telecommunication services.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12), 94-20-075 (Order CWU AO 76), § 106-140-111, filed 10/3/94, effective 11/3/94. Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-140-111, filed 7/11/78; Order 4, § 106-140-111, filed 6/16/72, effective 7/20/72.]

WAC 106-140-112 Telephone services—Approval of installations. Telephones in all administrative and academic buildings of the university may only be installed with the approval of the manager of telecommunication services.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12), 94-20-075 (Order CWU AO 76), § 106-140-112, filed 10/3/94, effective 11/3/94. Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-140-112, filed 7/11/78; Order 4, § 106-140-112, filed 6/16/72, effective 7/20/72.]

WAC 106-140-113 Telephone services—Right to restrict or modify services. The university reserves the right at any time it deems necessary to restrict or change:

1. The telephone services,
2. Access to controlled long distance networks,
3. The hours of having operators on duty,
4. The amounts and types of information it will make available to the public through telecommunication services.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12), 94-20-075 (Order CWU AO 76), § 106-140-113, filed 10/3/94, effective 11/3/94. Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-140-113, filed 7/11/78; Order 4, § 106-140-113, filed 6/16/72, effective 7/20/72.]

WAC 106-140-120 Motor pool—University vehicles—University personnel. University vehicles shall be utilized and operated only by university employees, or students of Central Washington University authorized by university officials, provided they have a valid operator's license on their person.

[Statutory Authority: RCW 28B.19.050 and 28B.35.120(11), 86-23-007 (Order 59), § 106-140-120, filed 11/7/86. Statutory Authority: RCW
WAC 106-140-121 Motor pool—University vehicles—Student personnel. Student employee use of vehicles is limited to that use authorized by departmental chairs and administrative heads.

WAC 106-140-130 Prohibition of smoking. Smoking is prohibited in university buildings except campus living facilities and designated areas.

WAC 106-140-131 Building key—Authority to issue. (1) Only department chairs and administrative heads may authorize issuance of submaster, building entrance, or individual room keys for their departments to faculty, staff, administrators, students, contractors, vendors, or service agents.

(2) Only deans, vice-presidents, the director of auxiliary services, and the director of physical plant are authorized to issue building masters for their respective operational areas.

WAC 106-140-133 Responsibility for expenses resulting from failure to return keys. (1) The administrative head authorizing issuance of keys to contractors, vendors, or service agents will be responsible for the return of the keys to the lock shop as scheduled, and if the keys are not returned as scheduled, will be required to pay the cost of recombining work necessary to retain building security and function as determined by the director of facilities management.

(2) The department responsible for the issuance of keys may be billed the cost of recombining work necessary to restore security when faculty, staff, administrators, or students fail to return keys to the key shop. The work required to restore security will be determined by the director of facilities management for state-funded facilities and by the director of auxiliary services for auxiliary service facilities. The responsible department chair or administrative head will be informed of the cost estimate prior to the rekeying process.

WAC 106-140-135 Keys—Transferring/loaning prohibited. Transferring university keys between individuals is prohibited. Loaning keys to university facilities is prohibited. Individuals who loan their keys will be held responsible should they be improperly used.

WAC 106-140-137 Failure to return keys to lock shop—Penalties. Failure to return keys to the lock shop may result in withholding of salary/wages, transcripts, registration, and/or graduation.

WAC 106-140-156 University bookstore—Packages. The public is required to leave all packages, books, supplies, packs, bags, large handbags, etc., outside the university bookstore sales display area, provided that those carried in shall be subject to search prior to leaving the sales display area.

WAC 106-140-158 University bookstore—Sales restrictions. Only merchandise or items sold by the university bookstore as a part of its operation may be sold within the university bookstore premises.

WAC 106-140-160 Use of university mailing and stationery services. No one may employ university stationery, services (mail, duplicating, equipment, etc.), and supplies for personal use or for organizations not sponsored solely by the university.

WAC 106-140-401 Facilities scheduling and use. The coordinator of the university scheduling center shall have authority for approving and scheduling the use of the following facilities:

(1) Classrooms (lecture and seminar) and certain specified conference rooms within academic facilities: Provided, That scheduling of these facilities by academic departments for academic purposes shall have priority over other uses;

(2) Samuelson Union Building facilities;

(3) Limited housing and dining hall facilities, except that such facilities are made available only through the director of auxiliary services or the director's designee.

WAC 106-140-410 Use of facilities for campaign purposes. No political candidate or group supporting specific candidates for political office, or persons or groups campaigning for specific political issues, or political candidates can use university space or facilities free of charge, such as the campus newspaper, campus radio or TV station, or receive university support for those political activities. Furthermore, no university equipment, including duplicating machines, computers, telephones, mailing services, or sup-

[Title 106 WAC—p. 38]
WAC 106-140-411 Use of facilities for campaign purposes—Requirements. The purpose of Central Washington University is to provide a liberal education in a number of academic fields; it has been established for public benefit rather than for the benefit of any private endeavors. In no case may university facilities or services be used to establish or maintain an office or headquarters for a political candidate or partisan political cause. Rules, regulations, policies, procedures, and practices regarding the use of university facilities shall not discriminate or promote discrimination among political parties or groups solely on the basis of their particular political viewpoint.

WAC 106-140-527 Available space—Prohibition. University organizations or members of the staff, faculty, students, or administration of Central Washington University shall not be permitted to assume cosponsorship for another group or individual in order to favorably affect scheduling priority or to reduce the costs otherwise chargeable to such other group or individual.

WAC 106-140-528 Available space—Limitations. University facilities available to nonuniversity organizations through the scheduling office may be used for religious worship, training, instruction, or prayer meetings when available and at full rental charge rates: Provided, That such facilities may not be scheduled, leased, rented, or used on a regular series basis, daily, weekly, monthly, etc., or in any manner that establishes a consistent pattern of the aforesaid religious usage of university facilities.

WAC 106-140-600 Entertainment policy. The entertainment policy for Central Washington University shall be maintained by the director of student activities, except for those for university housing which shall be maintained by the director of housing services and the director of residence living. All entertainment as defined in WAC 106-140-601 shall be presented in accordance with this policy and in accordance with the provisions of WAC 106-140-623.

WAC 106-140-601 Entertainment defined. "Entertainment" wherever used in chapter 106-140 WAC shall be defined as follows: "Any performance, dance, concert, attraction, fund-raising event, or other event presented on campus which shall require the use of Central Washington University facilities and is sponsored by either the Associated Students of Central, an officially recognized organization, or private entity."

WAC 106-140-605 Entertainment—Approval required. All entertainment, except athletic events administered by academic departments and events sponsored through the university office of recreation and intramurals must have the signed approval of the vice-president for student affairs or designee.

WAC 106-140-632 Entertainment—Damages bond—Responsibilities of sponsor. Officially recognized organizations and private entities may be required to furnish Central Washington University with a certificate of insurance or other satisfactory proof that such organization or private entity has purchased reasonable broad form insurance coverage (e.g., $1,000,000 liability coverage and $250,000 property damage coverage for use of Nicholson Pavilion) for the entertainment event presented by such organization or private entity, of which Central Washington University is the sole beneficiary. The following shall be required of all officially recognized organizations and private entities presenting entertainment:

1. Each organization or private entity shall provide the scheduling office with a complete list of all the officers, agents, and representatives of the organization, including full names, local addresses, and permanent addresses of each.

2. Each organization or private entity shall be responsible for the admissions, attendance, and crowd control in the university facilities during the time reserved for their organization.

3. Each organization or private entity assumes responsibility for all violations of campus regulations and policies, state law, and federal law which occur in connection with the use of the facilities and shall hold the university harmless from any claims or liability for any act or failure to act on the part of the organization.

WAC 106-140-640 Festivals prohibited. The presentation of festivals will not be permitted. For purposes of this section, a festival is an assembly of more than two thousand persons gathered primarily for outdoor, live, or recorded musical entertainment where the duration of the program is five hours or longer.

WAC 106-140-660 Authority of athletic director to administer athletic events. The athletic director of Central Washington University shall establish reasonable admission
WAC 106-140-670 Authority of vice-president for student affairs to administer recreation program. The vice-president for student affairs or designee may establish reasonable admission charges, schedules, rules, and regulations regarding uses, attendance, and crowd control at Nicholson Pavilion and Pool, and admission charges will be assessed for university employees and their immediate families during such periods. Advance notice of such charges, schedules, rules, and regulations shall be provided to interested parties, whenever possible, by the vice-president or designee.

WAC 106-140-680 Authority of academic departments to administer their sponsored public events. Following approval by the appropriate dean, academic departments may establish reasonable admission charges, rules, and regulations regarding attendance and crowd control for public events which they sponsor. Such admission charges may be assessed for university staff, faculty, student body, and the general public. However, when Central Washington University student fees are allocated for the direct support of an academically related public event, Central Washington University students shall normally be provided a reduced student admission charge for such event. Advance notice of such admission fees, rules, and regulations shall be provided to interested parties as soon as possible after their adoption, by the respective academic departments.

Chapter 106-156 WAC

HOUSING AND DINING HALL SERVICES

WAC

106-156-010 Students required to live in university residence halls.

106-156-011 Students required to live in university residence halls—Exceptions.

106-156-012 Students required to live in university residence halls—Definitions.

106-156-013 Students required to live in university residence halls—Verification and time requirement.

106-156-015 Eligibility for university family housing.

106-156-050 Use of housing facilities.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

106-156-016 Eligibility for university family housing—Loss of eligibility grounds for termination of lease. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-156-016, filed 8/18/72, effective 9/20/72.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120 (11).

106-156-022 Residence hall and single student applicants responsibilities—Accommodation assignments—Residence halls and single student apartments. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-156-022, filed 7/11/78; Order 7, § 106-156-023, filed 7/11/78; Order 7, § 106-156-023, filed 8/18/72, effective 9/20/72.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120 (11).

106-156-023 Residence hall and single student applicants responsibilities—Housing and food service rates. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-156-023, filed 7/11/78; Order 7, § 106-156-023, filed 8/18/72, effective 9/20/72.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120 (11).

106-156-024 Residence hall and single student applicants responsibilities—Deposit required. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-156-024, filed 7/11/78; Order 7, § 106-156-024, filed 8/18/72, effective 9/20/72.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120 (11).

106-156-025 Residence hall and single student applicants responsibilities—Addition of areas. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-156-025, filed 7/11/78; Order 7, § 106-156-025, filed 8/18/72, effective 9/20/72.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120 (11).

106-156-026 Residence hall and single student applicants responsibilities—Nondiscriminatory assignment. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-156-026, filed 7/11/78; Order 7, § 106-156-026, filed 8/18/72, effective 9/20/72.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120 (11).

106-156-027 Residence hall and single student applicants responsibilities—Financial assistance. [Statutory Authority: RCW 28B.19.050 and 28B.35.120. 78-08-011 (Order 39), § 106-156-027, filed 7/11/78; Order 7, § 106-156-027, filed 8/18/72, effective 9/20/72.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120 (11).

106-156-030 Conferences and workshops—Participants. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-156-030, filed 7/11/78; Order 7, § 106-156-030, filed 8/18/72, effective 9/20/72.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120 (11).

106-156-040 Payment—Third party requirements. [Statutory Authority: RCW 28B.19.050 and 28B.35.120. 78-08-011 (Order 39), § 106-156-040, filed 7/11/78; Order 7, § 106-156-040, filed 8/18/72, effective 9/20/72.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120 (11).

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106-156-051 Use of housing facilities—Bicycles and motorcycles. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-156-051, filed 7/11/78; Order 7, § 106-156-051, filed 8/18/72, effective 9/20/72.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).

106-156-052 Use of housing facilities—Laundry facilities. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-156-052, filed 7/11/78; Order 7, § 106-156-052, filed 8/18/72, effective 9/20/72.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).


106-156-061 Family housing applicants—Lease required. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-156-064, filed 7/11/78; Order 7, § 106-156-064, filed 8/18/72, effective 9/20/72.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).

106-156-064 Family housing applicants—Family housing deposit requirements. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-156-064, filed 7/11/78; Order 7, § 106-156-064, filed 8/18/72, effective 9/20/72.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).

106-156-066 Family housing applicants—Family housing rates. [Statutory Authority: RCW 28B.19.050 and 28B.40-
WAC 106-156-011 Students required to live in university residence halls—Exceptions. Exceptions to WAC 106-156-010 may be granted to the following students:

1. Those who are living with parents or relatives.
2. Those with medical reasons.
3. Those employed off campus and housing and/or board is a part of their overall compensation received.
4. Those who will reach the age of twenty-one within thirty days after the start of the quarter.
5. Those who have completed six quarters as a full-time student.
6. Those who have unique situations not otherwise covered in this paragraph of exceptions and obtain the approval of the director of auxiliary services, or the director's designee.

The director of auxiliary services has established a committee of whom the student may request a proceeding and ruling on the student's request for an exception.

WAC 106-156-012 Students required to live in university residence halls—Definitions. Definitions of exceptions as stated in WAC 106-156-011 shall mean and are defined as follows:

1. "Living with" shall mean those whose domiciles are in the place of residence of a parent or relative and will be commuting from such place of residence on a daily basis.
2. "Parents or relatives" shall mean a parent, legal guardian, grandparent, brother, sister, aunt, uncle, or first cousin.
3. "Medical reason" shall mean a medical problem that shall require a student to live in other than a university residence hall. Written verification of the medical problem and the requirement not to live in a residence hall must be obtained and submitted from a licensed physician or licensed psychologist.
4. "Employment in nonuniversity housing and housing and/or board is part of their overall compensation received" shall mean employment for an established place of business or for an established family unit when a landlord/employer requires the student to reside where the work is performed and a substantial portion of the rent and/or room and board is reduced as a part of the overall compensation for the work performed for the landlord/employer at the place of the residence of the student.
5. "Completed six quarters as a full-time student" shall mean enrollment in and completion of a minimum of ten quarter credit hours of academic work in each of the six quarters.

WAC 106-156-013 Students required to live in university residence halls—Verification and time requirement. Acceptable written verification shall be provided to the university for all exceptions at the time the request for an exception is made.

1. A currently enrolled student wishing to apply for an exception to the university housing policy as set forth in WAC 106-156-010 shall reduce such request to writing and file it as required by the director of auxiliary services no later than 5:00 p.m. on the last day of the fifth week of classes in the quarter preceding the quarter the exception is requested.
2. A newly admitted or reenrolling student who has not been enrolled as a student at Central the previous quarter wishing to apply for an exception to the university housing policy as set forth in WAC 106-156-010 shall reduce such request to writing and file such request in the office of the director of auxiliary services as required by the director of auxiliary services within twenty days after such student's acceptance to the university; however, in no event later than 5:00 p.m. on the day following such student's day of registration.

WAC 106-156-015 Eligibility for university family housing. Generally eligibility to lease and occupy university family housing is limited to students, full-time faculty, and full-time staff members of the university. A student is one who maintains a minimum of twelve quarter hours as an undergraduate student or ten quarter hours as a graduate student. Concurrent enrollment of husband and wife to maintain the minimum hours does not fulfill this requirement. This regulation applies to each quarter, with the exception of a tenant living in family housing during spring quarter who wishes to remain as a nonstudent during the summer. The student may do so if he or she indicates in writing an intention to reenroll fall quarter.

WAC 106-156-050 Use of housing facilities. Only residents, their guests, persons having official business, and associate members of housing facilities, are authorized to enter or use the buildings or their facilities. Use of common areas by nonresidents may be approved by the director of housing services.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-21-008 (Order CWU AO 77), § 106-156-010, filed 10/6/94, effective 11/6/94. Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-156-010, filed 7/11/78; Order 27, § 106-156-010, filed 4/22/76; Order 7, § 106-156-010, filed 8/18/72, effective 9/20/72.]

WAC 106-156-050 Use of housing facilities. Only residents, their guests, persons having official business, and associate members of housing facilities, are authorized to enter or use the buildings or their facilities. Use of common areas by nonresidents may be approved by the director of housing services.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-21-008 (Order CWU AO 77), § 106-156-010, filed 10/6/94, effective 11/6/94. Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-156-010, filed 7/11/78; Order 27, § 106-156-010, filed 4/22/76.]

Chapter 106-160 WAC
ADMISSION AND REGISTRATION PROCEDURES

[Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-156-012, filed 7/11/78; Order 27, § 106-156-012, filed 4/22/76.]

WAC 106-160-050 Use of housing facilities. Only residents, their guests, persons having official business, and associate members of housing facilities, are authorized to enter or use the buildings or their facilities. Use of common areas by nonresidents may be approved by the director of housing services.

[Order 7, § 106-156-050, filed 8/18/72, effective 9/20/72.]

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Title 106 WAC: Central Washington University

106-160-050 Admission and registration procedures and catalog requirements. The provisions of WAC 106-160-001 through 106-160-099 shall contain admission and registration procedures and catalog requirements of Central Washington University.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-21-008 (Order CWU AO 77), § 106-160-050, filed 10/6/94, effective 11/6/94.]

WAC 106-160-070 Finances. Each applicant for admission to Central Washington University must pay the tuition and fees as established by the board of trustees or the president on or before the dates for payment as designated by the board of trustees or the president.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-21-008 (Order CWU AO 77), § 106-160-070, filed 10/6/94, effective 11/6/94.]

WAC 106-160-080 Graduating students. Students shall submit their applications for the appropriate degrees on or before the date designated for the purpose by the board of trustees or the president, which shall be published in the appropriate university catalog. No application shall be accepted after the designated dates. However, the president or his designee may waive this requirement.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-21-008 (Order CWU AO 77), § 106-160-080, filed 10/6/94, effective 11/6/94.]

WAC 106-160-090 Registration. Currently enrolled students and all other individuals desiring to enroll in Central Washington University shall do so on or before the preregistration or registration dates designated by the board of trustees or president, which shall be published in the appropriate university catalog. No registration or preregistration shall be accepted after the designated dates: Provided, That the registrar may, whenever possible, waive this requirement within the time designated by the board of trustees or president for late registration.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-21-008 (Order CWU AO 77), § 106-160-090, filed 10/6/94, effective 11/6/94.]

WAC 106-160-100 Registration—Deadlines. All students registering with the university must meet those deadlines as established by the board of trustees or the president for registration.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-21-008 (Order CWU AO 77), § 106-160-100, filed 10/6/94, effective 11/6/94.]

WAC 106-160-110 Registration—Changes in registration and withdrawal. Students who wish to change their registration or withdraw from a particular course or the university after having completed their registration must do so on or before the date established for such changes or withdrawal by the board of trustees or president and by the completion of the "change in registration" or "withdrawal" forms maintained by the university. Students who leave the university and do not withdraw shall receive failing grades for work not completed.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-21-008 (Order CWU AO 77), § 106-160-110, filed 10/6/94, effective 11/6/94.]

WAC 106-160-120 Admission requirements—To freshman standing. Central Washington University will admit qualified students who meet the published admissions criteria for any quarter. Admission to the university is based on the student's ability to successfully complete programs offered by the university. Eligibility for admission as a first-time freshman is based on evidence of potential success in...
WAC 106-160-140 Readmission of former students. Former CWU students who have interrupted their studies for one year, or who have attended another college or university, except for summer school, must file a returning CWU student application. Transcripts of any college work completed since last enrolled at Central Washington University must be submitted. Students will be admitted on a priority basis, based on the additional academic credits taken and the academic standing they had when they left CWU.

WAC 106-160-150 Provisional enrollment. Students who are applying for admission but who have been unable to submit all necessary materials before a registration period may be allowed to enroll as provisional students if space permits. This status will be available for one quarter during which time the student must complete the admission process and receive a favorable admission decision to register for the next term.

WAC 106-160-160 Nonmatriculating students. Students who are not seeking a degree or certificate may request enrollment as a nonmatriculant. Upon approval by the office of admissions, they may enroll if space is available, for a maximum of nine credits so long as they meet academic standards. Credits earned in this status may not be applied to any degree or certificate unless the student is formally admitted to the university, in which case a maximum of forty-five credits may be applied. Nonmatriculant students are not eligible for most financial aid, veterans' benefits, credit evaluations, or other university services.

WAC 106-160-170 High school enrichment. High school students who wish to enroll at Central Washington University before graduating from high school may apply for admission under one of the following situations:

Situation 1: Students who wish to enroll as full-time students at the completion of their junior year must have a cumulative GPA of 3.2 or higher and score at least a twenty-seven composite score on the American College Test, or a
combined score of one thousand one hundred, including at least six hundred verbal, on the Scholastic Aptitude Test. They must be recommended by their high school principal, have parent or guardian approval if under eighteen years of age, and meet with the director of admissions prior to acceptance.

Situation 2: Students who wish to enrich their high school program may take one or more college level courses while still enrolled in high school. The opportunity is available to students who have completed their junior year and have at least a 3.0 cumulative grade point average. Prior to enrollment, courses must be approved by the high school principal or counselor and the director of admissions.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12), 94-21-008 (Order CWU AO 77), § 106-160-170, filed 10/6/94, effective 11/6/94.]

WAC 106-160-180 Admission requirements—International students. Central Washington University welcomes qualified students from other countries. Students demonstrating the greatest potential for success may be admitted after a thorough review and evaluation of their entire academic background.

Because educational systems vary widely around the world, there is no single uniform admission requirement for international students. However, they must meet the following basic minimum requirements:

1. Completion of academic coursework and national examinations necessary to satisfy admission requirements to colleges and universities in their native country.
2. Adequate financial support verified by a Confidential Financial Statement Form and a current bank letter or scholarship award from a United States bank or agency.
3. Competency in English demonstrated by a score of at least five hundred twenty-five on the Test of English as a Foreign Language (TOEFL) or, in some cases, transferable English composition courses which would meet the general education writing requirement at Central Washington University.
4. International students transferring from United States institutions must have a minimum grade point average of 2.75 in transferable courses, and must also meet the academic requirements for college entrance in their native country.
5. International students must have two letters of recommendation from a professor or counselor with whom they are currently working.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12), 94-21-008 (Order CWU AO 77), § 106-160-180, filed 10/6/94, effective 11/6/94.]

WAC 106-160-190 Application procedures. New and former students must submit an application for admission. All forms are available in the office of admissions, which is located on the first floor of Mitchell Hall.

There is a thirty-five dollar, nonrefundable application processing fee for new or former students.

*Application deadline dates: Fall-June 1; winter-November 1; spring-February 1; summer-June 1.
*Dates are subject to change.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12), 94-21-008 (Order CWU AO 77), § 106-160-190, filed 10/6/94, effective 11/6/94.]

WAC 106-160-200 Required transcripts. Freshman applicants must have official transcripts sent directly to the office of admissions from their high school and/or transfer applicants must have necessary transcripts mailed from each institution previously attended. All documents must be received by the announced closing dates to be considered for admission. Documents sent by the student received in open envelopes will not be considered official.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12), 94-21-008 (Order CWU AO 77), § 106-160-200, filed 10/6/94, effective 11/6/94.]

WAC 106-160-210 Required tests. Undergraduate students applying to the university must submit scores from the American College Test (ACT) or Scholastic Achievement Test (SAT).

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12), 94-21-008 (Order CWU AO 77), § 106-160-210, filed 10/6/94, effective 11/6/94.]

WAC 106-160-220 Admission decision. Completed application files are reviewed by the office of admissions and decisions are mailed to students in writing. Students may be admitted under the following situations:

Situation 1: Admitted, dean's distinction - indicating that academic requirements have been met with an outstanding high school or community college record. Students receiving this acceptance are recommended to the Douglas Honors College.

Situation 2: Admitted - indicating that all academic requirements have been satisfied.

Situation 3: Admitted, admissions deficiency - indicating that the student has a high school subject deficiency that needs to be completed prior to graduation from Central Washington University.

Situation 4: Admitted, probation - indicating that while admission requirements have been marginally met, the student enters on academic probation.

Situation 5: Denied - indicating that the admission requirements have not been met and the student is not being offered admission. Students denied admission may request a review of the decision by writing a letter of appeal. A letter should be submitted only to present new factual information which will overcome, not simply explain, the academic record. Letters of petition for the denial should be directed to the admission committee for final determination.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12), 94-21-008 (Order CWU AO 77), § 106-160-220, filed 10/6/94, effective 11/6/94.]

WAC 106-160-230 Accepting the offer of admission. Students must confirm their intention to enroll to Central Washington University by submitting a fifty-five dollar confirmation of admission payment that will be applied to their first quarter's tuition. This payment should not be made until requested by the university, which occurs when students are notified officially of their admission. This payment is due by May 1 for fall quarter, October 1 for winter quarter, and February 1 for spring quarter. Special attention must be observed for these dates are subject to change. Priority consideration for registration, as well as completion of financial aid packaging and assignments of advisors, are designated when this payment is received. Students are encouraged to submit the fifty-five dollar confirmation of admission payment as early
as possible after receiving the offer of admission. Central Washington University will guarantee a registration position to any student who submits the confirmation of admission payment prior to the announced deadline dates listed below for each quarter: Fall-May 1; winter-September 1; spring-January 1.


WAC 106-160-240 Admission requirements—Application and admission to graduate study. (1) Each prospective graduate student must submit a formal application and receive a formal letter of admission before registering for courses. A graduate student is expected to have a bachelor's degree from a college or university of recognized standing. Prospective graduate students must submit their formal applications on or before those dates specified by the board of trustees or the president for such admission.

(2) Applicants for graduate assistantships should have their admission and assistantship applications completed and filed with the college on that date specified by the board of trustees or president for the filing of such applications.

(3) All prospective graduate students must apply for admission either in a degree program, fifth year or other certificate program, or nondegree study (professional improvement, scholarly development), or other study.


WAC 106-160-250 Admission requirements—Application for study leading to a master's degree. Applicants for admission to graduate study must make application on the "application for admission to graduate study" provided by Central Washington University. The form must be returned to the office of admissions prior to the dates established by the board of trustees or president for such application. Each applicant for graduate study is required to have official transcripts of all undergraduate and graduate study sent directly to the office of graduate admissions and records. Three letters of recommendation should be sent to graduate admissions and records directly from the persons making the recommendations. Two of the letters should come from instructors familiar with the applicant's academic preparation. Scores on the general test and appropriate subject test of the graduate record examination must be submitted to admissions before admission to graduate study will be considered.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-21-008 (Order CWU AO 77), § 106-160-250, filed 10/6/94, effective 11/6/94.]

WAC 106-160-260 Admission requirements—Application for fifth year or nondegree study. The "university admission form" supplied by the university must be filed with the office of admissions prior to the deadlines as established by the board of trustees or the president for the submission of such applications for admission to the university. In addition to the filing of the application, two official transcripts of all undergraduate and graduate study must be sent directly to the office of admissions.

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(1) An applicant for fifth year certification must contact the office of teacher education and certification to organize an approved program.

(2) Admission to nondegree study is subject to the approval of the graduate office.

(3) An applicant admitted to nondegree study desiring to apply for degree study must reapply for admission to graduate study.


WAC 106-160-270 Admission requirements—Admission procedure. Applicants for graduate study may not be admitted if they have not completed all the application requirements. Admission to master's degree study is determined by the graduate office upon the recommendation of the department involved. A formal letter of admission will be directed to the student from the graduate office. Applicants not meeting the scholastic requirements may be admitted on probation provided the department to which admission is requested provides justification for admission to master's degree study and no more than ten percent are admitted on probation. If admitted, the student must meet those requirements as established by the university for progress in the university. Upon the recommendation of the appropriate department, applicants may be admitted to masters' programs with additional conditions stipulated.


WAC 106-160-280 Admission requirements—Procedures for high school graduates. All high school graduates must file the "uniform application for admission to colleges and universities in the state of Washington" together with a transcript of all high school work with the office of admissions prior to registration.


WAC 106-160-290 Admission requirements—Procedures for advanced undergraduate standing. Resident and nonresident students making application for advanced standing must file the "uniform application for admission to colleges and universities in the state of Washington" and two official transcripts of all previous scholastic work from each school or college attended with the office of admissions of the college. Applicants who have completed less than forty transferable college credits are also required to file their high school transcript with the office of admissions.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-21-008 (Order CWU AO 77), § 106-160-290, filed 10/6/94, effective 11/6/94.]

WAC 106-160-300 Admission requirements—Admission to credential program. Admission to the university as a student does not constitute admission to the teacher education program. Students who plan to work toward a teaching certificate must apply to the director of teacher education and certification.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-21-008 (Order CWU AO 77), § 106-160-300, filed 10/6/94, effective 11/6/94.]

[Title 106 WAC—p. 47]
WAC 106-160-310 Summer session admission and registration procedures. Students registering for summer session must pay all fees and complete registration on or before the dates indicated on the calendar as published in the summer session bulletin. Students planning to attend the entire summer session or the first or second term only, must complete admission procedures by the date so specified and register on the date so specified by the board of trustees or president for such purposes, as published in the summer session bulletin. All summer session students must pay fees and tuition to the appropriate university office as established by the board of trustees or the president, as published in the summer session bulletin.

WAC 106-160-320 Summer session admission and registration procedures—Workshop registration. Workshop registration shall be permitted and must be completed in the manner established by the board of trustees or the president, as published in the appropriate catalog.

WAC 106-160-310 Summer session admission and registration procedures—Workshop registration. Workshop registration shall be permitted and must be completed in the manner established by the board of trustees or the president, as published in the appropriate catalog.

Chapter 106-168 WAC

LIBRARY POLICIES

WAC 106-168-008 Violation of library regulations. Users are expected to maintain appropriate public behavior while using the library facilities. Eating food or drinking beverages is not allowed in any of the areas open to public use. Smoking and other uses of tobacco are prohibited in the library.

WAC 106-168-009 Food, beverages, smoking. Users are expected to maintain appropriate public behavior while using the library facilities. Eating food or drinking beverages is not allowed in any of the areas open to public use. Smoking and other uses of tobacco are prohibited in the library.

WAC 106-168-010 Circulation records. Circulation records are not a matter of public record and borrower information is confidential.

WAC 106-168-008 Violation of library regulations. Violators of library regulations may be subject to appropriate disciplinary action, including assessment of service charges and revocation of library privileges.

WAC 106-168-009 Food, beverages, smoking. Users are expected to maintain appropriate public behavior while using the library facilities. Eating food or drinking beverages is not allowed in any of the areas open to public use. Smoking and other uses of tobacco are prohibited in the library.

WAC 106-168-010 Circulation records. Circulation records are not a matter of public record and borrower information is confidential.

WAC 106-168-005 Priorities of service—Selection of services, personnel, resources. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-168-005, filed 7/11/78; Order 9, § 106-168-005, filed 10/16/72.] Repealed by 83-01-036 (Order 50), filed 12/10/82. Statutory Authority: RCW 28B.35.120(11).

WAC 106-168-001 Priorities of service. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-168-001, filed 7/11/78; Order 9, § 106-168-001, filed 10/16/72.] Repealed by 83-01-036 (Order 50), filed 12/10/82. Statutory Authority: RCW 28B.35.120(11).


WAC 106-168-095 Service charges for late return or loss of materials. All borrowers are subject to a uniform system of service charges for late return of materials and for replacement costs when appropriate. Charges do not accrue when library facilities are not open to the public.

WAC 106-168-097 Payment of charges. (1) Charges may be paid at the cashier's office. Payment may be made by cash, check, or money order. Departmental purchase orders or interdepartmental funds transfers are not acceptable in payment of charges.

(2) Failure to pay charges will result in the total amount assessed being referred to the controller's office for collection. The controller may deduct outstanding charges from salary warrants of employees, or withhold outstanding charges from damage deposits or other funds held by the university for any student. The controller may notify the registrar to withhold permission to enroll until outstanding charges are paid, to refrain from issuing requested transcript copies or to forward the amount outstanding to a collection agency for recovery.

(3) Failure to pay charges may result in the revocation of borrowing privileges.

WAC 106-172-700 Purpose. The purpose of WAC 106-172-700 through 106-172-799 is to set forth the policies of Central Washington University regarding the legitimate and appropriate use of official student records developed and used throughout the various offices of the university. Moreover, the guidelines implement the general policy and respond to the requirements of Public Law 93-380, the Family Educational Rights and Privacy Act of 1974.

WAC 106-172-711 Definitions. The following definitions shall apply for the interpretation of these regulations:

(1) "Eligible student" means any person who is officially registered at this university.

(2) "Directory information" means the student's name, hometown address, university address and telephone number, date of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, class, previous institutions attended, major field of study, awards, honors (including honor roll), degrees conferred (including dates), and other similar information. The university may release directory information concerning a student to the public unless the student submits a signed request in writing, within two weeks after the first day of classes for the fall quarter. Requests for nondisclosure must be forwarded to the office of the vice-president for student affairs where an appropriate notation will be entered in the student's computer file. These requests will then be forwarded to the university relations and information office which maintains a complete file of nondisclosure requests. Authorization to withhold the information must be filed annually since the request for nondisclosure will be honored by the university for only one year.

(3) "Eligible student" means any person who is officially registered at this university.

(4)(a) "Education records" mean those records which:

(i) Are directly related to a student, and

(ii) Are maintained by the university or by a party acting on behalf of the university.

(b) The term education record does not include the following:

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

(ii) Records of public safety and police services which are maintained separately and solely for law enforcement officials of the same jurisdiction—provided that education records maintained by the university are not disclosed to the law enforcement unit;

(iii) Records of someone employed by the university, which are made in the normal course of business, related exclusively to the person as an employee, and are not used for any other purpose;

(iv) Records made by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional
directly related to the treatment of a student, and not disclosed to anyone other than individuals providing treatment.

provided records can be reviewed by a physician or other appropriate professional of the student’s choice.

(5) “Personally identifiable” means that the data or information includes:

(a) The name of a student, the student’s parent, or other family member,
(b) The address of the student,
(c) A personal identifier, such as the student’s social security number or student number,
(d) A list of personal characteristics which would make the student’s identity easily traceable, or
(e) Other information which would make the student’s identity easily traceable.

(6) “Record” means information or data recorded in any medium including but not limited to: Handwriting, print, tapes, film, microfilm, and microfiche.

(7) "Financial aid" means a payment of funds provided to an individual which is conditioned on the individual’s attendance at an educational agency or institution.

(8) “Vice-president for student affairs” means the vice-president for student affairs or the vice-president’s designee.

WAC 106-172-721 Notification by educational institution. (1) The university shall inform eligible students, annually, of the following:

(a) The types of education records and information contained therein which are maintained by the institution;
(b) The titles and addresses of official responsible for the maintenance of each type of record, the persons who have access to those records, and the purposes for which they have access;
(c) The policies and procedures of the university for reviewing and expunging those records, and for challenging the accuracy of them;
(d) The procedures for gaining access to the educational records;
(e) The cost, as approved by the board of trustees, which will be charged to the eligible student for reproducing single copies of records, provided that the cost shall not exceed the actual cost of reproducing the record;
(f) The categories of information which the university has designated as directory information.

(2) Notice of the existence of this policy and the availability of the information described in subsection (1)(a) through (f) of this section may be published in any official university print medium publication having general circulation among students. This may be a special publication for this purpose only, or included in another publication. Students may consult the office of the vice-president for student affairs for the information described.

WAC 106-172-731 Access to education records. The university shall provide each student access to his/her education records except as otherwise limited according to WAC 106-172-733.

The right of access shall include:

(1) The right to inspect and review the content of education records in the presence of appropriate university personnel.
(2) The right to obtain single copies of each record, at the expense of the eligible student but not to exceed the actual cost to the university of reproducing such copies.
(3) The right to a response from the university to reasonable requests for explanations and interpretations of those records.
(4) The right of an opportunity for a proceeding to challenge the content and accuracy of those records according to WAC 106-172-761.
(5)(a) Students wishing access under provisions of this policy to education records maintained by the university should address a request in writing to the person in charge of maintenance of that record. If copies are requested, copies may be supplied at no more than the cost of making the copy, including supplies and staff time.
(b) The individual responsible for maintenance of any record shall respond to written requests only, and provide copies as requested, within twenty working days. The university registrar is not prohibited from providing a student with a copy of the student’s academic transcript from CWU, but is prohibited from providing a student with a copy of the student’s official academic transcripts from other institutions.
(6) The office of the vice-president for student affairs will maintain a file showing what education records are maintained by any department or entity of the university and the title and address of the official responsible for maintenance of each record.

WAC 106-172-733 Limitations on access to education records. Central Washington University shall not make available to a student the following types of materials:

(1) Financial records and statements provided by parents "or any information contained therein."
(2) Confidential letters and statements of recommendation or evaluation which were provided to the university, with written assurance of a "documented understanding of confidentiality," prior to January 1, 1975, provided such letters or statements are not used for purposes other than those for which they were specifically intended.
(3) Post-1974 confidential recommendations involving possible admission, employment, or honor, but only if the
student has signed a waiver of the right to inspect them. Such a waiver shall apply to recommendations only if:

(a) The student is upon request, notified of the names of all persons making confidential recommendations; and

(b) Such recommendations are used solely for the purpose for which they were specifically intended.

WAC 106-172-735 Exception to consent requirements and record of access. (1) The university may disclose personally identifiable information from the education records of a student without the written consent of the student if the disclosure is to:

(a) University officials, including faculty members, when the information is required for a legitimate educational purpose,

(b) Officials of another school in which the student seeks or intends to enroll, providing a reasonable attempt has been made to notify the student of the transfer of the records at the last known address of the student — except when the transfer of the records is initiated by the student;

(c) Federal or state officials requiring access to education records in connection with the audit or evaluation of federally or state-supported educational programs. Such surveys must be administered in a manner which will not permit personal identification of students by individuals other than those conducting the study, and such information will be destroyed when no longer needed for the purposes for which it was provided;

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

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

(f) Any personal subpoena and/or subpoena duces tecum, when lawfully prepared and served upon the university or an appropriate administrator of the university. The university will notify the student by certified or registered mail to the address or addresses on file with the university of any such subpoena. Such a notice will be sent to the student in advance of compliance with the subpoena.

(2) Any student may grant permission for use of information about himself/herself by giving specific permission in writing, signed and dated by the student giving such consent to include:

(a) A specification by title of the records released;

(b) The reasons for such release;

(c) The names of the parties to whom such records will be released; and

(d) A written statement indicating that the information cannot subsequently be released in a personally identifiable form to any other party without the written consent of the student involved.

(3) The university shall maintain a record which will indicate all parties, other than those parties specified in WAC 106-172-735 (1)(a), who have been granted access to a student's education records. The record will:

(a) Indicate specifically the legitimate interest that each such party has in obtaining the information.

(b) Be available only to the student, to the employees of the university responsible for maintaining the records, and to the parties identified under WAC 106-172-735 (1)(a) and (d).

WAC 106-172-740 Information not to be required. (1) The university shall not require from any student the following information, for purposes of record:

(a) Religious affiliations or religious/ethical value systems;

(b) Political affiliations or views;

(c) Membership status in any organization not directly connected with recognized educational functions of the university;

(d) Ethnic background.

(2) The university shall enable the student to record this information if he or she should desire.

WAC 106-172-750 Timely disposal of records. (1) Provisions of the laws and regulations of the state of Washington regarding the time during which records must be maintained will be complied with.

(2) Except as required in subsection (1) above, records will be maintained only during the minimum time in which they may ordinarily be expected to be useful or valid. Each record keeping entity of the university shall make periodic review of its records to ensure compliance with this provision.

(3) Records of disclosure shall be maintained as long as the record itself is maintained.

WAC 106-172-761 Right to a proceeding. (1) The university shall provide students an opportunity for a proceeding in order to challenge the content of a student's education records to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students.

(2) A student shall have the right, in accordance with the procedures set forth in WAC 106-172-763 and 106-172-765, to:

(a) Correct or delete inaccurate, misleading, or otherwise inappropriate data contained within education records;

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

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

(3) A student shall not be permitted under this chapter to contest grades given in academic courses, except on the grounds that, as a result of clerical error, the records fail to
accurately reflect the grades actually assigned by an instructor.

[Statutory Authority: RCW 28B.10.528 and 28B.35.120(12). 94-21-048 (Order CWU AO 75), § 106-172-761, filed 10/12/94, effective 11/12/94. Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-172-761, filed 7/11/78; Order 35, § 106-172-761, filed 7/13/77; Order 29, § 106-172-761, filed 8/2/76; Order 23, § 106-172-761, filed 7/31/75.]

WAC 106-172-763 Informal proceedings. (1) Whenever possible the university shall attempt to settle disputes regarding requests to amend education records through informal proceedings.

(2) A student who wishes to exercise the rights set forth in WAC 106-172-761(2) shall:

(a) First, attempt a resolution with the university official who has custody of the education records; and

(b) Second, discuss with the vice-president for student affairs or designee the nature of the corrective action recommended by the student.


WAC 106-172-765 Conduct of the proceeding. (1) If informal proceedings fail to resolve the complaint of a student, the student may file with the vice-president for student affairs a written request for the proceeding before a proceeding officer of the university to be designated by the vice-president for student affairs, and who does not have a direct interest in the outcome of the proceeding.

(2) The proceeding shall be held within a reasonable time (not to exceed twenty working days) after the university has received the request and the student shall be given notice of the date, place, and time reasonably in advance of the proceeding.

(3) The student shall be given an opportunity to present evidence relevant to the issues raised in WAC 106-172-761(2) and may be represented by any person (including an attorney) of the student's choosing at his or her expense.

(4) A decision in writing shall be prepared within a reasonable period of time (not to exceed ten working days), which decision shall be based solely upon the evidence presented, and which includes a summary of the evidence and the reasons for the decision.

(5) If, as a result of the proceeding, the decision is:

(a) To amend the record, the university must do so accordingly and give notice to the student.

(b) Not to amend, the student must be allowed to place a written comment or explanation in the student's file, and it must be kept in the file as long as the file itself is kept. If the contested portion of the file is disclosed to anybody, the student's statement must also be disclosed.

(6) The designated proceeding officer shall be advised by the assistant attorney general representing the university.


WAC 106-172-772 Release of information for health or safety emergencies. (1) The university (president or designee, vice-president for student affairs) may release information from education records to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other persons.

(2) The factors which should be taken into account in determining whether records may be released shall include:

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

(b) The need for such records to meet the emergency;

(c) Whether the persons to whom such records are released are in a position to deal with the emergency; and

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


WAC 106-172-775 Limitation on liability. The university shall not be liable for student records when information available only from the student is not provided initially or kept up to date by the student. This provision shall apply when the university has made adequate provision for supplying the information.

[Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-172-775, filed 7/11/78; Order 23, § 106-172-775, filed 7/31/75.]

Chapter 106-276 WAC

PUBLIC RECORDS

WAC

106-276-001 Public records policy.
106-276-005 Definitions.
106-276-010 Definition of public record.
106-276-030 Description of central and field organization at Central Washington University.
106-276-040 General course and method of decision making.
106-276-050 Informal procedures regarding the general course and method of decision making.
106-276-060 Designation of public records officers.
106-276-070 Availability for public inspection and copying or reproduction of public records.
106-276-080 Requests for public records.
106-276-090 Charges for copying or reproduction.
106-276-100 Determination regarding exempt records.
106-276-230 Document index.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

106-276-200 Legislative liaison policy. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-276-200, filed 7/11/78; Order 11, § 106-276-200, filed 2/27/73.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Statutory Authority: RCW 28B.19.050 and 28B.35.120(11).

106-276-210 Designation. [Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-276-210, filed 7/11/78; Order 11, § 106-276-210, filed 2/27/73.] Repealed by 86-23-007 (Order 59), filed 11/7/86. Stat-
(1) "Request for a public record" means a written request submitted on a proper CWU public records request form for a public record, a review of public records, or a copy or reproduction of a public record.

(2) "Students in public schools" means all past, present, and future students enrolled at Central Washington University.

(3) "Vital governmental interest" includes, but is not limited to, matters affecting national security; the selection of a site or the purchase of real estate when publicity regarding such consideration would cause a likelihood of increased price.

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

WAC 106-276-005 Definitions. As used in the provisions of this chapter, the following definitions shall apply wherever the following words are used:

(a) Personal information in any files maintained for students in public schools and the information, data, and records subject to the student records policy, WAC 106-172-000 through 106-172-799.

(b) Personal information in any files maintained for patients or clients of public institutions or public health agencies, welfare recipients, prisoners, probationers, or parolees.

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

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

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

(f) Information revealing the identity of persons who file complaints with investigative, law enforcement, or penology agencies, other than the public disclosure commission, if disclosure would endanger any person's life, physical safety, or property: Provided, That if at the time the complaint is filed the complainant indicates a desire for disclosure or nondisclosure, such desire shall govern: Provided further, That all complaints filed with the public disclosure commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath.

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

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

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

(j) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

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

(l) Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or depredation of such sites.

(m) Any library record, the primary purpose of which is to maintain control of library materials, or to gain access to information, which discloses or could be used to disclose the identity of a library user.

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

(2005 Ed.)
(3) Inspection or copying of any specific records exempt under the provisions of this section may be permitted if the superior court in the county in which the record is maintained finds, after a proceeding with notice thereof to every person in interest and the agency, that the exemption of such records is clearly unnecessary to protect any individual's right of privacy or any vital governmental function.

(4) Any response refusing, in whole or in part, inspection of any public record shall include a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld.


WAC 106-276-030 Description of central and field organization at Central Washington University. (1) Central Washington University is located on a campus in the city of Ellensburg, Washington. This campus comprises the central headquarters for all operations of the university; any "field" activities of the university are administered by personnel located on the campus at Ellensburg. The university is governed by a board of trustees appointed by the governor; such board meets at regular intervals, as provided in WAC 106-08-001. The board employs a president, the president's assistants, members of the faculty and other employees. It establishes such organizational units as are necessary to carry out the purposes of the university, provides the necessary property, facilities, and equipment and promulgates such rules, regulations, and policies as are necessary to the administration of the university.

(2) The board of trustees, either directly or by delegation, has caused to be created various administrative, academic, and support divisions to enable the university to discharge its obligations. Academic matters are the concern of the provost and vice-president for academic affairs; business and physical planning functions are the concern of the vice-president for business and financial affairs; matters related to student services are the concern of the vice-president for student affairs; the vice-president for university advancement oversees matters related to the internal and external affairs of the university and fund raising from private sources. These offices report to the president of the university.


WAC 106-276-040 General course and method of decision making. (1) The formal procedures for decision making at the university are governed by the board of trustees through rules promulgated by it in accordance with the requirements of chapter 34.05 RCW, the Administrative Procedure Act (APA). Accordingly, all rules, orders or directives, or regulations of the university which affect the relationship of the general public with the institution, or the relationship of particular segments of the university, such as students, faculty, or other employees, with the university or with each other,

(a) The violation of which subjects the person to a penalty or administrative sanction; or

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

(c) Which establishes, alters, or revokes any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law; are implemented through the procedures of the APA and appear in Title 106 WAC, provided, however, that in accordance with RCW 34.05.220, the university reserves the right to promulgate as internal rules not created or implemented in accordance with the APA, the following: Rules, regulations, orders, statements, or policies relating primarily to the following: Standards for admission; academic advancement, academic credits, graduation, and the granting of degrees; tuition and fees, scholarships, financial aid, and similar academic matters; employment relationships; fiscal processes; or matters concerning only the internal management of an institution and not affecting private rights or procedures available to the general public; and such matters need not be established by rule adopted under APA unless otherwise required by law. Internal rules and regulations to the extent not already set forth in the university's published catalogs and handbooks shall be collected in a general university policies manual, a copy of which shall be maintained on file in the university library and be available to the public.


WAC 106-276-050 Informal procedures regarding the general course and methods of decision. Informal procedures regarding the methods and general course of operations at the university are, for the purposes of these rules, either:

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

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

[Statutory Authority: RCW 28B.19.050 and 28B.40.120. 78-08-011 (Order 39), § 106-276-050, filed 7/11/78; Order 11, § 106-276-050, filed 2/27/73.]

WAC 106-276-060 Designation of public records officers. (1) In accordance with the requirements of chapter 42.17 RCW, insofar as such initiative requires state agencies to adopt and enforce reasonable rules and regulations to provide full public access to official divisions while yet protecting the same from damage and to prevent excessive interference with essentials of the agency, all public records at the university shall be in the charge of persons holding positions as records officers.

(2) Overall responsibility for coordinating responses to requests for examination of public records shall be the
responsibility of the person known as the "public records officer." The person holding such position will be headquartered in Mitchell Hall at the university. The exact location and name of the public records officer may be determined by inquiry at the office of the president of the university. The public records officer shall also be responsible for compiling and maintaining the index required by chapter 42.17 RCW.

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

WAC 106-276-070 Availability for public inspection and copying or reproduction of public records. (1) Public records shall be available for inspection, copying, and reproduction during the customary office hours of the university. For the purposes of this chapter, the customary office hours shall be from 9 a.m. to noon and from 1 p.m. to 4 p.m., Monday through Friday, excluding legal holidays, unless the person making the request and the university, acting through the public records officer, agree on a different time.

WAC 106-276-080 Requests for public records. In accordance with chapter 42.17 RCW the requirements that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records are only obtainable by members of the public when those members of the public comply with the following procedures:

(1) A request shall be made in writing upon a form which shall be available at the office of the public records officer and shall be presented to the public records officer, per WAC 106-276-060. Such request shall include the following:

(a) The name of the person requesting the record;
(b) The time of day and calendar date on which the request was made; and
(c) If the matter requested is referenced within the current index maintained by the university 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 university records current index, a statement that succinctly describes the record requested;
(e) A verification that the records requested shall not be used to compile a commercial sales list.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the university "public records officer" or that individual's designee, to assist the member of the public in succinctly identifying the public record requested.

WAC 106-276-090 Charges for copying or reproduction. (1) No fee shall be charged for inspection of public records. The university may impose a reasonable charge for providing copies or reproductions of public records for use by any person of agency equipment to copy or reproduce public records and for any excessive time expended by a state employee in researching the requested records, as determined by the public records officer. Such charges shall not exceed the amount necessary to reimburse the university for its actual costs incident to such copying or reproduction.

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

WAC 106-276-100 Determination regarding exempt records. (1) The university reserves the right to determine that a public record requested in accordance with the procedures of this chapter is exempt under the provisions of RCW 42.17.310. Such determination may be made in consultation with any of the records officers of the university, president of the university, or an assistant attorney general assigned to the university.

(2) Responses to requests for records must be made promptly. For the purpose of these rules, a prompt response occurs if the person requesting the public record is notified within five business days as to whether or not the request for a public record will be granted or denied.

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

WAC 106-276-110 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record shall petition for prompt review of such decision by tendering to the president's office a written request for a review of such denial. Such written request by a person demanding prompt review shall specifically reference the written statement by the university denying that person's request for a public record.

(2005 Ed.)
(2) Within two business days after receiving the written request by a person petitioning for prompt review of a decision denying a public record, the president of the university or any designee, which for the purposes of this section may include the public records officer, shall consider such petition.

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

(4) During the course of the brief adjudicative proceeding conducted by the president or designee under this section, the presiding officer shall consider the obligations of the university to comply fully with the intent of chapter 42.17 RCW insofar as it requires providing public access to official records, but shall also consider the exemptions provided in RCW 42.17.310 and the requirement of RCW 42.17.290 insofar as it requires the university to protect public records from damage or disorganization, prevent excessive interference with essential functions of the agency, and to prevent any unreasonable invasion of personal privacy by deleting identifying details.

WAC 106-276-230  Document index. An index of all documents required to be indexed by RCW 42.17.260 shall be maintained at the office of business services and contracts, second floor, Mitchell Hall. The index shall be accessible to the public by request to the public records officer at the above office during normal working hours.

WAC 106-325-010 Implementation of State Environmental Policy Act. (1) All actions taken by Central Washington University shall comply with the provisions of chapter 43.21C RCW (the State Environmental Policy Act) and chapter 197-11 WAC, as presently enacted or hereafter amended. (2) The president of Central Washington University shall be responsible for administering and implementing this rule. The president shall designate the personnel who will be responsible for carrying out the duties and functions of the university as set forth or incorporated herein.

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[Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-325-010, filed 11/7/86.]

Chapter 106-325 WAC

STATE ENVIRONMENTAL POLICY ACT—RULE

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[Statutory Authority: RCW 28B.19.050 and 28B.35.120(11). 86-23-007 (Order 59), § 106-325-010, filed 11/7/86.]