

Title 516 WAC

WESTERN WASHINGTON UNIVERSITY

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Chapter 516-08 PRACTICE AND PROCEDURE

- 516-08-002 Formal hearing policy. [Order 73-13, § 516-08-002, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15-600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
- 516-08-005 Definitions. [Order 73-13, § 516-08-005, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
- 516-08-010 Appearance and practice before agency. [Order 73-13, § 516-08-010, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15-600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
- 516-08-070 Computation of time. [Order 73-13, § 516-08-070, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
- 516-08-080 Notice and opportunity for hearing in contested cases. [Order 73-13, § 516-08-080, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30-075, chapters 69.41 and 43.21C RCW.

- 516-08-090 Service of process—By whom served. [Order 73-13, § 516-08-090, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15-600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
- 516-08-100 Service of process—Upon whom served. [Order 73-13, § 516-08-100, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
- 516-08-110 Service of process—Service upon parties. [Order 73-13, § 516-08-110, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
- 516-08-120 Service of process—Method of service. [Order 73-13, § 516-08-120, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
- 516-08-130 Service of process—When service complete. [Order 73-13, § 516-08-130, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
- 516-08-140 Service of process—Filing with agency. [Order 73-13, § 516-08-140, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
- 516-08-150 Subpoenas—Where provided by law—Form. [Order 73-13, § 516-08-150, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
- 516-08-170 Subpoenas—Service. [Order 73-13, § 516-08-170, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
- 516-08-190 Subpoenas—Proof of service. [Order 73-13, § 516-08-190, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
- 516-08-230 Depositions and interrogatories in contested cases—Right to take. [Order 73-13, § 516-08-230, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
- 516-08-240 Depositions and interrogatories in contested cases—Scope. [Order 73-13, § 516-08-240, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
- 516-08-250 Depositions and interrogatories in contested cases—Officer before whom taken. [Order 73-13, § 516-08-250, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.

516-08-260	Depositions and interrogatories in contested cases—Authorization. [Order 73-13, § 516-08-260, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-08-390	Presumptions. [Order 73-13, § 516-08-390, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
516-08-270	Depositions and interrogatories in contested cases—Protection of parties and deponents. [Order 73-13, § 516-08-270, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-08-400	Stipulations and admissions of record. [Order 73-13, § 516-08-400, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
516-08-280	Depositions and interrogatories in contested cases—Oral examination and cross-examination. [Order 73-13, § 516-08-280, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-08-420	Definition of issues before hearing. [Order 73-13, § 516-08-420, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
516-08-290	Depositions and interrogatories in contested cases—Recording. [Order 73-13, § 516-08-290, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-08-430	Prehearing conference rule—Authorized. [Order 73-13, § 516-08-430, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
516-08-300	Depositions and interrogatories in contested cases—Signing attestation and return. [Order 73-13, § 516-08-300, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-08-440	Prehearing conference rule—Record of conference action. [Order 73-13, § 516-08-440, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
516-08-310	Depositions and interrogatories in contested cases—Use and effect. [Order 73-13, § 516-08-310, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-08-450	Submission of documentary evidence in advance. [Order 73-13, § 516-08-450, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
516-08-320	Depositions and interrogatories in contested cases—Fees of officers and deponents. [Order 73-13, § 516-08-320, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-08-460	Excerpts from documentary evidence. [Order 73-13, § 516-08-460, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
516-08-330	Depositions upon interrogatories—Submission of interrogatories. [Order 73-13, § 516-08-330, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-08-470	Expert or opinion testimony and testimony based on economic and statistical data—Number and qualifications of witnesses. [Order 73-13, § 516-08-470, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
516-08-340	Depositions upon interrogatories—Interrogation. [Order 73-13, § 516-08-340, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-08-480	Expert or opinion testimony and testimony based on economic and statistical data—Written sworn statements. [Order 73-13, § 516-08-480, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
516-08-350	Depositions upon interrogatories—Attestation and return. [Order 73-13, § 516-08-350, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-08-490	Expert or opinion testimony and testimony based on economic and statistical data—Supporting data. [Order 73-13, § 516-08-490, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
516-08-360	Depositions upon interrogatories—Provisions of deposition rule. [Order 73-13, § 516-08-360, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-08-500	Expert or opinion testimony and testimony based on economic and statistical data—Effect of noncompliance with WAC 516-08-470 or 516-08-480. [Order 73-13, § 516-08-500, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
516-08-370	Official notice—Matters of law. [Order 73-13, § 516-08-370, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-08-510	Continuances. [Order 73-13, § 516-08-510, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
516-08-380	Official notice—Material facts. [Order 73-13, § 516-08-380, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-08-520	Rules of evidence—Admissibility criteria. [Order 73-13, § 516-08-520, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
		516-08-530	Rules of evidence—Tentative admission—Exclusion—Discontinuance—Objections. [Order 73-13, § 516-08-

	530, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.		20-005, filed 5/14/79; Order 76-2, § 516-20-005, filed 6/7/76; Order 72-10, § 516-20-005, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 516-22-005.
516-08-540	Hearing officers. [Order 73-13, § 516-08-540, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-20-010	The academic code. [Statutory Authority: RCW 28B.35.120(11), 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-010, filed 5/14/79; Order 76-2, § 516-20-010, filed 6/7/76; Order 72-10, § 516-20-010, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-08-550	Duties of hearing officers. [Order 73-13, § 516-08-550, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-20-011	Academic code violations defined. [Statutory Authority: RCW 28B.35.120(11), 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-011, filed 5/14/79; Order 76-2, § 516-20-011, filed 6/7/76; Order 72-10, § 516-20-011, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-08-560	Review of formal hearing proceedings by the board of trustees. [Order 73-13, § 516-08-560, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-20-015	Penalties for violation of the academic code. [Statutory Authority: RCW 28B.35.120(11), 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-015, filed 5/14/79; Order 76-2, § 516-20-015, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-08-570	Form and content of decisions in contested cases. [Order 73-13, § 516-08-570, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-20-020	Freedom of expression. [Statutory Authority: RCW 28B.35.120(11), 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-020, filed 5/14/79; Order 76-2, § 516-20-020, filed 6/7/76; Order 72-10, § 516-20-020, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 516-22-030.
516-08-600	Petitions for rule making, amendment or repeal—Who may petition. [Order 73-13, § 516-08-600, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-20-021	Freedom of expression—Conduct. [Order 72-10, § 516-20-021, filed 11/17/72.] Repealed by Order 76-2, filed 6/7/76.
516-08-610	Petitions for rule making, amendment or repeal—Requisites. [Order 73-13, § 516-08-610, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-20-030	Speakers. [Statutory Authority: RCW 28B.35.120(11), 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-030, filed 5/14/79; Order 76-2, § 516-20-030, filed 6/7/76; Order 72-10, § 516-20-030, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-08-620	Petitions for rule making, amendment or repeal—Agency must consider. [Order 73-13, § 516-08-620, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-20-031	Speakers—Conduct. [Order 72-10, § 516-20-031, filed 11/17/72.] Repealed by Order 76-2, filed 6/7/76.
516-08-630	Petitions for rule making, amendment or repeal—Notice of disposition. [Order 73-13, § 516-08-630, filed 8/6/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.	516-20-040	Printed material. [Statutory Authority: RCW 28B.35.120(11), 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-040, filed 5/14/79; Order 76-2, § 516-20-040, filed 6/7/76; Order 72-10, § 516-20-040, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
		516-20-041	Printed material—Conduct. [Order 72-10, § 516-20-041, filed 11/17/72.] Repealed by Order 76-2, filed 6/7/76.
		516-20-050	Placement. [Statutory Authority: RCW 28B.35.120(11), 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-050, filed 5/14/79; Order 76-2, § 516-20-050, filed 6/7/76; Order 72-10, § 516-20-050, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
		516-20-051	Placement—Conduct. [Order 72-10, § 516-20-051, filed 11/17/72.] Repealed by Order 76-2, filed 6/7/76.
		516-20-061	Disorderly conduct. [Order 72-10, § 516-20-061, filed 11/17/72.] Repealed by Order 76-2, filed 6/7/76.
		516-20-071	Alcoholic beverages. [Order 76-2, § 516-20-071, filed 6/7/76; Order 75-11, § 516-20-071, filed 9/10/75; Order 72-10, § 516-20-071, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
		516-20-080	Drugs. [Order 72-10, § 516-20-080, filed 11/17/72.] Repealed by Order 76-2, filed 6/7/76.
		516-20-081	Drugs—Conduct. [Order 72-10, § 516-20-081, filed 11/17/72.] Repealed by Order 76-2, filed 6/7/76.
		516-20-091	Theft. [Order 72-10, § 516-20-091, filed 11/17/72.] Repealed by Order 76-2, filed 6/7/76.
		516-20-101	Firearms and explosives. [Order 72-10, § 516-20-101, filed 11/17/72.] Repealed by Order 76-2, filed 6/7/76.
		516-20-111	Residence hall room visitation. [Order 72-10, § 516-20-111, filed 11/17/72.] Repealed by Order 76-2, filed 6/7/76.
		516-20-120	Identification of persons on the campus. [Statutory Authority: RCW 28B.35.120(11), 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-120, filed 5/14/79; Order 76-2, § 516-20-120, filed 6/7/76; Order 72-10, § 516-20-120, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.

Chapter 516-10
ACCESS TO PUBLIC RECORDS AND DOCUMENTS AT
WESTERN WASHINGTON STATE COLLEGE

Chapter 516-20
STUDENT RIGHTS AND RESPONSIBILITIES

516-20-121	Student identification card—Conduct. [Order 72-10, § 516-20-121, filed 11/17/72.] Repealed by Order 76-2, filed 6/7/76.		76-2, § 516-20-175, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-20-125	Judicial proceedings. [Order 76-2, § 516-20-125, filed 6/7/76.] Repealed by 79-06-019 (Order 79-05, Resolution No. 79-05), filed 5/14/79. Statutory Authority: RCW 28B.35.120(11).	516-20-180	Rights of the accused student. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-180, filed 5/14/79; Order 76-2, § 516-20-180, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-20-131	Failure to appear before a judicial hearing. [Order 72-10, § 516-20-131, filed 11/17/72.] Repealed by Order 76-2, filed 6/7/76.	516-20-181	Alternative to judicial procedures. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-181, filed 5/14/79.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 516-22-200.
516-20-132	Failure to adhere to judicial board sanctions. [Order 72-10, § 516-20-132, filed 11/17/72.] Repealed by Order 76-2, filed 6/7/76.	516-20-182	Interim suspension permitted. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-182, filed 5/14/79.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 516-22-150.
516-20-133	Judicial proceedings—Procedural rights of students. [Order 72-10, § 516-20-133, filed 11/17/72.] Repealed by Order 76-2, filed 6/7/76.	516-20-185	Decision based solely on evidence. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-185, filed 5/14/79; Order 76-2, § 516-20-185, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-20-134	Judicial boards. [Order 72-10, § 516-20-134, filed 11/17/72.] Repealed by Order 76-2, filed 6/7/76.	516-20-190	Notification of decision. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-190, filed 5/14/79; Order 76-2, § 516-20-190, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.
516-20-135	Types of judicial action. [Order 72-10, § 516-20-135, filed 11/17/72.] Repealed by Order 76-2, filed 6/7/76.	516-20-195	Records of proceedings. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-195, filed 5/14/79; Order 76-2, § 516-20-195, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 156-22-142.
516-20-136	Committee on student rights and responsibilities. [Order 72-10, § 516-20-136, filed 11/17/72.] Repealed by Order 76-2, filed 6/7/76.	516-20-200	Appeals. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-200, filed 5/14/79; Order 76-2, § 516-20-200, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 516-22-124.
516-20-137	Judicial structure. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-137, filed 5/14/79; Order 76-2, § 516-20-137, filed 6/7/76; Order 72-10, § 516-20-137, filed 11/17/72.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 516-22-100.	516-20-205	Withdrawal of student prior to completion of proceedings. [Order 76-2, § 516-20-205, filed 6/7/76.] Repealed by 79-06-019 (Order 79-05, Resolution No. 79-05), filed 5/14/79. Statutory Authority: RCW 28B.35.120(11).
516-20-140	University judicial board. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-140, filed 5/14/79; Order 76-2, § 516-20-140, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.	516-20-210	Committee on student rights and responsibilities. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-210, filed 5/14/79; Order 76-2, § 516-20-210, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 516-22-210.
516-20-145	College conduct hearing officer. [Order 76-2, § 516-20-145, filed 6/7/76.] Repealed by 79-06-019 (Order 79-05, Resolution No. 79-05), filed 5/14/79. Statutory Authority: RCW 28B.35.120(11).	516-20-215	Fairhaven College. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-215, filed 5/14/79; Order 76-2, § 516-20-215, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82. Later promulgation, see WAC 516-22-250.
516-20-150	Summer quarter judicial board. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-150, filed 5/14/79; Order 76-2, § 516-20-150, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.		
516-20-152	University conduct hearing officer. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-152, filed 5/14/79.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.		
516-20-155	Judicial board proceedings. [Order 76-2, § 516-20-155, filed 6/7/76.] Repealed by 79-06-019 (Order 79-05, Resolution No. 79-05), filed 5/14/79. Statutory Authority: RCW 28B.35.120(11).		
516-20-156	Judicial proceedings. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-156, filed 5/14/79.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.		
516-20-160	Initiation of judicial proceedings. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-160, filed 5/14/79; Order 76-2, § 516-20-160, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.		
516-20-165	Notice of hearing. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-165, filed 5/14/79; Order 76-2, § 516-20-165, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.		
516-20-170	Failure to appear before a judicial officer or judicial board. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-170, filed 5/14/79; Order 76-2, § 516-20-170, filed 6/7/76.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.		
516-20-172	Withdrawal of student prior to completion of proceedings. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-172, filed 5/14/79.] Repealed by 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), filed 5/14/82.		
516-20-175	Proceedings to be open or closed. [Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-20-175, filed 5/14/79; Order		

Chapter 516-22

STUDENT RIGHTS AND RESPONSIBILITIES CODE

- filed 5/14/82.] Repealed by 96-03-103, filed 1/22/96, effective 2/22/96. Statutory Authority: RCW 28B.35.120(12).
- 516-22-025 Fraudulent admissions credentials. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-025, filed 5/14/82.] Repealed by 96-03-103, filed 1/22/96, effective 2/22/96. Statutory Authority: RCW 28B.35.120(12).
- 516-22-030 Interference with freedom of expression. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-030, filed 5/14/82. Formerly WAC 516-20-020.] Repealed by 96-03-103, filed 1/22/96, effective 2/22/96. Statutory Authority: RCW 28B.35.120(12).
- 516-22-035 Alcohol/drug policy violations. [Statutory Authority: RCW 28B.35.120(12). 89-11-039 (Order 89-01), § 516-22-035, filed 5/15/89.] Repealed by 96-03-103, filed 1/22/96, effective 2/22/96. Statutory Authority: RCW 28B.35.120(12).
- 516-22-040 Harassment of peers. [Statutory Authority: RCW 28B.35.120(12). 89-11-039 (Order 89-01), § 516-22-040, filed 5/15/89.] Repealed by 96-03-103, filed 1/22/96, effective 2/22/96. Statutory Authority: RCW 28B.35.120(12).
- 516-22-100 Judicial structure. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-100, filed 5/14/82. Formerly WAC 516-20-137.] Repealed by 96-03-103, filed 1/22/96, effective 2/22/96. Statutory Authority: RCW 28B.35.120(12).
- 516-22-120 Initiation of informal proceedings. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-120, filed 5/14/82.] Repealed by 96-03-103, filed 1/22/96, effective 2/22/96. Statutory Authority: RCW 28B.35.120(12).
- 516-22-124 Appeal to the judicial board. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-124, filed 5/14/82. Formerly WAC 516-20-200.] Repealed by 96-03-103, filed 1/22/96, effective 2/22/96. Statutory Authority: RCW 28B.35.120(12).
- 516-22-130 Appeal hearing procedures. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-130, filed 5/14/82.] Repealed by 96-03-103, filed 1/22/96, effective 2/22/96. Statutory Authority: RCW 28B.35.120(12).
- 516-22-134 Disruption of the judicial process. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-22-134, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-134, filed 5/14/82.] Repealed by 96-03-103, filed 1/22/96, effective 2/22/96. Statutory Authority: RCW 28B.35.120(12).
- 516-22-138 Certain sanctions defined. [Statutory Authority: RCW 28B.35.120(12). 89-11-039 (Order 89-01), § 516-22-138, filed 5/15/89. Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-138, filed 5/14/82.] Repealed by 96-03-103, filed 1/22/96, effective 2/22/96. Statutory Authority: RCW 28B.35.120(12).
- 516-22-142 Record of proceedings. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-142, filed 5/14/82. Formerly WAC 516-20-195.] Repealed by 96-03-103, filed 1/22/96, effective 2/22/96. Statutory Authority: RCW 28B.35.120(12).
- 516-22-146 Right to hearing. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-22-146, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-146, filed 5/14/82.] Repealed by 96-03-103, filed 1/22/96, effective 2/22/96. Statutory Authority: RCW 28B.35.120(12).
- 516-22-150 Interim suspension permitted. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-22-150, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-150, filed 5/14/82. Formerly
- WAC 516-20-182.] Repealed by 96-03-103, filed 1/22/96, effective 2/22/96. Statutory Authority: RCW 28B.35.120(12).
- 516-22-200 Alternative judicial proceeding. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-200, filed 5/14/82. Formerly WAC 516-20-181.] Repealed by 89-11-039 (Order 89-01), filed 5/15/89. Statutory Authority: RCW 28B.35.120(12).
- 516-22-210 Committee on student rights and responsibilities. [Statutory Authority: RCW 28B.35.120(12). 89-11-039 (Order 89-01), § 516-22-210, filed 5/15/89. Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-210, filed 5/14/82. Formerly WAC 516-20-210.] Repealed by 96-03-103, filed 1/22/96, effective 2/22/96. Statutory Authority: RCW 28B.35.120(12).
- 516-22-250 Fairhaven College jurisdiction. [Statutory Authority: RCW 28B.35.120(11). 82-11-063 (Order 5-6-82, Resolution No. 5-6-82), § 516-22-250, filed 5/14/82. Formerly WAC 516-20-215.] Repealed by 89-11-039 (Order 89-01), filed 5/15/89. Statutory Authority: RCW 28B.35.120(12).

**Chapter 516-73
POLICIES AND PROCEDURES FOR
REDUCTION/REALLOCATION IN FORCE**

- 516-73-010 Introductory statement. [Order 74-7, § 516-73-010, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-020 Purpose. [Order 74-7, § 516-73-020, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-030 Definitions. [Order 74-7, § 516-73-030, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-040 Initiation of reduction/reallocation in force. [Order 74-7, § 516-73-040, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-050 Reallocation of full-time equivalent faculty positions among academic units—Development of proposals. [Order 74-7, § 516-73-050, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-055 Reallocation of full-time equivalent faculty positions among academic units—Hearing. [Order 74-7, § 516-73-055, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-060 Reallocation of full-time equivalent faculty positions among academic units—Recommendation by president or designee. [Order 74-7, § 516-73-060, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-065 Reallocation of full-time equivalent faculty positions among academic units—Determination by board. [Order 74-7, § 516-73-065, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-080 Procedure for accomplishing reductions in full-time equivalent faculty positions in particular academic units—Alternatives in lieu of termination. [Order 74-7, § 516-73-080, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-085 Procedure for accomplishing reductions in full-time equivalent faculty positions in particular academic units—Division of units into subunits. [Order 74-7, § 516-73-085, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-090 Procedure for accomplishing reductions in full-time equivalent faculty positions in particular academic units—Written proposals prepared by units. [Order 74-7, § 516-73-090, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-095 Procedure for accomplishing reductions in full-time equivalent faculty positions in particular academic

units—Written proposals developed by vice-president for academic affairs. [Order 74-7, § 516-73-095, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).

- 516-73-100 Procedure for accomplishing reductions in full-time equivalent faculty positions in particular academic units—Review of proposals by advisory committee. [Order 74-7, § 516-73-100, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-105 Procedure for accomplishing reductions in full-time equivalent faculty positions in particular academic units—Recommendations by vice-president and president. [Order 74-7, § 516-73-105, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-110 Procedure for accomplishing reductions in full-time equivalent faculty positions in particular academic units—Action by board. [Order 74-7, § 516-73-110, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-130 Termination of faculty members from employment. [Order 74-7, § 516-73-130, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-135 Qualification of individual faculty members for sub-units. [Order 74-7, § 516-73-135, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-140 Terminations from units. [Order 74-7, § 516-73-140, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-145 Retention priority criteria. [Order 74-7, § 516-73-145, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-155 President's ability to prevent adverse impact on college's affirmative action program. [Order 74-7, § 516-73-155, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-160 Informal appeals. [Order 74-7, § 516-73-160, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-165 Formal administrative review. [Order 74-7, § 516-73-165, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-170 Notice of termination. [Order 74-7, § 516-73-170, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-190 Reemployment of faculty members—Reemployment within six months after termination. [Order 74-7, § 516-73-190, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-195 Reemployment of faculty members—Reemployment list. [Order 74-7, § 516-73-195, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-200 Reemployment of faculty members—Subject to affirmative action requirements. [Order 74-7, § 516-73-200, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-205 Reemployment of faculty members—Status of faculty member if reinstated into previously held position. [Order 74-7, § 516-73-205, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).
- 516-73-210 Assistance in securing other employment. [Order 74-7, § 516-73-210, filed 8/8/74.] Repealed by 84-23-024 (Order 84-03, Resolution No. 84-03), filed 11/13/84. Statutory Authority: RCW 28B.35.120(11).

Chapter 516-04 WAC

BOARD OF TRUSTEES

WAC

- 516-04-010 Regular meetings.

WAC 516-04-010 Regular meetings. Regular meetings of the board of trustees of Western Washington University shall be held on the first Thursday of each month a meeting is held unless such date is changed by board resolution at a meeting regularly scheduled or called for that purpose. A copy of such resolution shall be filed in the president's office. The annual meeting schedule will be published in the Washington State Register prior to January each year.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-04-010, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-04-010, filed 11/17/72.]

Chapter 516-11 WAC

PUBLIC RECORDS

WAC

- 516-11-010 Definition and classification of public records.
- 516-11-040 General course and method of decision making.
- 516-11-060 Designation of public records officers.
- 516-11-070 Availability for public inspection and copying of public records.
- 516-11-080 Requests for public records.
- 516-11-090 Charges for copying.
- 516-11-100 Determination regarding exempt records.
- 516-11-110 Review of denials of public records requests.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 516-11-030 Description of central and field organization at Western Washington State College. [Order 73-5, § 516-11-030, filed 4/12/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.
- 516-11-050 Informal procedures regarding the general course and methods of decision. [Order 73-5, § 516-11-050, filed 4/12/73.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.

WAC 516-11-010 Definition and classification of public records. As used in this chapter, the term "public" shall include any paper, correspondence, completed form, bound record book, photograph, film, sound recording, map drawing, machine-readable material, or other document, regardless of physical form or characteristics, and including such copies thereof, that have been made by or received by any agency of the state of Washington in connection with the transaction of public business, and legislative records as described in RCW 40.14.100, subject to the exemptions set forth in RCW 42.17.310, as now or hereafter amended.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-11-010, filed 4/27/90, effective 5/1/90; Order 73-5, § 516-11-010, filed 4/12/73.]

WAC 516-11-040 General course and method of decision making. 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. Accordingly, all rules, orders or directives, or regulations of the university which affect the relationship of particular segments of the university, as students, faculty, or other employees, with the university or with each other,

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

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

(3) 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 Administrative Procedure Act and appear in Title 516 WAC: Provided, however, That in accordance with RCW 34.05.010(15), the university reserves the right to promulgate as internal procedures not created or implemented in accordance with the Administrative Procedure Act, the following: Procedures or policies relating primarily to the following: Standards for admissions; academic advancement, academic academic credits, graduation and the granting of degrees; 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 the Administrative Procedure Act unless otherwise required by law. Internal procedures to the extent not already set forth in the university's published catalogs and handbooks are available to the public on file in the reference room in the library.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-11-040, filed 4/27/90, effective 5/1/90; Order 73-5, § 516-11-040, filed 4/12/73.]

WAC 516-11-060 Designation of public records officers. (1) In accordance with the requirements of chapter 42.17 RCW, insofar as such chapter requires state agencies to adopt and enforce reasonable rules and regulations to provide full public access to official records while yet protecting the same from damage and to prevent excessive interference with essentials of the agency, all public records at the 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."

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

- (a) Office of the president;
- (b) Office of the provost;
- (c) Office of student affairs;
- (d) Office of business and financial affairs.

The above-designated division head shall be deemed custodian of the records in the possession or control of agencies, departments, officers and employees of his or her divi-

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sion and responsible for the care and custody of records within his or her division even though such person is not in actual possession or control of such records. Such division heads shall be known as the university "records custodians."

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

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-11-060, filed 4/27/90, effective 5/1/90; Order 73-5, § 516-11-060, filed 4/12/73.]

WAC 516-11-070 Availability for public inspection and copying of public records. Public records shall be available for inspection and copying during the customary office hours of the 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 or a records custodian, agree on a different time.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-11-070, filed 4/27/90, effective 5/1/90; Order 73-5, § 516-11-070, filed 4/12/73.]

WAC 516-11-080 Requests for public records. In accordance with chapter 42.17 RCW 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 and shall be presented to the public records officer or any other of the persons designated by this chapter as a custodian of certain university records, per WAC 516-11-060. 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 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 person to whom the request is being made to assist the member of the public in identifying the public record requested.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-11-080, filed 4/27/90, effective 5/1/90; Order 73-5, § 516-11-080, filed 4/12/73.]

WAC 516-11-090 Charges for copying. (1) No fee shall be charged for inspection of public records. The university may impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy public records; such charges shall not exceed the amount necessary to reimburse the university for its actual costs incident to such copying.

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

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-11-090, filed 4/27/90, effective 5/1/90; Order 73-5, § 516-11-090, filed 4/12/73.]

WAC 516-11-100 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 officer of the university, the president of the university, or the assistant attorney general assigned to the university.

(2) Responses to requests for records must be made promptly. Denials of request for public records must be accompanied by a written statement, specifying the specific reasons therefor.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-11-100, filed 4/27/90, effective 5/1/90; Order 73-5, § 516-11-100, filed 4/12/73.]

WAC 516-11-110 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 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.

(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, or his or her designee, which for the purposes of this section may include the public records officer or the records custodians, shall consider such petition. The review decision shall be in writing and transmitted to the person prior to the end of the second business day after receipt of the written request for review.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-11-110, filed 4/27/90, effective 5/1/90; Order 73-5, § 516-11-110, filed 4/12/73.]

Chapter 516-12 WAC

PARKING AND TRAFFIC REGULATIONS

WAC

516-12-400	Definitions.
516-12-410	Purpose.
516-12-420	Authority.

516-12-430	General regulations.
516-12-440	Parking areas.
516-12-450	Permits.
516-12-460	Fees.
516-12-470	Enforcement.
516-12-480	Appeals.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

516-12-010	Definitions. [Statutory Authority: RCW 28B.35.120(11), 80-12-003 (Resolution No. 80-04), § 516-12-010, filed 8/22/80; Order 75-4, § 516-12-010, filed 8/11/75; Order 70-10, § 516-12-010, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-020	Preamble. [Statutory Authority: RCW 28B.35.120(11), 80-12-003 (Resolution No. 80-04), § 516-12-020, filed 8/22/80; Order 75-4, § 516-12-020, filed 8/11/75; Order 70-10, § 516-12-020, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-030	Purposes. [Statutory Authority: RCW 28B.35.120(11), 80-12-003 (Resolution No. 80-04), § 516-12-030, filed 8/22/80; Order 75-4, § 516-12-030, filed 8/11/75; Order 70-10, § 516-12-030, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-040	Applicable traffic rules and regulations. [Order 75-4, § 516-12-040, filed 8/11/75; Order 70-10, § 516-12-040, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-050	Permits required for vehicles on campus. [Statutory Authority: RCW 28B.35.120(11), 80-12-003 (Resolution No. 80-04), § 516-12-050, filed 8/22/80; Order 75-4, § 516-12-050, filed 8/11/75; Order 70-10, § 516-12-050, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-060	Persons responsible for compliance. [Order 75-4, § 516-12-060, filed 8/11/75; Order 70-10, § 516-12-060, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-070	Permits—Authorization for issuance and sale. [Statutory Authority: RCW 28B.35.120(11), 80-12-003 (Resolution No. 80-04), § 516-12-070, filed 8/22/80; Order 75-4, § 516-12-070, filed 8/11/75; Order 70-10, § 516-12-070, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-073	Permits—Fees. [Statutory Authority: RCW 28B.35.120(11), 80-12-003 (Resolution No. 80-04), § 516-12-073, filed 8/22/80; Order 75-4, § 516-12-073, filed 8/11/75.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-076	Permits—Purchase schedule. [Order 75-4, § 516-12-076, filed 8/11/75.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-080	Assignment of parking. [Statutory Authority: RCW 28B.35.120(11), 80-12-003 (Resolution No. 80-04), § 516-12-080, filed 8/22/80; Order 75-4, § 516-12-080, filed 8/11/75; Order 70-10, § 516-12-080, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-090	Valid permit. [Order 75-4, § 516-12-090, filed 8/11/75; Order 70-10, § 516-12-090, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-100	Permit—Display. [Order 75-4, § 516-12-100, filed 8/11/75; Order 70-10, § 516-12-100, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-110	Permit—Transfer. [Order 75-4, § 516-12-110, filed 8/11/75; Order 70-10, § 516-12-110, filed 3/2/70.]

516-12-120	Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11). Additional vehicle—Pool permits. [Order 75-4, § 516-12-120, filed 8/11/75; Order 3085, § 516-12-120, filed 8/9/71; Order 70-10, § 516-12-120, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).	516-12-230	Parking within designated spaces. [Order 75-4, § 516-12-230, filed 8/11/75; Order 70-10, § 516-12-230, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-130	Permit—Revocation. [Statutory Authority: RCW 28B.35.120(11). 80-12-003 (Resolution No. 80-04), § 516-12-130, filed 8/22/80; Order 75-4, § 516-12-130, filed 8/11/75; Order 3085, § 516-12-130, filed 8/9/71; Order 70-10, § 516-12-130, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).	516-12-240	University and state owned vehicles. [Statutory Authority: RCW 28B.35.120(11). 80-12-003 (Resolution No. 80-04), § 516-12-240, filed 8/22/80; Order 75-4, § 516-12-240, filed 8/11/75; Order 70-10, § 516-12-240, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-140	Permit—Right to refuse. [Statutory Authority: RCW 28B.35.120(11). 80-12-003 (Resolution No. 80-04), § 516-12-140, filed 8/22/80; Order 75-4, § 516-12-140, filed 8/11/75; Order 70-10, § 516-12-140, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).	516-12-250	Authority of parking manager to impose special traffic and parking regulations. [Order 75-4, § 516-12-250, filed 8/11/75; Order 70-10, § 516-12-250, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-145	Permit—Application. [Statutory Authority: RCW 28B.35.120(11). 80-12-003 (Resolution No. 80-04), § 516-12-145, filed 8/22/80; Order 75-4, § 516-12-145, filed 8/11/75.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).	516-12-255	Citations. [Statutory Authority: RCW 28B.35.120(11). 80-12-003 (Resolution No. 80-04), § 516-12-255, filed 8/22/80.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-150	Permit—Annual, academic year and quarterly. [Statutory Authority: RCW 28B.35.120(11). 80-12-003 (Resolution No. 80-04), § 516-12-150, filed 8/22/80; Order 75-4, § 516-12-150, filed 8/11/75; Order 3085, § 516-12-150, filed 8/9/71; Order 70-10, § 516-12-150, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).	516-12-256	Continuing violations. [Statutory Authority: RCW 28B.35.120(11). 80-12-003 (Resolution No. 80-04), § 516-12-256, filed 8/22/80.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-160	Permit—Refunds. [Order 75-4, § 516-12-160, filed 8/11/75; Order 70-10, § 516-12-160, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).	516-12-260	Enforcement. [Statutory Authority: RCW 28B.35.120(11). 80-12-003 (Resolution No. 80-04), § 516-12-260, filed 8/22/80; Order 75-4, § 516-12-260, filed 8/11/75; Order 3085, § 516-12-260, filed 8/9/71; Order 70-10, § 516-12-260, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-170	Permit—Special. [Statutory Authority: RCW 28B.35.120(11). 80-12-003 (Resolution No. 80-04), § 516-12-170, filed 8/22/80; Order 75-4, § 516-12-170, filed 8/11/75; Order 70-10, § 516-12-170, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).	516-12-265	Enforcement—When regulations in effect. [Statutory Authority: RCW 28B.35.120(11). 80-12-003 (Resolution No. 80-04), § 516-12-265, filed 8/22/80; Order 75-4, § 516-12-265, filed 8/11/75.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-175	Permit—All lots. [Statutory Authority: RCW 28B.35.120(11). 80-12-003 (Resolution No. 80-04), § 516-12-175, filed 8/22/80; Order 75-4, § 516-12-175, filed 8/11/75.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).	516-12-268	Lack of space in assigned lot. [Order 75-4, § 516-12-268, filed 8/11/75.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-180	Night parking. [Order 75-4, § 516-12-180, filed 8/11/75; Order 3085, § 516-12-180, filed 8/9/71; Order 70-10, § 516-12-180, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).	516-12-270	Impounding of vehicles. [Order 70-10, § 516-12-270, filed 3/2/70.] Repealed by Order 75-4, filed 8/11/75.
516-12-190	Speed. [Order 75-4, § 516-12-190, filed 8/11/75; Order 70-10, § 516-12-190, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).	516-12-280	Liability of university. [Statutory Authority: RCW 28B.35.120(11). 80-12-003 (Resolution No. 80-04), § 516-12-280, filed 8/22/80; Order 75-4, § 516-12-280, filed 8/11/75; Order 70-10, § 516-12-280, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-200	Regulatory signs and directions. [Order 75-4, § 516-12-200, filed 8/11/75; Order 70-10, § 516-12-200, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).	516-12-290	Parking area designations. [Order 75-4, § 516-12-290, filed 8/11/75; Order 70-10, § 516-12-290, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-210	Pedestrians right of way. [Order 75-4, § 516-12-210, filed 8/11/75; Order 70-10, § 516-12-210, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).	516-12-300	Delegation of authority. [Order 75-4, § 516-12-300, filed 8/11/75; Order 70-10, § 516-12-300, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
516-12-220	Parking areas. [Statutory Authority: RCW 28B.35.120(11). 80-12-003 (Resolution No. 80-04), § 516-12-220, filed 8/22/80; Order 75-4, § 516-12-220, filed 8/11/75; Order 70-10, § 516-12-220, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).	516-12-310	Parking of vehicles on campus. [Order 75-4, § 516-12-310, filed 8/11/75. Formerly WAC 516-12-310 effective date, Order 70-10, filed 3/2/70.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).
		516-12-320	Repair of vehicles. [Statutory Authority: RCW 28B.35.120(11). 80-12-003 (Resolution No. 80-04), § 516-12-320, filed 8/22/80; Order 75-4, § 516-12-320, filed 8/11/75.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).

WAC 516-12-400 Definitions. As used in this chapter, and chapters 516-13 and 516-14 WAC, the following words and phrases mean:

- (1) "Area designator": A tag affixed to a permit indicating a parking lot assignment for a vehicle.
- (2) "Automobile": Any motorized vehicle having four or more wheels.
- (3) "Board": The board of trustees of Western Washington University.
- (4) "Campus": All state lands devoted to the educational or research activities of the university.
- (5) "Disabled space": A parking space identified with a sign bearing the international disabled symbol that is restricted at all hours to use by vehicles displaying a valid WWU disabled parking permit.
- (6) "Dismount zone": Any area designated by signs or symbols as a place where bicycles shall not be ridden but may be walked.
- (7) "Employee": Any individual appointed to the faculty, staff, or administration of the university.
- (8) "Habitual offender": The driver of a vehicle license number or permit number accruing ten or more paid or unpaid parking citations.
- (9) "Holiday" or "university holiday": A day when all university offices and/or facilities are closed (e.g., Thanksgiving Day, Christmas Day, New Year's Day). Intercession or quarter breaks are not considered holidays. See definition of intercession.
- (10) "Intercession": A period of time in which classes or final exams are not in session. Except for holidays that may fall within this time period, the business offices of the university are open during this time.
- (11) "Impoundment": A state in which a vehicle has been seized and kept in legal custody by either being immobilized with a wheel lock device or towed from campus.
- (12) "Meter feeding": Purchase of additional time beyond the time limit posted on the parking meters. This practice is prohibited since use of meters is intended to serve short-term parking needs.
- (13) "Motorcycle": Any two or three wheeled motorized vehicle.
- (14) "Motor vehicle" or "vehicle": Any automobile or motorcycle.
- (15) "Parking appeals board": The board which hears parking citation appeals.
- (16) "Public safety director": The person appointed public safety director of the university by the president or designee.
- (17) "Parking space": A parking area designated by a sign, wheelstop, white-painted lines, and/or white traffic buttons.
- (18) "Permit": Any special or temporary parking permit authorized by the public safety director.
- (19) "President": The president of Western Washington University.
- (20) "Prohibited area": An area in which vehicular traffic and/or parking is prohibited according to the times posted.
- (21) "Public safety department": The university public safety department.
- (22) "Student": Any person enrolled in the university as a student.

(23) "Parking and transportation services": The parking and transportation services of the university.

(24) "Time-limited parking space": A space in which parking is allowed for a specific time period.

(25) "University": Western Washington University.

(26) "Valid permit": An unexpired parking permit authorized by the public safety director, properly registered and displayed on the vehicle.

(27) "Visitors": Persons who are neither employees or students and who visit the campus only on occasional basis.

(28) "Wheelstop": A cement or metal barrier approximately eight inches high and six feet long used to define a parking space.

[Statutory Authority: RCW 28B.35.120(12). 02-07-045, § 516-12-400, filed 3/14/02, effective 4/14/02. Statutory Authority: RCW 28B.35.120. 97-17-052, § 516-12-400, filed 8/15/97, effective 9/15/97; 96-14-006, § 516-12-400, filed 6/20/96, effective 7/21/96. Statutory Authority: RCW 28B.35.120(12). 95-09-047, § 516-12-400, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 28B.35.120(11). 92-06-068 (Order 92-01), § 516-12-400, filed 3/3/92, effective 3/31/92; 87-18-001 (Resolution No. 6-04-87), § 516-12-400, filed 8/20/87. Statutory Authority: RCW 28B.10.560. 85-14-098 (Resolution No. 85-05), § 516-12-400, filed 7/2/85. Statutory Authority: RCW 28B.35.120(11). 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-12-400, filed 6/28/83, effective 9/19/83.]

WAC 516-12-410 Purpose. The purpose of these regulations is:

- (1) To facilitate the work of the university.
- (2) To assign the limited available space for the most effective use.
- (3) To protect and control pedestrian and vehicular traffic.
- (4) To assure access at all time for emergency traffic.
- (5) To regulate parking and minimize traffic disturbance during class hours.
- (6) To provide funds to maintain suitable parking facilities.

[Statutory Authority: RCW 28B.10.560. 85-14-098 (Resolution No. 85-05), § 516-12-410, filed 7/2/85. Statutory Authority: RCW 28B.35.120(11). 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-12-410, filed 6/28/83, effective 9/19/83.]

WAC 516-12-420 Authority. The board of trustees of Western Washington University is granted authority under Title 28B of the Revised Code of Washington to establish regulations to govern pedestrian and vehicular traffic and parking on the campus of the university. The administration of the parking regulations and moving violations is the responsibility of the public safety director.

(1) All regulations in this chapter and all motor vehicle and other traffic laws of the state of Washington will apply on the campus.

(2) The traffic code of the city of Bellingham will apply on city streets which cross the campus.

(3) The public safety director is authorized to:

(a) Issue and/or sell parking permits to employees, students, guests, visitors, and others when necessary, and to provide special parking for the physically disabled.

(b) Impose and/or suspend traffic and parking regulations and restrictions when appropriate to the mission of the university.

(c) Erect signs, barricades, and other structures to designate and mark the various parking or no parking areas on

campus; and to paint marks and other directions on the streets and roadways for the regulation of traffic and parking.

(d) Establish procedures, including time schedules and deadlines, to govern the purchase of annual, academic year, and quarterly permits, and to assign the limited parking spaces.

(4) The authority conferred upon the public safety director under this chapter may be delegated by the public safety director to other personnel within parking and transportation services under guidelines established by business and financial affairs.

(5) The university reserves the right to change or close, either temporarily or permanently, any campus parking area. Notice of change will be provided whenever practical.

[Statutory Authority: RCW 28B.35.120(12). 02-07-045, § 516-12-420, filed 3/14/02, effective 4/14/02. Statutory Authority: RCW 28B.35.120. 97-17-052, § 516-12-420, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 28B.10.560. 85-14-098 (Resolution No. 85-05), § 516-12-420, filed 7/2/85. Statutory Authority: RCW 28B.35.120(11). 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-12-420, filed 6/28/83, effective 9/19/83.]

WAC 516-12-430 General regulations. (1) The registered owner(s) and operator of a vehicle or the person to whom a permit is issued involved in a violation of these regulations will be jointly and severally responsible for the violation.

(2) All vehicles, attended or unattended, must display a valid Western Washington University parking permit when parked on the campus unless parked in a metered parking space (with meter payment) or a time-limited space.

(3) Policy on assignments to parking lots will be established by the public safety director.

(4) If a parking permit holder cannot locate a parking space in the assigned lot, he/she may park in the next nearest parking lot and then must call the parking and transportation services office. Motorcycle permit holders will go to the next nearest motorcycle lot.

(5) The university reserves the right to refuse parking privileges to anyone who has

- (a) Had a permit revoked.
- (b) Falsified a parking application or registration.
- (c) Counterfeited or altered an area designator or permit.
- (d) Failed to pay outstanding citations.
- (e) Been identified as a habitual offender.
- (f) Been found to be in possession of or using a lost or stolen permit.

(g) Removed a wheel lock without authorization of parking and transportation services.

(6) The speed limit on campus is 10 mph or as posted. Vehicles must be operated in a careful and prudent manner at all times and must be operated in compliance with established speed limits. Drivers of vehicles must obey all regulatory signs and comply with directions given by members of parking and transportation services and officers of the public safety department in the control and regulation of parking and traffic.

(7) The operator of a vehicle must yield the right of way to pedestrians crossing streets and roadways within the campus, and at intersections or clearly marked crosswalks or city streets which cross the campus. Pedestrians must not cross any street or roadway except at an intersection or clearly

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marked crosswalk. Pedestrians must utilize sidewalks where provided on streets and roadways. If no sidewalk is provided, pedestrians will utilize the extreme left-hand side and move to their left and clear of the roadway or street upon meeting an oncoming vehicle.

(8) Vehicles owned by or assigned on a permanent basis to administrative units on campus and bearing "E," "B" or "M" license plates or a university insignia may be parked in "G" or "C" lots for brief periods while the driver is on university business. Long-term parking is not permitted, nor is any parking allowed in reserved spaces except when a space is designated for that specific vehicle. University vehicles may be parked in metered spaces provided that meter regulations are observed. Violations incurred will be the responsibility of the driver. All operators of these or other state vehicles will abide by all traffic and parking regulations.

(9) No person may utilize any vehicle parked on campus as a living unit without specific approval from the public safety director. Violators will be cited and/or towed.

(10) Vehicles are to be maintained in operating condition at all times on university property. Repairs will not be made on campus unless authorization has been received in advance from the public safety director. A vehicle which appears to be abandoned, with or without current Western Washington University registration or license plates, may be impounded after an attempt is made to locate and notify the owner of the impending action.

(11) The university rents space to individuals who wish to park on campus and who are issued a parking permit. The university assumes no responsibility or liability under any circumstances for vehicles or bicycles parked on campus nor does it assume any personal liability in connection with its parking program. No bailment of any sort is created by the issuance of a permit.

(12) The person who obtains a permit is responsible for assuring that the vehicle, regardless of who drives it, is parked in conformance with these regulations.

[Statutory Authority: RCW 28B.35.120(12). 02-07-045, § 516-12-430, filed 3/14/02, effective 4/14/02. Statutory Authority: RCW 28B.35.120. 97-17-052, § 516-12-430, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 28B.35.120(11). 92-06-068 (Order 92-01), § 516-12-430, filed 3/3/92, effective 3/31/92. Statutory Authority: RCW 28B.35.120(12). 90-17-032, § 516-12-430, filed 8/9/90, effective 9/9/90. Statutory Authority: RCW 28B.10.560. 85-14-098 (Resolution No. 85-05), § 516-12-430, filed 7/2/85. Statutory Authority: RCW 28B.35.120(11). 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-12-430, filed 6/28/83, effective 9/19/83.]

WAC 516-12-440 Parking areas. (1) Parking is prohibited in any area not specifically marked as a parking space, designated by a sign, wheelstop, white/painted lines, and/or white traffic buttons.

(2) Vehicles will not be parked in any parking area without a parking permit for that area except as provided in WAC 516-12-430(2). Each parking area is posted to indicate the type of permit required and the times they are required.

(3) Parking in a time-limited space is limited to the time posted or assigned.

(4) Visitors will park only where assigned by permit or in metered visitor areas with meter payment.

(5) Vehicles displaying valid permits for other parking areas on campus may not park in metered visitor lots except as provided in WAC 516-12-430(4).

(6) Meters are available to serve short-term parking needs. They are in effect at the times posted at the location. During these times the meter must be paid the correct amount posted. "Feeding" meters is prohibited. That is, additional time cannot be purchased beyond the time limit posted on the meter (e.g., a two-hour meter will allow a maximum of two hours of purchased time, and the driver may not pay the meter again to park longer than the maximum time provided).

(7) Motorcycles and moped-type vehicles will be parked in designated "M" (motorcycle) lots only and will not use space assigned to automobiles or bicycles, unless parked at a meter with payment.

(8) Automobiles will not be parked in areas assigned to motorcycles.

(9) Bicycles must be parked in bicycle racks where provided. (Chapter 516-13 WAC.)

(10) Personal notes or business cards left on vehicles describing reasons for parking without a proper and valid permit or for parking in an unauthorized manner will not be accepted.

(11) Spaces designated for specific use are restricted for that designated purpose or to assigned vehicles all hours.

(12) Resident student "R" lots are restricted to permit holders 24 hours per day.

(13) All parking spaces are defined by signs, painted surface lines, traffic "buttons," and/or wheelstops. All other areas are no parking zones. Using more than one space when parking is prohibited.

(14) The fact that other vehicles are parked improperly does not constitute a valid excuse. Should an individual parked in violation of any regulation not receive a citation, it does not indicate that such parking is authorized, that the regulation is no longer in effect, or that a future ticket is invalid.

(15) The fact that one vehicle is parked in such a manner as to occupy more than one parking space is not an acceptable excuse for another operator to do the same.

[Statutory Authority: RCW 28B.35.120(12). 02-07-045, § 516-12-440, filed 3/14/02, effective 4/14/02. Statutory Authority: RCW 28B.35.120. 96-14-006, § 516-12-440, filed 6/20/96, effective 7/21/96. Statutory Authority: RCW 28B.35.120(12). 90-17-032, § 516-12-440, filed 8/9/90, effective 9/9/90. Statutory Authority: RCW 28B.10.560. 85-14-098 (Resolution No. 85-05), § 516-12-440, filed 7/2/85. Statutory Authority: RCW 28B.35.120(11). 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-12-440, filed 6/28/83, effective 9/19/83.]

WAC 516-12-450 Permits. (1) Except as otherwise provided in this chapter, permits may be issued only to students, employees, and other members of the university community. Persons wishing to obtain parking permits are required to complete a registration form provided by parking and transportation services and pay the fee. Ownership of the parking permit remains with the university. Individuals are not allowed to transfer ownership. All permits reported lost or stolen should be returned to the parking and transportation services office immediately upon recovery. Possession or use of a lost or stolen permit or a forged permit will result in a fine, the vehicle being wheel-locked, and loss of parking privileges. Report the loss or theft of a parking permit to the parking and transportation services office immediately.

(2) A valid permit means an unexpired parking permit authorized by the public safety director, properly registered and displayed on the vehicle.

(3) Hanging parking permits are to be displayed from the rear-view mirror according to instructions on the permit. Other types of permits are to be displayed according to instructions provided by parking and transportation services personnel. A parking permit is not considered valid unless it is correctly displayed on the vehicle.

(4) Motorcycle permits will be permanently attached to the top of the taillight. If taillight does not conform to current federal law, permits must be attached so as to be easily seen from the rear of the vehicle.

(5) The theft or loss of a parking permit should be reported immediately upon discovery.

A stolen permit will be replaced the first time at no cost providing a theft report has been filed with the public safety department. The second time the replacement fee will be \$10.00; the third time \$20.00; and thereafter at the original cost of the highest priced permit plus \$5.00.

A lost permit will be replaced the first time for \$5.00; the second time \$10.00; the third time \$20.00; and thereafter at the original cost of the highest priced permit plus \$5.00.

Recovered lost or stolen permits should be returned to the parking services office immediately.

(6) To enhance the business and operation of the university "all lots" decals or university business permits may be issued by the public safety director. Requests for all lots decals and university business permits require an annual completed supplemental application and the signature of the dean, director, or chairperson of the department with which the person is associated. Issuance requires purchase of a "G" parking permit and permits will be in effect the same period of time. These permits are valid for brief periods of time only when on university business and are not valid in metered lots, specifically reserved spaces, or small capacity lots.

(7) Persons with a temporary or permanent physical disability who require special parking consideration must obtain a state disabled parking permit as well as a valid WWU disabled parking permit.

(8) All permits are the property of the university and may be recalled by the public safety director under the following circumstances:

(a) When the purpose for which they were issued changes or ceases to exist.

(b) Falsification of an application or registration for parking.

(c) Violations of the regulations in this chapter.

(d) Counterfeiting or altering a permit.

(e) Failure to comply with a judgment of the parking appeals board.

(f) Failure to pay outstanding citations.

(g) Removed a wheel lock without authorization of parking and transportation services.

(9) Annual, academic, and quarterly parking space assignments will be available according to a schedule determined and publicized by the public safety director.

(a) Annual permits are valid for 12 months.

(b) Academic permits are valid for 9 months.

(c) Quarterly permits are valid from the first day of the quarter for which issued until the first day of the succeeding quarter.

(d) Those persons desiring to consecutively renew a quarterly permit for winter, spring, and summer quarters to

the same parking lot as assigned for fall quarter may do so during the two weeks prior to finals week each quarter through the first two weeks of the next quarter. Permits may not be renewed for fall quarter.

(10) Special permits may include, but are not limited to: Guest, service/vendor, temporary assignment, visitor, and loading permits authorized by the public safety director.

(11) Faculty, staff, or students who have purchased a hanging parking permit but forget to place it on the vehicle they are driving to campus must obtain a temporary permit from the parking office or visitor information center. Those who have not purchased a permit must obtain a temporary permit from the parking and transportation services office or the visitor information center at the cost of a daily visitor permit. Temporary permits are issued for the lot assigned or, if no permit has been purchased, for available spaces.

(12) Faculty, staff, or students who purchase an annual, academic, or quarterly parking permit may use the permit on any vehicle they drive but may not transfer ownership of the permit. The individual to whom a permit is issued is responsible for parking violations by any vehicle bearing the permit.

[Statutory Authority: RCW 28B.35.120(12), 02-07-045, § 516-12-450, filed 3/14/02, effective 4/14/02. Statutory Authority: RCW 28B.35.120. 97-17-052, § 516-12-450, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 28B.10.560. 85-14-098 (Resolution No. 85-05), § 516-12-450, filed 7/2/85. Statutory Authority: RCW 28B.35.120(11), 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-12-450, filed 6/28/83, effective 9/19/83.]

WAC 516-12-460 Fees. (1) Fee and citation schedules will be submitted by the president or his/her designee to the board of trustees for approval by motion and will thereafter be posted in the public area of the parking and transportation services office.

(2) Cost of permits will be prorated throughout the year according to type and date purchased and will be posted in the parking and transportation services office.

(3) Refunds may be made based on the valid time remaining upon application by the permit holder or upon revocation of the permit by the public safety director. Unpaid citation fines will be deducted from any refund.

(a) The permit holder must return the permit to the parking and transportation services office before a refund will be authorized or a payroll deduction be terminated.

(b) A service charge will be assessed for any permit returned during the first ten days of fall quarter.

(c) A service charge will be assessed for quarterly permits returned during the first ten days of the quarter for which valid.

(d) No refund will be made for a quarterly permit during the last two weeks of the quarter.

(e) No refund will be made for an academic permit during the last two weeks of spring quarter.

(f) No refund will be made for a summer permit or an annual permit after the six-week summer session.

(4) A service charge will be assessed for:

(a) Change of permit when a lot transfer is requested by the permit holder and approved by the public safety director.

(b) Replacement of permits unless the old permit is returned in identifiable condition.

(c) Change in hours issued on a part-time permit.

(5) Salaried employees have the option of paying for parking through payroll deduction.

(6) Prorated fees will be charged for part-time permits.

(7) The proper fee must be paid for all vehicles parked in metered lots unless otherwise authorized.

(8) For fees regarding lost or stolen permits, see WAC 516-12-450(5).

[Statutory Authority: RCW 28B.35.120(12), 02-07-045, § 516-12-460, filed 3/14/02, effective 4/14/02. Statutory Authority: RCW 28B.35.120. 97-17-052, § 516-12-460, filed 8/15/97, effective 9/15/97; 96-14-006, § 516-12-460, filed 6/20/96, effective 7/21/96. Statutory Authority: RCW 28B.10.560. 85-14-098 (Resolution No. 85-05), § 516-12-460, filed 7/2/85. Statutory Authority: RCW 28B.35.120(11), 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-12-460, filed 6/28/83, effective 9/19/83.]

WAC 516-12-470 Enforcement. (1) General.

(a) A vehicle which is parked in a manner which endangers or potentially endangers members of the university community or their property, state property, and/or prevents a person having a valid permit from parking in their designated parking area, will be impounded on the first violation.

(b) Upon receiving two unpaid parking citations outstanding for more than seventy-two hours, a vehicle is subject to impound.

(c) A student with unpaid parking citations may not receive their class registration and/or transcript until citations are paid.

(d) Parking permits will not be issued until all outstanding citations are paid.

(e) After identifying the registered owner of any vehicle without a parking permit or a permit number which has one or more unpaid citations, the parking and transportation services office will contact the owner in writing that payment is required. If payment for outstanding citations is not made by the date required, the matter will be referred to the appropriate collection agent and/or civil court for resolution.

(f) The operator and owner(s) of a vehicle which is involved in a violation of the university's parking regulations are jointly and severally responsible for the violation. The person to whom a permit is issued is responsible for all citations issued to that permit number.

(g) These enforcement measures are cumulative using one or more enforcement measures will not prohibit the use of additional measures.

(2) When regulations are in effect.

(a) Except as stated in (b) and (c) of this subsection, parking regulations are subject to enforcement throughout the calendar year but will not be enforced on official university holidays unless otherwise posted. For purposes of this section, intercession is not considered a university holiday.

(b) A vehicle which is parked in a manner which endangers or potentially endangers members of the university or their property or state property will be impounded on the first violation regardless of when the violation occurs.

(c) Intercession regulations will be determined and published by the public safety director as required.

(d) All lots have restrictions. Refer to regulatory signs at lot entrances.

(e) Should there be a conflict between these regulations, parking maps, and on-site posted signs regarding parking information and instructions, the on-site sign takes precedence.

(3) Citations. A vehicle which is in violation of the university's parking regulations will be issued a citation.

(4) Continued violations. A vehicle which remains in violation of any regulations may receive additional citations for every four hours of the violation.

(5) Impoundment by towing or wheel lock:

(a) All violators are subject to having their vehicles impounded through the use of towing or the wheel lock device at their own risk and expense.

(b) Any vehicle may be towed away if the vehicle:

(i) Has been immobilized by wheel lock for more than twenty-four hours; or

(ii) Is parked in such a manner as to endanger the university community; or

(iii) Is parked in a fire lane blocking traffic or other posted tow-away zone; or

(iv) Is parked so as to deprive a permit holder of space in his/her assigned lot, personally reserved space or disabled space without a proper permit; or

(v) Is left under circumstances which indicate it has been abandoned; or

(vi) Is found displaying a forged or reported lost or stolen permit; or

(vii) Cannot be impounded with the wheel lock device.

(c) Any vehicle may be immobilized by use of a wheel lock device if the vehicle:

(i) Has an accumulation of two or more unpaid parking tickets (the second of which has been outstanding for more than seventy-two hours); or

(ii) Is parked at any time on campus when parking privileges have been revoked.

(d) The operator/owner of the impounded vehicle must pay all outstanding citations at the parking and transportation services office (or university public safety department when the parking and transportation services office is closed) and complete the required paperwork before a vehicle release is authorized.

(e) A fee will be assessed on vehicles immobilized by the wheel lock device.

(f) Any vehicle which remains immobilized by wheel lock for more than twenty-four hours in an area where towing is not practical or possible will be assessed a fee for each day or portion thereof over the twenty-four hours.

(g) An impound fee is charged if the driver of the tow truck or the wheel lock operator has performed any labor prior to the vehicle operator/owner returning to the vehicle before the impoundment is completed.

(h) An impounded vehicle shall be released to the operator/owner of the vehicle when:

(i) Positive identification and proof of ownership of the vehicle is provided;

(ii) All unpaid fines against the impounded vehicle or any other vehicle registered to the violator are paid at parking and transportation services (or university public safety department when parking and transportation services is closed);

(iii) A wheel lock fee is paid; and/or

(iv) All towing and storage fees are paid.

(i) The operator/owner of the towed vehicle must present an authorized release form to the towing company and pay all towing charges including any storage fees incurred.

(j) The university assumes no responsibility for damages which may result from use of the wheel lock device, storage, or attempts to move a vehicle with a wheel lock device installed.

(k) A person wishing to challenge the validity of the impound or any fines or fees imposed under the impound policy may appeal through the process provided in the chapter governing appeals (chapter 516-14 WAC). However, in order to secure release of the vehicle, the driver must pay the amount of fines and/or fees as a bond which will be refunded to the extent the appeal is approved.

(6) It is prohibited to park:

(a) Without a valid permit;

(b) Double parked;

(c) In reserved spaces without a proper permit;

(d) In no parking areas;

(e) In a disabled space without a proper permit;

(f) In fire lanes, service roads, fire exits or within 15 feet of a fire hydrant;

(g) In loading zones exceeding the time limit;

(h) In service entrances, construction sites, spaces reserved for maintenance vehicles, handicapped access areas, dumpster access;

(i) On lawns, sidewalks, crosswalks, parking lot drive-ways, straddling painted lines or buttons, or angle parking where prohibited;

(j) Exceeding time in time-limited or metered spaces;

(k) In areas where permit is not valid;

(l) Over or adjacent to yellow lines or curbs;

(m) Against the flow of traffic;

(n) In areas or spaces closed by barricades or other control devices.

(7) Payment of citations is due upon receipt.

[Statutory Authority: RCW 28B.35.120(12). 02-07-045, § 516-12-470, filed 3/14/02, effective 4/14/02. Statutory Authority: RCW 28B.35.120. 97-17-052, § 516-12-470, filed 8/15/97, effective 9/15/97; 96-14-006, § 516-12-470, filed 6/20/96, effective 7/21/96. Statutory Authority: RCW 28B.35.120(12). 95-09-047, § 516-12-470, filed 4/17/95, effective 5/18/95; 90-17-032, § 516-12-470, filed 8/9/90, effective 9/9/90. Statutory Authority: RCW 28B.35.120(11). 87-18-001 (Resolution No. 6-04-87), § 516-12-470, filed 8/20/87. Statutory Authority: RCW 28B.10.560. 85-14-098 (Resolution No. 85-05), § 516-12-470, filed 7/2/85. Statutory Authority: RCW 28B.35.120(11). 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-12-470, filed 6/28/83, effective 9/19/83.]

WAC 516-12-480 Appeals. Any person who alleges being unjustly ticketed and who wishes to appeal a citation shall report to the parking and transportation services office within seven days from the date of the citation and complete an appeal form or appeal on-line at www.park.wvu.edu.

(1) The right to a hearing is forfeited seven days from the date of the citation.

(2) Any person dissatisfied with the decision of the public safety director or designee on appeal of a citation may request a hearing before the parking appeals board. (Chapter 516-14 WAC.)

(3) Requests for a parking appeals board review must be made in writing within fourteen days of the decision made by the public safety director or designee and after the appealed citation has been paid in full.

[Statutory Authority: RCW 28B.35.120(12). 02-07-045, § 516-12-480, filed 3/14/02, effective 4/14/02. Statutory Authority: RCW 28B.35.120. 97-17-052, § 516-12-480, filed 8/15/97, effective 9/15/97. Statutory Authority:

RCW 28B.35.120(11), 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-12-480, filed 6/28/83, effective 9/19/83.]

Chapter 516-13 WAC

BICYCLE TRAFFIC AND PARKING REGULATIONS

WAC

516-13-010	Purpose.
516-13-020	Parking regulations.
516-13-030	Impounding of bicycles.
516-13-060	Motorized bicycles.
516-13-070	Registration.
516-13-080	Operation.
516-13-090	Enforcement.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

516-13-040	Unauthorized use. [Order 3085, § 516-13-040, filed 8/9/71.] Repealed by Order 75-4, filed 8/11/75.
516-13-050	Areas—Horns. [Order 3085, § 516-13-050, filed 8/9/71.] Repealed by Order 75-4, filed 8/11/75.

WAC 516-13-010 Purpose. The primary aim of these regulations shall be to prevent the unsafe use and/or unsafe parking of bicycles on the campus of Western Washington University.

[Statutory Authority: RCW 28B.35.120(11), 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-13-010, filed 6/28/83, effective 9/19/83; Order 75-4, § 516-13-010, filed 8/11/75; Order 3085, § 516-13-010, filed 8/9/71.]

WAC 516-13-020 Parking regulations. (1) All state of Washington bicycle regulations are applicable on the campus.

(2) All city of Bellingham bicycle regulations are applicable on the campus.

(3) Bicycles are to be parked only in bicycle racks where provided or in parking areas specifically designated or marked as a bicycle parking area. No person shall park a bicycle in the public areas of buildings, on a path, sidewalk, walkway, or in such a manner as to block a building exit or entrance.

(4) Bicycles are not to be chained to a designated work of art.

(5) Improperly parked bicycles are subject to impoundment.

[Statutory Authority: RCW 28B.35.120(12), 96-24-016, § 516-13-020, filed 11/22/96, effective 1/1/97. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-13-020, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(11), 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-13-020, filed 6/28/83, effective 9/19/83; Order 75-4, § 516-13-020, filed 8/11/75; Order 3085, § 516-13-020, filed 8/9/71.]

WAC 516-13-030 Impounding of bicycles. (1) Bicycles may be impounded for illegal parking.

(2) Bicycles will be released upon presentation of proof of ownership and payment of a \$3.00 fee if claimed within seven days. Bicycles unclaimed after seven days will be released to the university public safety department. If the owner of an impounded bicycle can be identified, they will be notified immediately after impound.

[Statutory Authority: RCW 28B.35.120(12), 02-07-045, § 516-13-030, filed 3/14/02, effective 4/14/02; 96-24-016, § 516-13-030, filed 11/22/96, effective 1/1/97. Statutory Authority: RCW 28B.35.120(11), 83-14-014 (Order

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6-02-83, Motion No. 6-02-83), § 516-13-030, filed 6/28/83, effective 9/19/83; Order 75-4, § 516-13-030, filed 8/11/75; Order 3085, § 516-13-030, filed 8/9/71.]

WAC 516-13-060 Motorized bicycles. Motorized bicycles are, for the purpose of this regulation, considered to be motorcycles and are subject to all traffic rules and regulations controlling motorcycles.

[Order 75-4, § 516-13-060, filed 8/11/75; Order 3085, § 516-13-060, filed 8/9/71.]

WAC 516-13-070 Registration. Owners of bicycles operated on the Western Washington University campus are encouraged to register their bicycles with the university public safety department. Registration is free and will facilitate identification of stolen or impounded bicycles.

[Statutory Authority: RCW 28B.35.120(11), 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-13-070, filed 6/28/83, effective 9/19/83.]

WAC 516-13-080 Operation. (1) Pedestrians have the right of way on all sidewalks, pathways, and plaza areas on campus. Bicyclists will use due caution when riding bicycles on campus and are encouraged to wear helmets.

(2) It is prohibited for bicycles to be ridden in areas specifically designated as permanent and/or temporary dismount zones. Bicyclists must dismount and walk their bicycles in designated dismount zones during the fifteen minutes prior to and fifteen minutes after each hour from 7:45 a.m. to 5:15 p.m. during regular class days, including finals week.

(3) Bicyclists are responsible for following the Bicycle Responsibility Code adopted May 21, 1996, by the student bicycle advisory coalition as amended by the central health and safety committee on June 3, 1996:

- Pedestrians have right of way, always.
- Stay in control.
- Avoid congested areas and use back roads when possible.
- Obey the dismount policy and obey all traffic laws.
- Dismount and walk your bike when in crowded areas.
- Minimize impact—Stay off the lawns.
- Park and lock bikes only at bike racks.
- Know the code!

[Statutory Authority: RCW 28B.35.120(12), 02-07-045, § 516-13-080, filed 3/14/02, effective 4/14/02; 96-24-016, § 516-13-080, filed 11/22/96, effective 1/1/97. Statutory Authority: RCW 28B.35.120(11), 92-06-068 (Order 92-01), § 516-13-080, filed 3/3/92, effective 3/31/92; 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-13-080, filed 6/28/83, effective 9/19/83.]

WAC 516-13-090 Enforcement. A bicycle rider who refuses to abide by these regulations set forth under chapter 516-13 WAC may be issued a university notice of infraction (NOI) for one or more of the following infractions:

- Failure to yield right of way to pedestrian;
- Failure to stay in control of bicycle;
- Failure to obey dismount policy;
- Riding on lawn or other restricted area;
- Failure to use due care and caution.

Penalties: The penalties for violating any part of this section shall be progressive, with the monetary penalty increasing for each subsequent offense regardless of the nature of the previous offense(s). The first violation shall have a monetary penalty of ten dollars. A second violation

shall have a monetary penalty of twenty-five dollars. A third and each subsequent violation shall have a monetary penalty of fifty dollars.

Any bicycle rider who violates any portion of this section and as a result is involved in a collision with a pedestrian or an object shall have the monetary penalty for the offense(s) doubled.

Any bicycle rider who attempts to elude a uniformed police officer attempting to enforce these regulations shall have the monetary penalty for the offense(s) doubled.

Chapter 516-13 WAC notwithstanding, bicycle riders remain subject to enforcement of applicable city and state traffic laws while riding upon public roadways or sidewalks.

A bicycle rider who refuses to cooperate with a police officer or to present proof of identification will be subject to arrest for obstructing a law enforcement officer under the provisions of chapter 9A.76 RCW and/or criminal trespass under the provisions of chapter 9A.52 RCW.

Appeal procedure. A university notice of infraction (NOI) may be appealed by filing a completed appeal form at the parking services office or appeal on-line at www.park.wvu.edu within seven days of receipt of the notice of infraction; otherwise, the right to a hearing is forfeited.

Distribution of funds collected from monetary penalties. Moneys collected for violations of chapter 516-13 WAC shall be applied towards the cost of enforcing this section. Moneys received in excess of these costs shall be applied towards bicycle-related projects, including bicycle parking, bicycle pathways and safe bicycling education.

[Statutory Authority: RCW 28B.35.120(12). 02-07-045, § 516-13-090, filed 3/14/02, effective 4/14/02; 99-07-089, § 516-13-090, filed 3/19/99, effective 4/19/99; 96-24-016, § 516-13-090, filed 11/22/96, effective 1/1/97. Statutory Authority: RCW 28B.35.120(11). 92-06-068 (Order 92-01), § 516-13-090, filed 3/3/92, effective 3/31/92.]

Chapter 516-14 WAC

APPEALS FROM PARKING VIOLATIONS

WAC

516-14-200 Policy and procedure.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

516-14-010 Establishment of parking appeals board and appointment of members. [Order 75-9, § 516-14-010, filed 9/12/75; Order 3085, § 516-14-010, filed 8/9/71.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).

516-14-020 Jurisdiction of the college parking appeals board. [Order 75-9, § 516-14-020, filed 9/12/75; Order 3085, § 516-14-020, filed 8/9/71.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).

516-14-030 Procedure—Summons and service thereof. [Order 75-9, § 516-14-030, filed 9/12/75; Order 3085, § 516-14-030, filed 8/9/71.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).

516-14-040 Procedure—Election to forfeit or contest. [Order 75-9, § 516-14-040, filed 9/12/75; Order 3085, § 516-14-040, filed 8/9/71.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).

516-14-050 Procedure—Complaint. [Order 75-9, § 516-14-050, filed 9/12/75; Order 3085, § 516-14-050, filed 8/9/71.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-

02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).

516-14-060 Procedure—Pleas at hearing. [Order 75-9, § 516-14-060, filed 9/12/75; Order 3085, § 516-14-060, filed 8/9/71.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).

516-14-070 Procedure—Oath or solemn affirmation. [Order 75-9, § 516-14-070, filed 9/12/75; Order 3085, § 516-14-070, filed 8/9/71.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).

516-14-080 Procedure—Rules of evidence. [Order 75-9, § 516-14-080, filed 9/12/75; Order 3085, § 516-14-080, filed 8/9/71.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).

516-14-090 Procedure—Examination of witnesses. [Order 75-9, § 516-14-090, filed 9/12/75; Order 3085, § 516-14-090, filed 8/9/71.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).

516-14-100 Procedure—Judgment. [Order 75-9, § 516-14-100, filed 9/12/75; Order 3085, § 516-14-100, filed 8/9/71.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).

516-14-110 Enforcement of judgments of the college parking appeals board. [Order 75-9, § 516-14-110, filed 9/12/75; Order 3085, § 516-14-110, filed 8/9/71.] Repealed by 83-14-014 (Order 6-02-83, Motion No. 6-02-83), filed 6/28/83, effective 9/19/83. Statutory Authority: RCW 28B.35.120(11).

WAC 516-14-200 Policy and procedure. A parking appeals board has been established composed of one administrator, one faculty member, and one staff member, to be appointed by the administrators, faculty, and staff respectively, and four students to be appointed by the associated students. Each will be appointed for a one-year term. The board will choose its own chairperson from its members.

(1) The board will meet throughout the academic year dependent upon the volume of appeals.

(2) The parking appeals board has jurisdiction to hear and decide only those cases involving alleged violations of Western Washington University's parking regulations, chapters 516-12 and 516-13 WAC.

(3) Moving violations, violations of the motor vehicle and other traffic laws of the state of Washington, and traffic code of the city of Bellingham are referred to the Bellingham police department and district justice court.

(4) The parking appeals board may adopt its own bylaws. However, these bylaws may not conflict with the WAC or the policies and procedures of related offices except by recommendation in writing, and subsequent approval of the office involved, through established university channels. The board shall be considered autonomous to the university governance system as to its judgment of appeals only. The board chairperson shall prepare an annual report for informational purposes to be submitted to the vice-president of business and financial affairs by May 31 each year.

(a) Payment of a parking fine shall not constitute a waiver of the right to a hearing with regard to the underlying violation.

(b) Those receiving a university parking citation may appeal the citation by completing an official appeal form available at the parking services office or appeal on-line at www.park.wvu.edu. The form must be completed within seven days of the issuance of the citation or the citation will be considered valid. (WAC 516-12-480)

(c) The appeal form must include a full explanation of the basis for the appeal. The only proper basis for an appeal is a contention that the cited regulations were not violated.

(d) The public safety director (or designee) will review the appeal and may recommend dismissal or a reduction of the citation. If dismissal is not recommended, appellant may request the appeal be sent to the board for adjudication upon payment of the fine and the completion of a request form. The public safety director has the authority to waive completion of the appeal form.

(e) Should a personal appearance before the board be desired, it should be indicated on the form, otherwise the citation will be adjudicated on the basis of the written submission only.

(f) If a personal appearance is requested, and the appellant cannot appear on the date scheduled, the appellant must notify the transportation and parking department in writing at least 24 hours before the scheduled time and request a new date. Only one such rescheduling is permitted. If the appellant does not appear at a scheduled hearing without notification, the appeal will be adjudicated on the basis of the written appeal only.

(g) The parking appeals board operates according to the rights of due process of law. If desired, the appellant has the right to be represented by counsel, the right to cross-examine witnesses, and the right to an open and impartial hearing.

(h) The transportation and parking department has the right to be represented at hearings and to cross-examine witnesses.

(i) The appeals board may examine witnesses for either side.

(j) At the conclusion of a hearing, and in an open meeting, the board will specify the charge(s) against the alleged violator, pronounce a judgment of guilty or not guilty as to each charge, and include a rationale for each judgment. The board has the authority to deny the appeal, waive, void or refund the citation fine(s) in part or in full, and/or refund the towing charge(s) in part or in full, according to the pronounced judgment of guilty or not guilty.

(k) The decision of the appeals board will be in writing and will be final.

(l) Failure to comply with a decision of the parking appeals board constitutes a ground for revocation of campus parking privileges. Any unpaid fine will be deducted from any refund due as a result of revocation of parking privileges or a judgment of the board.

(m) A written record of the judgment, rationale, and fine imposed, if any, shall be furnished to the transportation and parking department by the parking appeals board chairperson. These records will then be maintained by the transportation and parking department.

(n) Within the Revised Code of Washington, the alleged violator may appeal the decision of the appeals board to the state district court within ten days after written notice of the final decision has been given.

[Statutory Authority: RCW 28B.35.120(12). 02-07-045, § 516-14-200, filed 3/14/02, effective 4/14/02. Statutory Authority: RCW 28B.35.120(11). 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-14-200, filed 6/28/83, effective 9/19/83.]

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Chapter 516-15 WAC

SKATEBOARD AND IN-LINE SKATE POLICY

WAC

516-15-010	Definitions.
516-15-020	Purpose.
516-15-030	Authority.
516-15-040	Regulation.
516-15-050	Enforcement.

WAC 516-15-010 Definitions. As used in this chapter, the following words mean:

"Skateboard." A toy consisting of an oblong or rectangular board, 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.

"Skate." A toy consisting of shoes or boots with small wheels on the soles, either in pairs at the toe and heel or in a line down the length of the foot.

[Statutory Authority: RCW 28B.35.120(12). 96-24-015, § 516-15-010, filed 11/22/96, effective 1/1/97. Statutory Authority: RCW 28B.35.120. 87-21-080 (Resolution No. 87-02), § 516-15-010, filed 10/21/87.]

WAC 516-15-020 Purpose. Because the university is primarily a pedestrian campus, the purpose of these regulations is:

(1) To protect and control pedestrian traffic and traffic of persons using coasters, skateboards, in-line skates, toy vehicles or other similar devices.

(2) To protect from physical damage and more than ordinary wear the wooden and concrete benches, brick and paved walkways, stairs, steps, loading ramps, plazas, and ramps for the disabled, caused by use of coasters, skateboards, in-line skates, toy vehicles, or similar devices on such areas.

[Statutory Authority: RCW 28B.35.120(12). 96-24-015, § 516-15-020, filed 11/22/96, effective 1/1/97. Statutory Authority: RCW 28B.35.120. 87-21-080 (Resolution No. 87-02), § 516-15-020, filed 10/21/87.]

WAC 516-15-030 Authority. The board of trustees of Western Washington University is granted authority under Title 28B RCW to exercise full control of the university and its property of various kinds, and is authorized to promulgate rules and regulations to carry out its duties. The administration of these regulations is the responsibility of the president and the vice president for business and financial affairs. Enforcement is the responsibility of the director of public safety and, if the alleged violator is a student, additionally, the vice president and dean for student affairs.

[Statutory Authority: RCW 28B.35.120. 87-21-080 (Resolution No. 87-02), § 516-15-030, filed 10/21/87.]

WAC 516-15-040 Regulation. Skateboards, coasters, in-line skates, toy vehicles, or other types of similar devices may not be used on the campus except in areas as may be designated for such use by the vice-president for business and financial affairs or a designee.

[Statutory Authority: RCW 28B.35.120(12). 96-24-015, § 516-15-040, filed 11/22/96, effective 1/1/97. Statutory Authority: RCW 28B.35.120. 87-21-080 (Resolution No. 87-02), § 516-15-040, filed 10/21/87.]

WAC 516-15-050 Enforcement. A person using a skateboard, coaster, in-line skates, toy vehicle, or similar device who refuses to abide by the rules and regulations set

forth under chapter 516-15 WAC may be issued a university notice of infraction (NOI) for using a skateboard, coaster, in-line skates, toy vehicle, or similar device on campus in an area not designated for such use.

Penalties: The penalties for violating any part of this section shall be progressive, with the monetary penalty increasing for each subsequent offense. The first violation shall have a monetary penalty of ten dollars. A second violation shall have a monetary penalty of fifty dollars.

Any person who violates any portion of this section and as a result is involved in a collision with a pedestrian or an object shall have the monetary penalty for the offense doubled.

Any person using a skateboard, coaster, in-line skates, toy vehicle, or similar device who attempts to elude a uniformed police officer attempting to enforce these regulations shall have the monetary penalty for the offense doubled.

Appeal procedure. A university notice of infraction (NOI) may be appealed by filing a completed appeal form at the parking services office within seven days of receipt of the notice of infraction; otherwise, the right to a hearing is forfeited.

[Statutory Authority: RCW 28B.35.120(12). 99-07-089, § 516-15-050, filed 3/19/99, effective 4/19/99; 96-24-015, § 516-15-050, filed 11/22/96, effective 1/1/97. Statutory Authority: RCW 28B.35.120. 87-21-080 (Resolution No. 87-02), § 516-15-050, filed 10/21/87.]

Chapter 516-23 WAC

STUDENT RIGHTS AND RESPONSIBILITIES CODE

WAC

516-23-200	Preamble.
516-23-210	Definitions.
516-23-220	Jurisdiction.
516-23-230	Principles and violations of the code.
516-23-240	Academic dishonesty.
516-23-250	Disruptive behavior.
516-23-260	Student responsibility for guests.
516-23-270	Sexual misconduct.
516-23-280	Violence.
516-23-290	Harassment and/or threats of violence.
516-23-300	Theft and intentional damage of property.
516-23-310	Misuse of computers, electronic data or communication systems.
516-23-320	Hazing.
516-23-330	Student violation of law.
516-23-340	Failure to comply with proper official requests.
516-23-350	Forgery and fraud.
516-23-360	Illegal possession and/or use of alcohol.
516-23-370	Illegal drugs and misuse of drugs.
516-23-380	Explosives and weapons prohibited from campus.
516-23-390	Obstructing police and safety personnel.
516-23-400	Interference with the judicial process.
516-23-410	Freedom of expression.
516-23-420	Demonstrations.
516-23-430	Proceedings for violations of the code.
516-23-440	Victim rights.
516-23-450	Rights of accused.
516-23-460	Sanctions.
516-23-470	Procedures for immediate interim suspension.
516-23-480	Basis for appeal.
516-23-490	Appeal procedures.
516-23-500	Deviations from established procedures.
516-23-510	Confidentiality of conduct proceedings and records.
516-23-520	Administrative withdrawal due to mental disorders.
516-23-530	University conduct system.
516-23-540	Relationship of the code to university residences.
516-23-550	Interpretation of the code.
516-23-560	Revision of the code and the committee on student rights and responsibilities.
516-23-570	Referenced policies and regulations in the code.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

516-23-005	Preamble. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-005, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
516-23-010	Definitions. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-010, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
516-23-015	Jurisdiction. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-015, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
516-23-020	Relationship between civil and criminal law and university disciplinary proceedings. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-020, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
516-23-025	Actionable offenses. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-025, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
516-23-030	Disruptive behavior. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-030, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
516-23-035	Academic dishonesty. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-035, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
516-23-040	Forgery and fraud. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-040, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
516-23-045	Interference with freedom of expression. [Statutory Authority: RCW 28B.35.120. 96-14-005, § 516-23-045, filed 6/20/96, effective 7/21/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
516-23-050	Alcohol and other drugs policy violations. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-050, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
516-23-055	Misuse of computers, electronic data or communications. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-055, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
516-23-060	Hazing. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-060, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
516-23-065	Sexual misconduct. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-065, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
516-23-070	Violence and harassment. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-070, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
516-23-075	Judicial structure. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-075, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
516-23-080	Conduct proceedings. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-080, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).

- 516-23-085 Appeals. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-085, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
- 516-23-090 Basis for appeal. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-090, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
- 516-23-095 Appeal hearing procedures. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-095, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
- 516-23-100 Interference of the judicial process. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-100, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
- 516-23-105 Disciplinary sanctions. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-105, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
- 516-23-110 Administrative withdrawal due to mental disorders. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-110, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
- 516-23-115 Record of proceedings. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-115, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
- 516-23-120 Statement of accused student's rights. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-120, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
- 516-23-125 Statement of rights of those subjected to student misconduct. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-125, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
- 516-23-130 Relationship to university residences' conduct system. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-130, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
- 516-23-135 Interim suspension. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-135, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
- 516-23-140 Interpretation and revision. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-140, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).
- 516-23-145 Committee on student rights and responsibilities. [Statutory Authority: RCW 28B.35.120(12). 96-03-103, § 516-23-145, filed 1/22/96, effective 2/22/96.] Repealed by 03-01-123, filed 12/19/02, effective 1/19/03. Statutory Authority: RCW 28B.35.120(12).

WAC 516-23-200 Preamble. Western Washington University students enjoy the basic rights of all members of society. At the same time, students have an obligation to fulfill their responsibilities as members of the university. As stated in the university's mission, Western is dedicated to the pursuit of truth, learning and the dissemination and development of knowledge, and service to the community.

The objectives of the university conduct system are that students act in a manner consistent with the high standards of scholarship and behavior relevant to an institution of higher education, to sustain campus-wide safety, and to adhere to the university mission. Students are expected to abide by university policies and regulations, as well as federal, state, and

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local laws. An alleged student violation will be resolved through a process as defined in the code respecting basic fairness for the accused and the victim.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-200, filed 12/19/02, effective 1/19/03.]

WAC 516-23-210 Definitions. As used in this chapter, the following words and phrases mean:

- (1) "Appeals board" refers to the judicial appeals board.
- (2) "Bulletin" refers to the Western Washington University bulletin/catalog.
- (3) "Campus" refers to all property owned or supervised by the university, including adjacent streets and sidewalks and off-campus program sites.
- (4) "Code" refers to the student rights and responsibilities code.
- (5) "Dean of students" refers to the director of student life/dean of students, or the vice-president of student affairs/academic support services' designee.
- (6) "Student" includes all persons with active student status, full or part time. Matriculated students that have not enrolled are students under this code. Nonmatriculated international students attending language institutes or foreign study programs at the university shall also be considered students under this code.
- (7) "University" refers to the programs, activities, and current members of the Western Washington University community.
- (8) "Judicial officer" refers to the university judicial officer.
- (9) "WAC" refers to the Washington Administrative Code.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-210, filed 12/19/02, effective 1/19/03.]

WAC 516-23-220 Jurisdiction. Individual student alleged violations of this code are subject to disciplinary action. While the university does not act as a policing agent for students when they are off campus, the university reserves the right to take action if a student's behavior is determined to threaten the health, safety, and/or property of the university and its members.

Sanctions against student organizations are decided by the procedures established by the university administrative unit governing the recognition of each organization. Disciplinary proceedings against individual member(s) of a student organization can be initiated under this code independent of action taken against the student organization.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-220, filed 12/19/02, effective 1/19/03.]

WAC 516-23-230 Principles and violations of the code. The standards of behavior under the code are higher than those imposed by civil and criminal law. Students must observe the following principles and expectations:

- (1) Western students observe the highest standards of academic integrity in the ethical pursuit of truth and learning;
- (2) Western students are respectful of the rights, welfare, and property of others;

(3) Western students strive to be involved and productive citizens in a diverse, pluralistic, and democratic society; and

(4) Western students exercise their state and federal constitutional rights to free speech, petition, and assembly in means that do not disrupt the university's functions or interfere with the rights and well-being of others.

Students must comply with policies and regulations that may impact the educational, administrative, or university-sponsored programs or functions. The university may initiate disciplinary action against any student alleged to have committed inappropriate conduct on campus or otherwise under the jurisdiction of this code.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-230, filed 12/19/02, effective 1/19/03.]

WAC 516-23-240 Academic dishonesty. The policy and procedure regarding academic dishonesty is addressed in the academic dishonesty policy and procedure. Repeated violations of academic dishonesty will be addressed under the student rights and responsibilities code and can result in disciplinary action. Students may not appeal a decision of academic dishonesty through the student rights and responsibilities code.

Students shall not claim as their own the achievements, work, or arguments of others, nor shall they be party to such claims. According to the academic dishonesty policy and procedure, academic dishonesty consists of misrepresentation by deception or by other fraudulent means. Academic dishonesty compromises the instructor's ability to fairly evaluate a student's work or achievement. For a list of actions that are examples of academic dishonesty, see the bulletin, academic dishonesty policy and procedure. Furthermore, students found to have violated canons of ethical research and scholarship, as defined in the policy and procedural guidelines for misconduct in research and scholarship, may also be subject to disciplinary action. See bulletin, academic dishonesty policy and procedure.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-240, filed 12/19/02, effective 1/19/03.]

WAC 516-23-250 Disruptive behavior. Disruptive behavior is whenever a student engages in any behavior which interferes with the rights of others or which materially or substantially obstructs or disrupts teaching, learning research, or administrative functions. While students have the right to freedom of expression, including the right to dissent or protest, this expression cannot interfere with the rights of others. Disruptive behavior includes, but is not limited to:

- (1) Substantial disruption of classes, laboratories, offices, services, meetings, or ceremonies;
- (2) Obstructing free movement of people or vehicles: Peaceful picketing is permitted only as long as it takes place outside buildings and does not interfere with the flow of traffic to and from buildings;
- (3) Conduct which threatens harm, incites violence, or endangers the health and safety of any person;
- (4) Creating noise in such a way as to interfere with university functions or using sound amplification equipment in violation of appropriate use of amplification sound, as administered by the viking union, see policy on exterior space use;

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(5) Intentionally or recklessly interfering with any university or student program or activity, including teaching, research, administration, or meetings; and

(6) Inciting others to engage in prohibited conduct.

See WAC 516-24-130 Demonstrations.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-250, filed 12/19/02, effective 1/19/03.]

WAC 516-23-260 Student responsibility for guests. Students are responsible for the actions of their guests while on campus, at university events and programs, and in other areas supervised by the university. See WAC 516-24-001 Conduct of campus guests and visitors.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-260, filed 12/19/02, effective 1/19/03.]

WAC 516-23-270 Sexual misconduct. Student sexual misconduct includes, but is not limited to:

- (1) Sexual harassment;
- (2) Sexual intimidation;
- (3) Sexual coercion;
- (4) Sexual exploitation;
- (5) Sexual assault; and
- (6) Any unwanted sexual contact without clear verbal and/or physical prior consent.

Consent for sexual contact must be given in absence of force, threat of force, or coercion and cannot be given while a person is intoxicated, impaired, or mentally incapacitated. Consent must be clearly communicated to both parties, and it must be current to any mutually agreed sexual contact. See bulletin, sexual misconduct policy and procedure.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-270, filed 12/19/02, effective 1/19/03.]

WAC 516-23-280 Violence. Violence includes, but is not limited to, physical abuse and/or intentional injury or harm of another person.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-280, filed 12/19/02, effective 1/19/03.]

WAC 516-23-290 Harassment and/or threats of violence. Harassment and threats of violence are behaviors that create a hostile or threatening educational or working environment, to include, but are not limited to:

- (1) Unwanted and/or intimidating contact and/or communication of a threatening nature;
- (2) An expressed or implied threat to an individual's personal safety or property, academic efforts, employment, or participation in university activities;
- (3) Intentionally and/or repeatedly following or contacting another person in a manner that intimidates, harasses, or places another in fear for their personal safety or to their property; and
- (4) Behavior that threatens or intimidates that is motivated on the basis of race, national or ethnic origin, creed, age, sex, marital status, status as a veteran, sexual orientation, or disability.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-290, filed 12/19/02, effective 1/19/03.]

WAC 516-23-300 Theft and intentional damage of property. Taking, attempting to take, or aiding another to take property belonging to any member of the university community, the university or its guests is a violation of the code. It is prohibited to possess stolen property or to intentionally damage the property of others or the university.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-300, filed 12/19/02, effective 1/19/03.]

WAC 516-23-310 Misuse of computers, electronic data or communication systems. Improper use of computers, electronic data or communication systems is a violation of the code. Improper use of computer resources includes, but is not limited to, the following:

(1) Interference with university computers or communication functions, the work of other students, faculty members, or university officials;

(2) Gaining unauthorized access to computer or communication systems, altering data, or misusing computing facilities;

(3) Using university computing facilities to send harassing messages or generating unwanted e-mails (as defined in WAC 516-23-290 Harassment and/or threats of violence);

(4) Commercial use of university computer resources; and

(5) Failure to comply with posted policies including providing officials with current student identification.

See policy for responsible computing and the user agreement for WWU network and computing resources.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-310, filed 12/19/02, effective 1/19/03.]

WAC 516-23-320 Hazing. Hazing is defined as any act by members of a student organization or individuals which endangers, or is likely to endanger, the mental or physical health or safety of a student, for the purpose of initiation, affiliation with, and as a condition for continued membership and/or participation in an activity, a group or university organization. This includes violation of laws and the destruction or removal of public or private property as requested by a student group or activity.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-320, filed 12/19/02, effective 1/19/03.]

WAC 516-23-330 Student violation of law. Students are expected to abide by federal, state, and local law while on the university campus or at related programs and activities. Failure to comply with the law is a violation of the code. The university reserves the right to take action on criminal behaviors that have an impact on the educational or administrative functions or the general well-being of the university and its members.

Proceedings under this code may be carried out prior to, simultaneously, or following civil or criminal proceedings in the courts. Since the standard of proof, preponderance of the evidence, under this code is different than criminal law, the disciplinary decision is not subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced by a court of law.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-330, filed 12/19/02, effective 1/19/03.]

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WAC 516-23-340 Failure to comply with proper official requests. Failure to comply with a proper official request is a violation of the code. A student must comply with proper requests of university officials who are acting in performance of their duties.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-340, filed 12/19/02, effective 1/19/03.]

WAC 516-23-350 Forgery and fraud. Maintaining accurate and credible records and documents is necessary for the university to fulfill its educational mission and to assure the welfare of its students. Providing and/or creating false information is considered a violation of the code. Violations include, but are not limited to, the following:

(1) Falsely making, completing, or altering any university document, record, or identification;

(2) Possessing or presenting as authentic any falsified document, record, or identification; and

(3) Providing any university official, including university police, information known to be false.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-350, filed 12/19/02, effective 1/19/03.]

WAC 516-23-360 Illegal possession and/or use of alcohol. Substance abuse by members of the university community impacts the quality of the educational experience of all students. Consumption or possession of alcohol by students in public areas of any university owned or controlled property may occur for students of legal age at university-approved events with an approved liquor permit. It is a violation to illegally possess and/or consume alcoholic beverages, including, but not limited to:

(1) Buying, selling, serving, or otherwise furnishing alcoholic beverages to minors; and

(2) Consumption of alcoholic beverages by minors.

See bulletin, policy concerning alcohol and other drugs.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-360, filed 12/19/02, effective 1/19/03.]

WAC 516-23-370 Illegal drugs and misuse of drugs. Substance abuse by members of the university community impacts the quality of the educational experience of all students. It is a violation to possess, use, manufacture, cultivate, package, distribute, sell, and/or provide a controlled or illegal substance; or to misuse prescription and/or nonprescription drugs on campus. It is a violation to use drug paraphernalia. See bulletin, policy concerning alcohol and other drugs.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-370, filed 12/19/02, effective 1/19/03.]

WAC 516-23-380 Explosives and weapons prohibited from campus. Possession or use of firearms, other weapons or explosives on campus is a violation of the code, unless authorized by the university. Explosives, dangerous chemicals, and fireworks are prohibited on campus or on property supervised by the university or at university-sponsored activities, unless authorized by the university. Students may not possess firearms on campus at any time, other than to secure them with the police. Weapons include, but are not limited to:

- (1) Firearms of any sort;
- (2) Look-alike weapons;
- (3) BB, pellet, and paintball guns;
- (4) Swords, knives (other than small closed-blade, three and one-half inch pocket knives or smaller or kitchen utensils);
- (5) Martial art weapons;
- (6) Projectile devices; i.e., catapult or slingshot; and
- (7) Objects used as a weapon to distress or injure another.

See WAC 516-52-020 Firearms and dangerous weapons.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-380, filed 12/19/02, effective 1/19/03.]

WAC 516-23-390 Obstructing police and safety personnel. Obstructing police, improper use of safety equipment, and interference with safety personnel is a violation of the code. Students who obstruct, hinder or delay police and other emergency service personnel in the discharge of their duties are subject to disciplinary proceedings. Violations include, but are not limited to, the improper use or disabling of safety equipment and emergency signs.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-390, filed 12/19/02, effective 1/19/03.]

WAC 516-23-400 Interference with the judicial process. Interference of the judicial process is a violation of the code and includes, but is not limited to:

- (1) Giving reports or claims known to be false;
- (2) Attempting to influence the impartiality of witnesses or judicial member(s);
- (3) Failure to properly complete a sanction(s) as specified;
- (4) Participating in, and/or encouraging retribution against complainants or witnesses; and
- (5) Threatening and/or harassing complainants or witnesses.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-400, filed 12/19/02, effective 1/19/03.]

WAC 516-23-410 Freedom of expression. The university recognizes, respects, and protects all expressions of opinion and ideas, whether individual or collective, that are within the limits of the law and university regulations. An exercise of the right to speak requires the freedom of the speaker to make his or her statement. Both the speaker and the audience are entitled to proceed without being subjected to substantial interference.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-410, filed 12/19/02, effective 1/19/03.]

WAC 516-23-420 Demonstrations. While the university recognizes students' rights to free speech, assembly, and petition, all demonstrations must be orderly and conducted in a manner that allows the university to function toward its established educational goals. Any person or persons persisting in such conduct after being requested to cease by university authorities shall be subject to disciplinary proceedings. Any student or group of students shall not, by their conduct, disrupt, disturb or interfere with:

- (1) Classroom activities and other educational pursuits;
- (2) Recognized university activities including, but not limited to, ceremonies, meetings, office functions or residence hall activities;
- (3) Pedestrian and vehicular traffic; and
- (4) Preservation and protection of university property and personal property of individuals.

See WAC 516-24-130 Demonstrations.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-420, filed 12/19/02, effective 1/19/03.]

WAC 516-23-430 Proceedings for violations of the code. The university does not follow the same procedures used by civil or criminal courts nor the same rules of evidence. Simple preponderance of the evidence is used to determine responsibility under the code. Any student, faculty, or staff member of the university alleging a violation of this code shall deliver or e-mail to university judicial affairs a written statement of the allegations against the student.

If both parties agree to mediate the complaint, and the judicial officer agrees, mediation may be substituted for a conduct meeting. If mediation is unsuccessful, the original complaint will be considered and decided by the judicial officer.

If, in the judicial officer's judgment, there is sufficient basis to consider the charge(s), the judicial officer shall:

- (1) Provide the student with the student rights and responsibilities code;
- (2) State the nature and date of the alleged violation;
- (3) Specify the portion of the code the student is alleged to have violated;
- (4) Notify the accused student of the availability of procedural advice regarding the code; and
- (5) Notify the accused student in writing of the time, date, and place of a meeting (the meeting will occur no less than three and no more than ten business days from the date of notification). The student may elect to waive the three-day notice if an earlier date is mutually agreed upon.

The judicial officer will determine the accuracy and responsibility of the allegation(s) in a meeting with the accused student. Within ten business days of the meeting, the judicial officer shall notify the student in writing of the decision. If there are multiple individuals involved in the incident, and if it is deemed necessary to determine responsibility, individual decision letters will be mailed to each student ten business days after the final meeting for the specific incident. The decision letter will include a statement of the student's option for a review by the appeals board or the dean of students.

A student formally charged with a violation may not avoid judicial proceedings by withdrawing from the university. The student shall be prohibited from enrolling for subsequent quarters until such time as the student does appear for a meeting to consider the allegation. If the student fails to meet with the judicial officer after receiving proper notification, the judicial officer may render a decision on the allegations in the student's absence.

If there is insufficient basis to consider the charge, the individual initiating the complaint will be informed.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-430, filed 12/19/02, effective 1/19/03.]

WAC 516-23-440 Victim rights. The university is committed to protecting the rights of those who suffer from student misconduct, that is, persons who have been physically, psychologically, and/or financially injured by the student responsible for the misconduct.

Rights include:

- (1) To obtain information and procedural advice from the university;
- (2) To decline to participate in university conduct proceedings;
- (3) When appropriate, to be advised of their options to bring civil or criminal charges against the accused;
- (4) To be accompanied by an advocate of their choice throughout the judicial process. The advocate may advise the student, but may not address the judicial officer, the appeals board, or the dean of students;
- (5) To make a statement regarding the impact of the student's conduct, either orally or in writing, to be considered during the sanctioning portion of the conduct and/or the review meetings;
- (6) To be informed when a review is made of the judicial officer's decision;
- (7) To not be subjected to discussion of his or her history or behavior that does not bear instrumentally on the case being heard;
- (8) In cases involving violence, including sexual misconduct/assault, the student will be informed of the finding by the judicial officer and/or the judicial review board or dean of students within ten business days of its conclusion; and
- (9) If appropriate, restitution will be provided by the accused.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-440, filed 12/19/02, effective 1/19/03.]

WAC 516-23-450 Rights of accused. The university is committed to ensuring the rights of a student who is accused of violating the code throughout the judicial process. A student accused of misconduct under this code has certain, specific rights in the disciplinary process. An accused student:

- (1) Is entitled to a fair judicial process;
- (2) Will receive proper written notice of the charge(s) with a clear description of the basis for the charge(s);
- (3) Has an opportunity to meet with the judicial officer or designated representative;
- (4) May obtain information and procedural advice from the university;
- (5) May have one advocate present at the meeting(s). The advocate may give advice to the student, but may not address the judicial officer, appeals board, or the dean of students;
- (6) Must give written permission to record statements made during the meeting;
- (7) May present witnesses and be able to request questions of witnesses, prior to or after a meeting;
- (8) Will receive written notification of the judicial officer's decision within ten business days from the date of the meeting; and
- (9) May request a review of the judicial officer's decision to the appeals board or the dean of students within ten days of receiving the decision letter.

(2005 Ed.)

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-450, filed 12/19/02, effective 1/19/03.]

WAC 516-23-460 Sanctions. The following disciplinary sanctions may be given to a student found in violation of the code. A decision may include a combination or modification of the following sanctions that correspond to the circumstances of each particular case.

- (1) Warning: A written reprimand that the student has violated the student rights and responsibilities code;
- (2) Disciplinary probation: Probation is for a designated period of time. Students who violate the code during this probationary period are subject to more severe disciplinary sanctions;
- (3) Loss of privileges: Denial of specified privileges (i.e., participation in specific activities, restriction from specific areas of campus) for a designated period of time;
- (4) Restriction from contacting others: Restricting the student from direct or indirect physical and/or verbal contact with another person and/or group;
- (5) Educational activities: Activities designed to encourage student development may include, but are not limited to, community service, attendance at educational programs, or written assignments;
- (6) Assessment, counseling, and treatment programs: Interventions to assist students with possible substance abuse or other types of unsafe behaviors;
- (7) Restitution: Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement;
- (8) Residence hall relocation: Transfer of living arrangements to another university residence hall or apartment;
- (9) Termination of university residences agreement: Removing the student from university residences;
- (10) Disciplinary suspension: Removing the student from the university for a designated period of time, after which, the student is eligible to return. Conditions for readmission may be specified. In addition to disciplinary suspension, see chapter 516-28 WAC, Standards and procedures for involuntary administrative withdrawal of students at Western Washington University for behavior from mental disorders;
- (11) Deferred suspension: Notice of suspension from the university with the provision that the student may remain enrolled contingent on meeting specific conditions. Failure to meet the conditions of the sanctions will result in immediate suspension; or
- (12) Disciplinary expulsion: Permanent and complete dismissal of the student from the university.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-460, filed 12/19/02, effective 1/19/03.]

WAC 516-23-470 Procedures for immediate interim suspension. In order to prevent danger to individuals, substantial destruction of property, or significant disruption of teaching, research, and/or administrative functions, the dean of students or designated representative may temporarily suspend (interim suspension) a student. An interim suspension will be pending a full review and discussion between the student and the dean of students or designee. An interim suspension becomes effective immediately upon written notice. The written notice of an interim suspension must include the

stated violation, as determined by the dean of students, and the time, date, and location of the meeting. The written notice will be sent by certified mail or delivered in person to the student.

In all cases of interim suspension, the student is entitled to a meeting before the judicial officer or the dean of students. The meeting shall take place within three business days after the beginning date of interim suspension. During the interim suspension period, the student will be allowed on university property only to the extent deemed permissible by the dean of students and/or the judicial officer. If a student fails to appear at his or her meeting, the suspension will stay in effect until the meeting has been completed and a new decision is made regarding all of the information and the student's status.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-470, filed 12/19/02, effective 1/19/03.]

WAC 516-23-480 Basis for appeal. The accused student is allowed one appeal of the judicial officer's decision to either the appeals board or the dean of students. The appeal must be made in writing to the dean of students within ten business days of receiving the written decision of the charges. The appeal must include a statement whether the accused student wishes to have the appeal considered by either the appeals board or the dean of students.

The basis for a review is:

- (1) The original meeting was not conducted in conformity with prescribed procedures;
- (2) The university judicial officer misinterpreted the code;
- (3) The sanction(s) imposed is disproportionate to the student violation; or
- (4) The decision reached did not properly consider the information presented.

No sanction will begin while an appeal is pending, except as provided in WAC 516-23-470, Procedures for immediate interim suspension. Temporary relocation of the student to alternative on-campus housing and restrictions between the affected parties may be enforced during an appeal.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-480, filed 12/19/02, effective 1/19/03.]

WAC 516-23-490 Appeal procedures. (1) Upon acceptance of the appeal, the dean of students or designated representative shall include in the notification to the accused student:

- (a) Time, date, and location of the hearing;
- (b) Identification of the section of the code that the student has allegedly violated;
- (c) Nature and date of the alleged violation; and
- (d) A copy of the code.

(2) The appeal hearing shall not be less than three or more than ten business days from the date of notification. The student may elect to waive the three-day notice if an earlier date is mutually agreed upon. If the student fails to appear at the hearing, the appeals board or dean of students may proceed with the appeal based upon consideration of the available information without the student's presence, or may dis-

miss the appeal. The rights of the accused student are listed under WAC 516-23-450.

(a) The appeals board chair or dean of students and the accused student may call any person to speak concerning the alleged violation.

(b) The board chair or dean of students may limit or exclude testimony that is irrelevant, immaterial, or repetitious.

(c) Five members shall constitute a quorum of the appeals board. Actions by the appeals board require agreement by a majority of those members present at the time of the hearing.

(d) Any member of the board that is unable to render an impartial decision in a particular case shall excuse himself or herself from the board's deliberations in advance and may be replaced by an alternate.

(e) The decision of the appeals board or dean of students may eliminate, reduce, maintain, modify and/or increase the original decision and sanction.

(f) New substantive information that was not presented at the time of the original conduct meeting will not be considered during the appeal. When new substantive information is present prior to the appeal hearing and the new evidence could impact the original decision, the allegation(s) will be reheard by the judicial officer.

(3) The appeals board chair or dean of students shall notify the accused student in writing of the disposition of the case within ten business days of the appeal hearing.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-490, filed 12/19/02, effective 1/19/03.]

WAC 516-23-500 Deviations from established procedures. Deviations from these procedures will not invalidate a decision or proceedings unless it results in clear prejudice against the accused student. Deviations from the timeline may be granted by request for good cause to the dean of students.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-500, filed 12/19/02, effective 1/19/03.]

WAC 516-23-510 Confidentiality of conduct proceedings and records. Confidentiality will be maintained in compliance with the university student records policy and state and federal law. Conduct records prepared by the judicial officer, appeals board, and/or the dean of students:

(1) Will be held in the office of student life for six years, except in cases of suspension, interim suspension, or expulsion, which are permanent records; and

(2) Will not be shared with any member of the public except upon the informed written consent of the student(s) involved or as stated in the student records policy.

The disciplinary outcome may be shared with the victim and those within the university involved in the completion and/or supervision of the sanction and/or student. See bulletin and chapter 516-26 WAC, Student records.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-510, filed 12/19/02, effective 1/19/03.]

WAC 516-23-520 Administrative withdrawal due to mental disorders. As provided in chapter 516-28 WAC, a student who, because of mental disorders, is unable to abide by university policy, regulations, and procedures and who represents a serious threat to themselves or others, may be involuntarily withdrawn from the university. A student accused of misconduct under the student rights and responsibilities code may be diverted from that disciplinary process and withdrawn according to the standards of chapter 516-28 WAC, involuntary withdrawal due to mental disorders. Those standards include:

- (1) The student lacks the capacity to respond to pending disciplinary charges due to a mental disorder; and/or
- (2) The student does not know the nature of the wrongfulness of the conduct due to a mental disorder at the time of the alleged offense.

Students otherwise subject to disciplinary charges who wish to introduce relevant information of any mental disorder must inform the dean of students or designated representative in writing at least one business day prior to any judicial meeting. The dean of students shall make a determination within five business days after the student's written submission. Verification of any mental disorder may not be considered in any judicial proceeding under this code other than involuntary withdrawal. See chapter 516-28 WAC involuntary withdrawal due to mental disorders.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-520, filed 12/19/02, effective 1/19/03.]

WAC 516-23-530 University conduct system. The vice-president for student affairs and academic support services is responsible for administration of this code.

- (1) The supervision of the code has been delegated to the dean of students or designated representatives.
- (2) The judicial officer shall be appointed and supervised by the dean of students.
- (3) The judicial officer shall have the authority to adjudicate and administer sanctions for violations of this code.
- (4) The appeals board or the dean of students shall have authority to review the judicial officer's decision and to render decisions under the code.
- (5) A six-member appeals board shall be appointed at the beginning of each fall quarter term. The appeals board will consist of the following:
 - (a) Two faculty members nominated by the dean of students and confirmed by faculty senate;
 - (b) Three students appointed by the associated students board; and
 - (c) One member of the student affairs and academic support services staff nominated by the dean of students and confirmed by the vice-president for student affairs and academic support services.

There will be one alternate for each of the three areas represented on the appeals board. The alternates will be appointed at the same time by the same authority. Student appointments shall be for one academic year. Faculty and staff appointments shall be for staggered two-year terms.

The dean of students shall request that all appointments be initiated during the first full month of the fall quarter. Should the need arise during the summer term, appeals of the

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code will be heard by the dean of students or an interim board appointed by the dean of students.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-530, filed 12/19/02, effective 1/19/03.]

WAC 516-23-540 Relationship of the code to university residences. University residences is responsible for adjudicating most violations of the code committed by residents on university residences' premises or at university residences' sponsored events. In the best interest of the university, the dean of students has the authority to designate which area, university residences and/or university judicial affairs, will consider an alleged violation of the code. General referral of conduct cases is made after consensus between university residences and university judicial affairs. Conduct cases referred by university residences to university judicial affairs include, but are not limited to:

- (1) Alleged acts and threats of physical violence, and/or sexual misconduct;
- (2) Alleged violations of distribution or sale of illegal drugs or other controlled substances;
- (3) Alleged violations by nonresidential students while on university residences' premises or at events sponsored by university residences;
- (4) Alleged policy violations initiated near the end of or after a student's contract with university residences;
- (5) Alleged computer misconduct when nonresidents are the victims (e.g., sending mass unsolicited e-mails, copyright violations); and
- (6) Alleged violations serious enough to result in suspension or expulsion from the university.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-540, filed 12/19/02, effective 1/19/03.]

WAC 516-23-550 Interpretation of the code. Final determination in response to any question of interpretation regarding the code, whether in content, procedure, or intent, shall be the responsibility of the dean of students or designee.

[Statutory Authority: RCW 28B.35.120(12). 03-01-123, § 516-23-550, filed 12/19/02, effective 1/19/03.]

WAC 516-23-560 Revision of the code and the committee on student rights and responsibilities. The code shall be reviewed and recommendations made by the university services council's student rights and responsibilities committee to the vice-president for student affairs and academic support services for submission and final approval by the board of trustees. A review of the code should be completed every five years or earlier, if needed. The committee on student rights and responsibilities will be composed of:

- (1) Five students, three appointed by the associated students board of directors, including at least one graduate student, and two students appointed by university residence hall association;
- (2) One member from the student affairs division appointed by the vice-president of student affairs and academic support services;
- (3) One faculty member appointed by the faculty senate;
- (4) The judicial officer;

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(5) One member of the university public safety department appointed by the director of public safety; and

(6) One member of the university residences' staff.

[Statutory Authority: RCW 28B.35.120(12), 03-01-123, § 516-23-560, filed 12/19/02, effective 1/19/03.]

WAC 516-23-570 Referenced policies and regulations in the code. Policies or regulations referenced in the code must be made available, upon request, in the office of student life and university judicial affairs.

[Statutory Authority: RCW 28B.35.120(12), 03-01-123, § 516-23-570, filed 12/19/02, effective 1/19/03.]

Chapter 516-24 WAC GENERAL CONDUCT

WAC

516-24-001	Conduct of campus guests and visitors.
516-24-110	Vendor solicitation.
516-24-130	Demonstrations.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

516-24-050	Community relations. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.-600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-24-050, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-24-050, filed 11/17/72.] Repealed by 01-09-052, filed 4/13/01, effective 5/14/01. Statutory Authority: RCW 28B.35.120(12).
516-24-060	Alumni relations. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.-600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-24-060, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-24-060, filed 11/17/72.] Repealed by 01-09-052, filed 4/13/01, effective 5/14/01. Statutory Authority: RCW 28B.35.120(12).
516-24-115	Business office—Cashier. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.-600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-24-115, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-24-115, filed 11/17/72.] Repealed by 01-09-052, filed 4/13/01, effective 5/14/01. Statutory Authority: RCW 28B.35.120(12).
516-24-120	Official daily bulletin. [Order 72-10, § 516-24-120, filed 11/17/72.] Repealed by 90-10-042, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.-310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW.

WAC 516-24-001 Conduct of campus guests and visitors. (1) The rules and regulations prescribed in this Title 516 WAC shall be observed by guests and visitors while on the campus, or other university property.

(2) Guests and visitors on campus or other university property who willfully refuse to obey an order of a university police officer or other law enforcement officer to desist from conduct prohibited by such rules and regulations may be ejected from the premises. Refusal to obey such an order will subject the person to arrest under the provisions of the Criminal Trespass Act, in addition to such other sanctions as may be applicable.

[Statutory Authority: RCW 28B.35.120(12), 01-09-052, § 516-24-001, filed 4/13/01, effective 5/14/01. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075,

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chapters 69.41 and 43.21C RCW. 90-10-042, § 516-24-001, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-24-001, filed 11/17/72.]

WAC 516-24-110 Vendor solicitation. Door-to-door on-campus solicitation by vendors is prohibited. All unsolicited sales contacts shall be restricted to the purchasing office. Unauthorized solicitation or selling in the residence halls should be immediately reported to a member of the residence hall staff.

[Statutory Authority: RCW 28B.35.120(12), 01-09-052, § 516-24-110, filed 4/13/01, effective 5/14/01; Order 72-10, § 516-24-110, filed 11/17/72.]

WAC 516-24-130 Demonstrations. The value of active participation in political and social issues is recognized by Western Washington University as enhancing the education of the individual and contributing to the betterment of American society. The rights of free speech, petition and assembly are fundamental to the democratic process guaranteed under the Constitution of the United States and will be promoted and respected at all times.

The university further recognizes that it has an obligation to maintain on campus an atmosphere that allows the institution to perform the fundamental task of providing an opportunity for all members of the community to pursue knowledge through accepted academic processes.

To achieve these objectives it is essential that demonstrations be orderly and conducted in a manner that allows the orderly function of the university. Any person or group of persons shall not, by their conduct, disrupt, disturb or interfere with:

- (1) Classroom activities and other educational pursuits;
- (2) Recognized university activities including, but not limited to, ceremonies, meetings, office functions or residence hall activities;
- (3) Pedestrian and vehicular traffic;
- (4) Preservation and protection of university property and personal property of individuals.

Any person persisting in such conduct after being requested to cease by university authorities, shall be subject, as appropriate, to disciplinary proceedings or arrest and prosecution.

[Statutory Authority: RCW 28B.35.120(12), 01-09-052, § 516-24-130, filed 4/13/01, effective 5/14/01. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-24-130, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-24-130, filed 11/17/72.]

Chapter 516-25 WAC EXTERNAL AFFAIRS

WAC

516-25-001	External affairs.
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WAC 516-25-001 External affairs. The office of external affairs shall be the principal office responsible for maintenance of current files concerning alumni information. Alumni mailing lists maintained by the university shall be confidential property of the university and shall not generally be provided to any other agency. Requests for lists for purposes of conducting legitimate educational research shall be

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subject to the review and approval of the office of external affairs and the office of the president.

[Statutory Authority: RCW 28B.35.120(12). 01-09-052, § 516-25-001, filed 4/13/01, effective 5/14/01.]

Chapter 516-26 WAC STUDENT RECORDS

WAC

516-26-010	Preamble.
516-26-020	Definitions.
516-26-030	Access to education records.
516-26-035	Access to education records—Limitations on access.
516-26-040	Right to copy education records.
516-26-045	Request for explanation or interpretation of record.
516-26-050	Challenges—To content of education records—To release of education records—Or to denial of access to education records.
516-26-055	Challenges—Informal proceedings.
516-26-060	Challenges—Hearing before student academic grievance board.
516-26-070	Release of personally identifiable information or education records.
516-26-075	Release of personally identifiable information or education records—Nature of consent required.
516-26-080	Release of personally identifiable information or education records—Exceptions to consent requirement.
516-26-085	Release of information in emergencies.
516-26-090	Release of directory information.
516-26-095	Destruction of education records.
516-26-100	Notification of rights under this chapter.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

516-26-065	Student records committee. [Order 76-4, § 516-26-065, filed 8/20/76.] Repealed by 79-06-019 (Order 79-05, Resolution No. 79-05), filed 5/14/79. Statutory Authority: RCW 28B.35.120(11).
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WAC 516-26-010 Preamble. The purpose of this student records policy is to establish rules and procedures that appropriately implement the Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. §1232g. Western Washington University is committed to safeguarding appropriate access to student education records as well as maintaining individual student privacy. The university records officer works to ensure that information contained in student records is treated responsibly with due regard to its personal nature, and for the students', university's and community's needs. Questions regarding this policy should be addressed to the university records officer.

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

(2) The university will normally not permit access to the public without a student's permission; some exceptions exist as detailed in this policy.

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

Please read below for a complete description of the policy.

[Statutory Authority: RCW 28B.35.120(12). 94-17-059, § 516-26-010, filed 8/12/94, effective 9/12/94. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-26-010, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(11). 79-06-019

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(Order 79-05, Resolution No. 79-05), § 516-26-010, filed 5/14/79; Order 76-4, § 516-26-010, filed 8/20/76.]

WAC 516-26-020 Definitions. For purposes of this chapter the following terms shall have the indicated meanings:

(1) "Student" shall mean any person, regardless of age, who is or has been officially registered at and attending Western Washington University and with respect to whom the university maintains education records or personally identifiable information.

(2)(a)(i) "Education records" shall refer to those records, files, documents and other materials maintained by Western Washington University or by a person acting for Western Washington University which contain information directly related to a student.

(ii) Records relating to an individual in attendance at the university who is employed as a result of his or her status as a student are considered education records. Records made and maintained by the university in the normal course of business which relate exclusively to a person's capacity as an employee and are not available for any other purpose are not considered education records.

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

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

(ii) Records of the university's public safety office maintained solely for law enforcement purposes, disclosed only to law enforcement officials of the same jurisdiction, and maintained separately from education records in (a) of this subsection; but only if said law enforcement personnel do not have access to education records under WAC 516-26-080; or

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

(3) "Personally identifiable information" shall refer to data or information which includes either (a) the name of a student, the student's parent, or other family member, (b) the address of the student, (c) the address of the student's family, (d) a personal identifier, such as the student's social security number or student number, (e) a list of personal characteristics which would make it possible to identify the student with reasonable certainty, or (f) other information which would make it possible to identify the student with reasonable certainty.

(4) "Vice-president for student affairs" shall refer to the vice-president for student affairs/dean for academic support services or his or her designee.

(5) "University records officer" shall refer to that individual (or his or her designee) responsible for the policies

safeguarding the access, release, or copying of education records and for informing students and parents of their rights.

(6) "Records center manager" shall refer to that individual (or his or her designee) responsible for the facilitation of the development of records retention schedules.

(7) "Records coordinator" shall refer to that individual (or his or her designee) designated by the department or unit head to be responsible for the custody of the education record(s) in that office, department or unit.

(8) "Unit head" shall refer to that individual (or his or her designee) responsible for the supervision or management of an institutional department or unit.

[Statutory Authority: RCW 28B.35.120(12), 94-17-059, § 516-26-020, filed 8/12/94, effective 9/12/94. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-26-020, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(11), 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-26-020, filed 5/14/79; Order 76-4, § 516-26-020, filed 8/20/76.]

WAC 516-26-030 Access to education records. (1) Except as provided in WAC 516-26-035, each student at Western Washington University shall have access to his or her education records. The right of access shall include the right to inspect, review, and obtain copies of education records.

(2) The records coordinator is responsible for maintaining an up-to-date records retention schedule which lists the types of student education records maintained by that office, department or unit. The said records retention schedule is also filed with the records center manager and the state archives in Olympia.

(3) A student wishing access to his or her education records shall submit a written request for access to the appropriate records coordinator. The records coordinator shall respond to a request for access within a reasonable period of time, not to exceed five days.

(4) The records coordinator shall provide students of the university with an opportunity for reasonable access to education records, and shall be responsible for taking appropriate measures to safeguard and insure the security and privacy of the institution's records while being inspected by students.

(5) The records coordinator will inform in writing a student who has requested access to his or her education records of the nature of any records which are being withheld from the student on the basis of the exceptions set forth in WAC 516-26-035. A student may file with the university records officer a request to review the decision by the records coordinator and/or by the unit head as per WAC 516-26-055 to withhold certain of the student's records. A student may also request a review of the university records officer's decision to withhold certain of the student's records by filing an appeal with the student academic grievance board, refer to WAC 516-26-060.

[Statutory Authority: RCW 28B.35.120(12), 94-17-059, § 516-26-030, filed 8/12/94, effective 9/12/94. Statutory Authority: RCW 28B.35.120(11), 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-26-030, filed 5/14/79; Order 76-4, § 516-26-030, filed 8/20/76.]

WAC 516-26-035 Access to education records—Limitations on access. (1) Western Washington University shall not make available to a student the following types of materials:

(a) The financial records of the student's parents or any information contained therein, if the parents have requested in writing that such information remain confidential.

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

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

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

(2) A student, or a person applying for admission to the university, may waive his or her right of access to the type of confidential records referred to in subsection (1)(c) of this section, provided that such a waiver shall apply only if the student is, upon request, notified of the names of all persons making confidential recommendations, and such recommendations are used solely for the specific purpose for which the waiver has been granted. The university is not allowed to require such a waiver as a condition for admission to, receipt of financial aid from, or receipt of other services or benefits from the university.

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

[Statutory Authority: RCW 28B.35.120(12), 94-17-059, § 516-26-035, filed 8/12/94, effective 9/12/94. Statutory Authority: RCW 28B.35.120(11), 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-26-035, filed 5/14/79; Order 76-4, § 516-26-035, filed 8/20/76.]

WAC 516-26-040 Right to copy education records. (1) The records coordinator shall, at the request of a student, provide the student with copies of the student's education records. The fees for providing such copies shall not exceed the actual cost to the university of providing the copies.

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

[Statutory Authority: RCW 28B.35.120(12), 94-17-059, § 516-26-040, filed 8/12/94, effective 9/12/94. Statutory Authority: RCW 28B.35.120(11), 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-26-040, filed 5/14/79; Order 76-4, § 516-26-040, filed 8/20/76.]

WAC 516-26-045 Request for explanation or interpretation of record. The records coordinator shall respond to reasonable requests for explanations or interpretations of the contents of student education records.

[Statutory Authority: RCW 28B.35.120(12), 94-17-059, § 516-26-045, filed 8/12/94, effective 9/12/94; Order 76-4, § 516-26-045, filed 8/20/76.]

WAC 516-26-050 Challenges—To content of education records—To release of education records—Or to denial of access to education records. (1) Any student who believes that inaccurate, misleading, or otherwise inappropriate data is contained within his or her education records shall be permitted to have included within the record a written explanation by the student concerning the content of the records.

(2) A student shall have the right, in accordance with the procedures set forth in WAC 516-26-055 and 516-26-060, to:

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

(b) Have the opportunity to request the correction or deletion of inaccurate, misleading, or otherwise inappropriate data contained within education records;

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

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

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

[Statutory Authority: RCW 28B.35.120(12). 94-17-059, § 516-26-050, filed 8/12/94, effective 9/12/94. Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-26-050, filed 5/14/79; Order 76-4, § 516-26-050, filed 8/20/76.]

WAC 516-26-055 Challenges—Informal proceedings. A student wishing to exercise the rights set forth in WAC 516-26-050(2) shall first discuss with the records coordinator the nature of the corrective action sought by the student. Failing resolution, the student shall next discuss with the department or unit head the corrective action sought by the student. Failing resolution, the student shall next discuss with the university records officer the corrective action sought by the student, as outlined in WAC 516-20-030(5).

[Statutory Authority: RCW 28B.35.120(12). 94-17-059, § 516-26-055, filed 8/12/94, effective 9/12/94; Order 76-4, § 516-26-055, filed 8/20/76.]

WAC 516-26-060 Challenges—Hearing before student academic grievance board. (1) If informal proceedings fail to resolve the complaint of a student, the student may file a written request for an appeal to the student academic grievance board of the university.

(2) The student academic grievance board shall process the appeal according to procedures outlined in the student academic grievance policy.

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

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

(5) If a student demonstrates that the student is entitled to access to particular documents under this chapter, the student academic grievance board shall have authority to order that the student be permitted access to the records.

(6) The decision of the student academic grievance board shall be rendered in writing within a reasonable period of time after the conclusion of the hearing.

[Statutory Authority: RCW 28B.35.120(12). 94-17-059, § 516-26-060, filed 8/12/94, effective 9/12/94. Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-26-060, filed 5/14/79; Order 76-4, § 516-26-060, filed 8/20/76.]

WAC 516-26-070 Release of personally identifiable information or education records. The university shall not permit access to or release of a student's education records or personally identifiable information contained therein to any person without the written consent of the student, except as provided in WAC 516-26-080, 516-26-085, or 516-26-090. Misuse or inappropriate access to student education records may result in disciplinary action.

[Statutory Authority: RCW 28B.35.120(12). 94-17-059, § 516-26-070, filed 8/12/94, effective 9/12/94. Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-26-070, filed 5/14/79; Order 76-4, § 516-26-070, filed 8/20/76.]

WAC 516-26-075 Release of personally identifiable information or education records—Nature of consent required. Where the consent of a student is required under WAC 516-26-070 for the release of education records or personally identifiable materials contained therein, the student's consent shall be in writing, shall be signed and dated by the student, and shall include a specification of the records to be released, the reasons for such release, and the names of the parties to whom the records may be released.

[Order 76-4, § 516-26-075, filed 8/20/76.]

WAC 516-26-080 Release of personally identifiable information or education records—Exceptions to consent requirement. (1) The university may permit the access to or release of a student's education records or personally identifiable information contained therein without the written consent of the student to the following parties:

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

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

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

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

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

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

(g) An alleged victim of any crime of violence (as defined in section 16 of Title 18, United States Code) may have disclosed the results of any disciplinary proceeding conducted by the university against the alleged perpetrator of such crime with respect to such crime, without the consent of the alleged perpetrator.

(2) Education records of a student or personally identifiable information contained therein which are released to third parties, with or without the consent of the student involved, shall be accompanied by 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, kept with the education records of each student, indicating all parties, other than those parties specified in WAC 516-26-080 (1)(a), which have requested or obtained access to the student's education records, and indicating the legitimate interest that each such party has in obtaining the records or information contained therein. This record of access shall be available only to the student, to the employees of the university responsible for maintaining the records, and to the parties identified under WAC 516-26-080 (1)(a) and (c).

[Statutory Authority: RCW 28B.35.120(12). 94-17-059, § 516-26-080, filed 8/12/94, effective 9/12/94. Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-26-080, filed 5/14/79; Order 76-4, § 516-26-080, filed 8/20/76.]

WAC 516-26-085 Release of information in emergencies. (1) The vice-president for student affairs or his designee may, without the consent of a student, release the student's education records or personally identifiable information contained therein to appropriate parties in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of the student or other persons.

(2) The university police, during instances of emergency pertaining to individual students, may have access to those student's education records or personally identifiable information.

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

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

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

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

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

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

[Statutory Authority: RCW 28B.35.120(12). 94-17-059, § 516-26-085, filed 8/12/94, effective 9/12/94. Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-26-085, filed 5/14/79; Order 76-4, § 516-26-085, filed 8/20/76.]

WAC 516-26-090 Release of directory information.

(1) The university may release "directory information" concerning a student to the public unless the student requests in writing of the university registrar that the student's directory information not be released except as provided in WAC 516-26-070, 516-26-075, 516-26-080 or 516-26-085.

(2) The term "directory information" shall include information relating to the student's name, local telephone number, dates of attendance, degrees and awards received, participation in officially recognized sports and activities, weight and height if a member of an athletic team, and the most recent previous educational institution attended.

[Statutory Authority: RCW 28B.35.120(12). 94-17-059, § 516-26-090, filed 8/12/94, effective 9/12/94. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-26-090, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-26-090, filed 5/14/79; Order 76-4, § 516-26-090, filed 8/20/76.]

WAC 516-26-095 Destruction of education records.

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

[Statutory Authority: RCW 28B.35.120(12). 94-17-059, § 516-26-095, filed 8/12/94, effective 9/12/94. Statutory Authority: RCW 28B.35.120(11). 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-26-095, filed 5/14/79; Order 76-4, § 516-26-095, filed 8/20/76.]

WAC 516-26-100 Notification of rights under this chapter. The university shall annually notify students currently in attendance of their rights under this chapter and the Family Educational Rights and Privacy Act.

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

- (1) Inspect and review his or her education records;
- (2) Request an amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
- (3) Allow or deny disclosures of personally identifiable information contained in the student's education records, except to the extent that these regulations and the regulations promulgated pursuant to the Family Educational Rights and Privacy Act allow;
- (4) File a complaint with the United States Department of Education under 34 C.F.R. 99.64 concerning alleged failures by the university to comply with the requirements of the act;
- (5) Access information concerning the cost to be charged for reproducing copies of the student's records; and
- (6) Access a copy of the regulations in this chapter (chapter 516-26 WAC).

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

[Statutory Authority: RCW 28B.35.120(12). 94-17-059, § 516-26-100, filed 8/12/94, effective 9/12/94. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-26-100, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(11), 79-06-019 (Order 79-05, Resolution No. 79-05), § 516-26-100, filed 5/14/79; Order 76-4, § 516-26-100, filed 8/20/76.]

Chapter 516-28 WAC
STANDARDS AND PROCEDURES FOR
INVOLUNTARY ADMINISTRATIVE WITHDRAWAL
OF STUDENTS AT WESTERN WASHINGTON
UNIVERSITY FOR BEHAVIOR FROM MENTAL
DISORDERS

WAC

516-28-010	Preamble.
516-28-015	Standards for withdrawal.
516-28-020	Referral for evaluation.
516-28-025	Interim withdrawal.
516-28-030	Notice of interim withdrawal.
516-28-035	Assistance in proceeding.
516-28-040	Informal hearing.
516-28-045	Informal hearing guidelines.
516-28-050	Deviations from established procedures.
516-28-060	Relationship to student rights and responsibilities code.
516-28-065	Reinstatement.

WAC 516-28-010 Preamble. Western Washington University students enjoy the basic rights of all members of society. At the same time the student is expected to respect university rules and federal, state, and local laws. Those students who because of mental disorders are unable to do so and who represent a serious threat to themselves or others and therefore may need to be administratively withdrawn from attendance at Western Washington University are assured of a fair judicial process; at the same time, other students, faculty, and staff at Western Washington University are assured of relief from disruption of the mission of the university caused by those with behavioral problems stemming from mental disorders. This chapter advises students of their rights and responsibilities regarding behavior arising from mental disorders while enrolled at Western Washington University, and of the process the university will take if involuntary administrative withdrawal is indicated.

[Statutory Authority: RCW 28B.35.120(12). 89-11-039 (Order 89-01), § 516-28-010, filed 5/15/89.]

WAC 516-28-015 Standards for withdrawal. A student will be subject to involuntary administrative withdrawal from Western Washington University if it is determined that the student is suffering from a mental disorder (as defined in the American Psychiatric Association Diagnostic and Statistical Manual), and, as a result of the mental disorder (1) engages, or threatens to engage, in behavior which poses a danger of causing physical harm to self or others; or (2) engages, or threatens to engage, in behavior which would cause significant property damage, or directly and substantially impedes the lawful activities of others. These standards do not preclude removal from Western Washington University in accordance with provisions of other laws, rules, or regulations.

[Statutory Authority: RCW 28B.35.120(12). 89-11-039 (Order 89-01), § 516-28-015, filed 5/15/89.]

WAC 516-28-020 Referral for evaluation. The vice-president for student affairs may refer a student for evaluation by a licensed psychiatrist or psychologist chosen by but not affiliated with the university, if:

- (1) He/she believes that the student may meet the criteria set forth in WAC 516-28-015; or
- (2) A student subject to disciplinary charges wishes to introduce relevant evidence of any mental disorder. Results of this evaluation shall be forwarded to the vice-president for student affairs.

Students referred for evaluation shall be so informed in writing, either by personal delivery or certified mail, and shall be given a copy of this code. The evaluation must be completed within five business days from receipt of the referral letter, unless a written extension is given by the vice-president for student affairs or his/her designee. Students may be accompanied by a licensed psychologist or psychiatrist of their choice, who may observe but not participate in the evaluation process. Legal representation at the evaluation will not be permitted.

Any pending disciplinary action may be withheld until the evaluation is completed, at the discretion of the vice-president for student affairs.

A student who fails to complete the evaluation in accordance with these standards and procedures may be withdrawn on an interim basis, or referred for disciplinary action, or both.

[Statutory Authority: RCW 28B.35.120(12). 89-11-039 (Order 89-01), § 516-28-020, filed 5/15/89.]

WAC 516-28-025 Interim withdrawal. An interim administrative withdrawal may be implemented immediately if a student fails to complete an evaluation as provided above, or if the vice-president for student affairs determines that a student may be suffering from a mental disorder, and the student's behavior poses an imminent danger of:

- (1) Causing serious physical harm to the student or others; or
- (2) Causing significant property damage, or directly and substantially impeding the lawful activities of others.

[Statutory Authority: RCW 28B.35.120(12). 89-11-039 (Order 89-01), § 516-28-025, filed 5/15/89.]

WAC 516-28-030 Notice of interim withdrawal. A student subject to an interim withdrawal shall be given written notice of the withdrawal either by personal delivery or by certified mail, and shall be given a copy of this code. The student will also be given an opportunity to appear personally before the vice-president for student affairs or his/her designee, within two business days from the effective date of the interim withdrawal, in order to review the following issues only:

- (1) The reliability of the information concerning the student's behavior;
- (2) Whether or not the student's behavior poses a danger of causing imminent serious physical harm to the student or others, causing significant property damage, or directly and substantially impedes the lawful activities of others;
- (3) Whether or not the student has completed an evaluation, in accordance with these standards and procedures; and
- (4) For what purposes and under what conditions the student may enter the campus pending completion of the informal hearing process.

If, after the meeting between the vice-president for student affairs or his/her designee and the student, the vice-president for student affairs or his/her designee maintains the same position as to the student's need for an evaluation by a mental health professional, such evaluation should take place within two business days after the student submits a request for an appointment with the mental health professional.

[Statutory Authority: RCW 28B.35.120(12). 89-11-039 (Order 89-01), § 516-28-030, filed 5/15/89.]

WAC 516-28-035 Assistance in proceeding. A student subject to interim withdrawal may be assisted in the proceeding specified in WAC 516-28-030 by a family member and a licensed psychologist or psychiatrist or a member of the faculty or staff of the university. Furthermore, the student may be accompanied by legal counsel, whose role will be limited to providing legal advice to the student. Students will be expected to speak for themselves whenever possible.

[Statutory Authority: RCW 28B.35.120(12). 89-11-039 (Order 89-01), § 516-28-035, filed 5/15/89.]

WAC 516-28-040 Informal hearing. An informal hearing will be held within seven business days after the student has been evaluated by the appropriate mental health professional. The student will remain withdrawn on an interim basis pending completion of the informal hearing, but will be allowed to enter the campus to attend the hearing, or for other necessary purposes as preauthorized by the vice-president for student affairs.

[Statutory Authority: RCW 28B.35.120(12). 89-11-039 (Order 89-01), § 516-28-040, filed 5/15/89.]

WAC 516-28-045 Informal hearing guidelines. Students subject to an involuntary withdrawal shall be accorded an informal hearing before the vice-president for student affairs or his/her designee, utilizing the following guidelines:

- (1) Students will be informed to the time, date, and location of the informal hearing in writing, either by personal

delivery or certified mail, at least two business days in advance.

(2) The case file shall include an evaluation prepared by the mental health professional and the names of prospective witnesses. This file will be available for inspection by the student in the office of the vice-president for student affairs during normal business hours. This file will be available at least two business days prior to the informal hearing.

(3) The informal hearing shall be conversational and nonadversarial. Formal rules of evidence will not apply. The vice-president for student affairs or his/her designee shall exercise active control over the proceedings to avoid needless consumption of time and to achieve the orderly completion of the hearing. Any person who disrupts the hearing may be excluded.

(4) The student may choose to be assisted by a family member, a licensed psychiatrist or psychologist, or by a member of the faculty or staff of the university. Furthermore, the student may be accompanied by legal counsel, who is limited to providing legal advice to the student.

(5) Whenever possible, the student will be expected to respond to questions asked by the vice-president for student affairs or his/her designee. A student who refuses to answer on grounds of Fifth Amendment privilege may be informed that the vice-president for student affairs or his/her designee may draw a negative inference from the refusal which might result in dismissal from the institution in accordance with these standards and procedures.

(6) Those assisting the student, except for legal counsel, will be given reasonable time to ask relevant questions of any individual appearing at the informal hearing, as well as to present relevant evidence.

(7) The informal hearing may be conducted in the absence of a student who fails to appear after proper notice.

(8) A university official and/or a licensed psychiatrist or psychologist who prepared the evaluation report may be expected to appear at the informal hearing, and to respond to relevant questions or present evidence upon request of any party involved, if the vice-president for student affairs or his/her designee determines that such participation is essential to the resolution of the case.

(9) The informal hearing shall be tape-recorded and kept with the pertinent case file in the confidential records of the vice-president for student affairs for six years, following which the records will be destroyed. During this period, the records will be accessible only upon approval of the vice-president for student affairs and then only for compelling reasons.

(10) A written decision shall be rendered by the vice-president for student affairs or his/her designee within five business days after the completion of the informal hearing. The written decision, which will be personally delivered or sent by certified mail, shall contain a statement of reasons for any determination leading to involuntary withdrawal. The student will also be advised as to when a petition for reinstatement would be considered, along with any conditions of reinstatement.

(11) The decision of the vice-president for student affairs or his/her designee shall be final and not subject to appeal within the institution.

[Statutory Authority: RCW 28B.35.120(12), 89-11-039 (Order 89-01), § 516-28-045, filed 5/15/89.]

WAC 516-28-050 Deviations from established procedures. Deviations from these procedures will not invalidate a decision or proceeding unless significant prejudice to a student may result.

[Statutory Authority: RCW 28B.35.120(12), 89-11-039 (Order 89-01), § 516-28-050, filed 5/15/89.]

WAC 516-28-060 Relationship to student rights and responsibilities code. A student accused of engaging in conduct subject to disciplinary action pursuant to chapter 516-22 WAC may be diverted from that disciplinary process and withdrawn according to these standards and procedures if the student, as a result of mental disorder (1) lacks the capacity to respond to pending disciplinary charges or (2) did not know the nature of wrongfulness of the conduct at the time of the offense.

Students otherwise subject to disciplinary charges who wish to introduce relevant evidence of any mental disorder must so inform the vice-president for student affairs in writing at least two business days prior to any disciplinary hearing under chapter 516-22 WAC. If the vice-president for student affairs determines that the evidence may have merit, the case shall then be resolved in accordance with this chapter. If the vice-president for student affairs determines that the student does not meet the criteria set forth in this chapter, the case will be returned to the disciplinary process. The determination by the vice-president for student affairs shall be made within five days after the student's written submittal. Evidence of any mental disorder may not be admitted into evidence or considered by the hearing panel in any disciplinary proceeding under chapter 516-22 WAC.

[Statutory Authority: RCW 28B.35.120(12), 89-11-039 (Order 89-01), § 516-28-060, filed 5/15/89.]

WAC 516-28-065 Reinstatement. Should the above process result in a decision that the student is capable of attending classes at Western Washington University, the vice-president for student affairs or his/her designee shall take equitable measures to mitigate the effects of the withdrawal upon the student.

[Statutory Authority: RCW 28B.35.120(12), 89-11-039 (Order 89-01), § 516-28-065, filed 5/15/89.]

Chapter 516-31 WAC

STATE ENVIRONMENTAL POLICY ACT—RULE

WAC

516-31-010 Implementation of State Environmental Policy Act.

WAC 516-31-010 Implementation of State Environmental Policy Act. (1) It shall be the policy of Western Washington University that all actions taken by the 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 Western Washington University shall be responsible for administering and implementing this policy. The president shall designate the university personnel

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who will be responsible for carrying out the duties and functions of the university as set forth or incorporated herein.

[Statutory Authority: RCW 28B.35.120(12) and chapter 43.21C RCW, 90-15-026, § 516-31-010, filed 7/13/90, effective 7/17/90; Order 76-8, § 516-31-010, filed 12/14/76.]

Chapter 516-34 WAC

LEASING OF UNIVERSITY PROPERTY FOR BUSINESS PURPOSES

WAC

516-34-010	Request to lease university property.
516-34-020	Consideration of request and initial proposal.
516-34-030	Preliminary evaluation by board of trustees.
516-34-040	Public notice of intention to lease.
516-34-050	Submission of final proposals.
516-34-060	Consideration and evaluation of final proposal(s).
516-34-070	Notice of rejection.
516-34-080	Delegation of authority.

WAC 516-34-010 Request to lease university property. Any individual desiring to provide a particular service or sell particular goods to the Western Washington University community from a leased location on the campus of Western Washington University shall submit to the vice-president for business and financial affairs of the university an initial written proposal for the provision of that service and a request to lease university property. These rules do not cover short-term space rentals, which are covered by internal procedures through the Viking Union under its sale of goods and services policy, and other internal short-term space rental procedures.

[Statutory Authority: RCW 28B.35.120(12), 01-01-138, § 516-34-010, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(11), 87-01-110 (Order 12-03-86), § 516-34-010, filed 12/24/86; Order 73-13, § 516-34-010, filed 8/8/73.]

WAC 516-34-020 Consideration of request and initial proposal. (1) The vice-president for business and financial affairs or his/her designee shall make a recommendation to the president whether the university should accept proposals to lease space for the purpose of selling the particular goods or offering the proposed services. The vice-president shall consult with appropriate members of the university and shall consider the following nonexclusive list of factors:

- Whether there is a need for the proposed goods or services on the campus of Western Washington University;
- Whether the proposed sales or services are compatible with the goals and objectives of the university;
- Whether the proposed service or sales can be provided within the context of existing campus resources, vendors, or programs, thus rendering a new lease unnecessary;
- Whether the requested lease is acceptable within the framework of the university land use plan;
- Whether the requested lease should be considered;
- Which, if any, of the university property should be leased in connection with the proposed service.

(2) Upon completion of the above evaluation and recommendation of the vice-president for business and financial affairs shall submit a written statement of findings with regard to the above factors to the university president. The president shall determine whether the initial proposal and/or

request for lease should be denied or recommended for approval to the board of trustees for consideration.

(a) If the president determines that a particular initial proposal and/or request for lease should be denied, the vice-president for business and financial affairs shall give written notice of denial to the individual presenting the proposal and request for lease, and shall include within this notice the reasons for such denial.

(b) If the president determines the proposal and/or community request should be considered for approval by the board of trustees, the proposal and/or lease should be considered by the board of trustees at its next regularly scheduled meeting.

[Statutory Authority: RCW 28B.35.120(12), 01-01-138, § 516-34-020, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(11), 87-01-110 (Order 12-03-86), § 516-34-020, filed 12/24/86; Order 73-13, § 516-34-020, filed 8/8/73.]

WAC 516-34-030 Preliminary evaluation by board of trustees. The board of trustees shall consider and evaluate each initial proposal and/or request for lease referred to the board by the president. The board of trustees may either deny or give preliminary approval in whole or in part to each such initial proposal and/or request for lease.

[Statutory Authority: RCW 28B.35.120(12), 01-01-138, § 516-34-030, filed 12/20/00, effective 2/1/01; Order 73-13, § 516-34-030, filed 8/8/73.]

WAC 516-34-040 Public notice of intention to lease. Whenever the board of trustees gives preliminary approval to an initial proposal for services and request for lease, the vice-president for business and financial affairs shall forthwith give reasonable and timely notice to members of the public and to interested parties indicating that the university will consider leasing a particular area of university property in connection with the provision of a particular service to the university community. Said notice shall specify a time limit for submission of proposals by members of the public relating to said provision of services or sales of goods and/or lease.

[Statutory Authority: RCW 28B.35.120(12), 01-01-138, § 516-34-040, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(11), 87-01-110 (Order 12-03-86), § 516-34-040, filed 12/24/86; Order 73-13, § 516-34-040, filed 8/8/73.]

WAC 516-34-050 Submission of final proposals. Within the time limit specified in the public notice given by the university, any individual interested in leasing the particular area of university property specified in the notice for the purpose of providing the particular service or other goods as specified in the notice shall submit a proposal to the university setting forth in detail the means and methods by which that individual would utilize the leased property and provide the desired service or offering of goods for sale to the university community. Proposals must meet all specifications and/or requirements set forth in the notice.

[Statutory Authority: RCW 28B.35.120(12), 01-01-138, § 516-34-050, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(11), 87-01-110 (Order 12-03-86), § 516-34-050, filed 12/24/86; Order 73-13, § 516-34-050, filed 8/8/73.]

WAC 516-34-060 Consideration and evaluation of final proposal(s). (1) The vice-president for business and

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financial affairs shall carefully examine and evaluate all proposals for lease of university property and provision of services or selling of goods. The factors considered by the university in evaluating such proposals shall include but not be limited to the following:

(a) The capabilities, qualifications, and experience of each person, firm, corporation, or organization who would be involved in the execution of the proposal;

(b) The financial stability of each person, firm, corporation, or organization owning and/or operating the proposed service facility;

(c) The educational, academic and financial value of each proposal to the university;

(2) Upon completion of the evaluation, the vice-president for business and financial affairs shall evaluate which, if any, of the submitted proposals is in the best interests of the university. The vice-president for business and financial affairs shall have authority to reject all proposals as being unsatisfactory. The vice-president for business and financial affairs shall forward his/her recommendation as to the best proposal and the reasons therefor to the president in writing.

(3) The president shall make a final determination of which proposal is in the best interest of the university and shall award the lease to that applicant. The president's decision is final and not subject to further appeal with the university.

[Statutory Authority: RCW 28B.35.120(12), 01-01-138, § 516-34-060, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(11), 87-01-110 (Order 12-03-86), § 516-34-060, filed 12/24/86; Order 73-13, § 516-34-060, filed 8/8/73.]

WAC 516-34-070 Notice of rejection. The university shall give notice in writing to all individuals submitting final proposals as to final disposition of award and clearly specify the reasons.

[Statutory Authority: RCW 28B.35.120(12), 01-01-138, § 516-34-070, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(11), 87-01-110 (Order 12-03-86), § 516-34-070, filed 12/24/86; Order 73-13, § 516-34-070, filed 8/8/73.]

WAC 516-34-080 Delegation of authority. Any of the university administrators referenced herein may delegate their responsibilities under this regulation to a subordinate.

[Statutory Authority: RCW 28B.35.120(12), 01-01-138, § 516-34-080, filed 12/20/00, effective 2/1/01.]

Chapter 516-36 WAC

USE OF UNIVERSITY FACILITIES—SCHEDULING

WAC

516-36-001	Use of university facilities by off-campus persons or groups—Requests.
516-36-020	Use of university facilities by off-campus persons or groups—Evaluation of request for use.
516-36-030	Use of university facilities by off-campus persons or groups—Assessment of fees.
516-36-040	Use of facilities by persons or groups affiliated with the university—Authority to develop policies.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

516-36-005	Office of space and schedules. [Order 72-10, § 516-36-005, filed 11/17/72.] Repealed by Order 75-10, filed 11/10/75.
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516-36-010 Auditoria. [Order 72-10, § 516-36-010, filed 11/17/72.] Repealed by Order 75-10, filed 11/10/75.

WAC 516-36-001 Use of university facilities by off-campus persons or groups—Requests. Any person who is not affiliated with the university and who desires to use university facilities on a temporary basis for purposes other than assigned university activities shall submit a request for use of university facilities to the president or his designee.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-36-001, filed 4/27/90, effective 5/1/90; Order 75-10, § 516-36-001, filed 11/10/75; Order 72-10, § 516-36-001, filed 11/17/72.]

WAC 516-36-020 Use of university facilities by off-campus persons or groups—Evaluation of request for use. (1) The president, or the president's designee, shall have the authority to accept or reject, in whole or in part, a request submitted pursuant to WAC 516-36-001.

(2) In evaluating a request submitted pursuant to WAC 516-36-001, the president shall consider the following factors:

(a) Whether the facilities requested are to be used in connection with a regularly scheduled university program.

(b) Whether the intended use of the university's facilities is compatible with the educational mission and objectives of the university.

(c) Whether the intended use might cause a disruption of the university's relationship with the local community by conflicting with services provided by private enterprise within the Bellingham area.

(d) The capabilities, qualifications, experience, and financial stability of the individual, organization, or group submitting the request.

(3) Whenever the president (or the president's designee) rejects, either in whole or in part, a request for use of university facilities, the reasons for such rejection shall be stated in writing.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-36-020, filed 4/27/90, effective 5/1/90; Order 75-10, § 516-36-020, filed 11/10/75.]

WAC 516-36-030 Use of university facilities by off-campus persons or groups—Assessment of fees. (1) The president, or the president's designee, shall have authority to establish a schedule of fees to govern the use of university facilities by persons who are not affiliated with the university, and to alter or modify the fee schedule whenever such action is deemed to be necessary or appropriate or in the best interests of the university. The fee for each campus facility shall be sufficient to insure the recovery by the university of all direct and indirect costs associated with the use of the facility, including all direct and indirect costs of goods or services furnished by the university in connection with the use of the facility.

(2) The president, or the president's designee, may waive all or part of the normal fee for use of a particular facility by persons not affiliated with the university under the following circumstances:

(2005 Ed.)

(a) Members of the university community will receive a substantial benefit from the intended use of the facility and no person or group will derive profit from the intended use of the facility; or

(b) The group requesting the use of the university's facility is an agency of the state of Washington.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-36-030, filed 4/27/90, effective 5/1/90; Order 75-10, § 516-36-030, filed 11/10/75.]

WAC 516-36-040 Use of facilities by persons or groups affiliated with the university—Authority to develop policies. The president, or the president's designee, shall have authority to develop and implement policies relating to the use of university facilities by persons or groups affiliated with the university.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-36-040, filed 4/27/90, effective 5/1/90; Order 75-10, § 516-36-040, filed 11/10/75.]

Chapter 516-37 WAC

USE OF UNIVERSITY FACILITIES—LIBRARIES

WAC

516-37-001	Use of library facilities by nonuniversity related persons.
516-37-005	Library hours.
516-37-010	Library hours—Library—Bulletin board posting.
516-37-011	Library hours—Library—Handbills.
516-37-020	Use of library facilities by university-related persons.
516-37-030	Library—Briefcase inspection.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

516-37-100	Media services. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-37-100, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-37-100, filed 11/17/72.] Repealed by 96-05-029, filed 2/14/96, effective 3/16/96. Statutory Authority: RCW 28B.35.120(12).
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WAC 516-37-001 Use of library facilities by nonuniversity related persons. General policy is to extend the use of the libraries' resources and facilities freely to nonuniversity persons who wish to make use of library resources. Persons using the libraries' resources and facilities are expected to maintain appropriate behavior and to adhere to such food and beverage policies as are established by the director of libraries. Such use of library resources and facilities by nonuniversity related persons does not extend to borrowing privileges, except materials may be loaned to persons in the following categories upon such terms as the director of libraries or his or her designee shall approve:

(1) Faculty and students of other universities are accorded borrowing privileges pursuant to reciprocal agreements.

(2) Persons who obtain an annually renewable community card for an annual fee.

(3) Persons who are active members of the Western Washington University Alumni Association.

(4) Cooperating teachers, upon request.

(5) Other individuals approved by the director of libraries or his or her designee.

[Statutory Authority: RCW 28B.35.120(12), 96-05-029, § 516-37-001, filed 2/14/96, effective 3/16/96. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-37-001, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-37-001, filed 11/17/72.]

WAC 516-37-005 Library hours. During the periods when classes are in session, the library hours shall be posted on the exterior wall or door of the library. Library facilities may be open for limited service on holidays when demand can be expected from the university community. Hours may be adjusted without notice to meet special conditions.

[Statutory Authority: RCW 28B.35.120(12), 96-05-029, § 516-37-005, filed 2/14/96, effective 3/16/96. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-37-005, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-37-005, filed 11/17/72.]

WAC 516-37-010 Library hours—Library—Bulletin board posting. All posting in the libraries is permitted only on the regularly designated bulletin boards, and must be approved by the library. Responsibility and supervision of all bulletin boards in the library is assigned to the reference department. All posters or materials requested to be displayed by students are expected to carry the associated students' stamp and to be dated. Posters that do not carry the associated students' stamp or that are requested to be displayed by faculty or nonstudent groups may be approved in the discretion of the director of libraries or his or her designee.

[Statutory Authority: RCW 28B.35.120(12), 96-05-029, § 516-37-010, filed 2/14/96, effective 3/16/96. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-37-010, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-37-010, filed 11/17/72.]

WAC 516-37-011 Library hours—Library—Handbills. No handbills or other literature may be passed out in the library.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-37-011, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-37-011, filed 11/17/72.]

WAC 516-37-020 Use of library facilities by university-related persons. Students, faculty, teaching assistants, and other Western Washington University personnel may borrow circulating materials for periods specified and in accordance with rules established by the director of libraries. Noncirculating materials may be borrowed as determined by the appropriate library unit. The director shall establish a schedule of charges for late returns or damaged or lost materials which shall be posted. Persons using the libraries resources and facilities are expected to maintain appropriate behavior and to adhere to such food and beverage policies as are established by the director of libraries.

[Statutory Authority: RCW 28B.35.120(12), 96-05-029, § 516-37-020, filed 2/14/96, effective 3/16/96; Order 72-10, § 516-37-020, filed 11/17/72.]

WAC 516-37-030 Library—Briefcase inspection. Briefcases and other carriers may be inspected upon the user's leaving the library.

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[Statutory Authority: RCW 28B.35.120(12), 96-05-029, § 516-37-030, filed 2/14/96, effective 3/16/96; Order 72-10, § 516-37-030, filed 11/17/72.]

Chapter 516-38 WAC ACCESS TO CAMPUS SERVICES

WAC

516-38-050	Computer center.
516-38-051	Computer use.
516-38-052	Computer use—Procedures.
516-38-053	Computer use—Confidentiality.
516-38-110	Speech clinic.
516-38-115	Career planning and placement center.
516-38-116	Career planning and placement center—Placement credentials—Fees.
516-38-117	Recruitment activities.
516-38-118	Job notification.
516-38-119	Reciprocal services.

WAC 516-38-050 Computer center. The computer center of Western Washington University serves the instructional, research, and administrative computing needs of the campus.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-38-050, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-38-050, filed 11/17/72.]

WAC 516-38-051 Computer use. First priority for computer use shall be given the scholarly pursuits of the university's students and staff in research and instructional processes. The computer center may, at commercially competitive rates or for value received, sell services to noncampus clientele when, in the opinion of the director of the computer center,

- (1) The sale will not in any way jeopardize, dilute or compromise the center's service to campus clientele, and
- (2) Similar services are not available elsewhere in the community, and
- (3) The service involves an appropriate, sensible, and nontrivial use of the computer relating to some university program or goal.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-38-051, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-38-051, filed 11/17/72.]

WAC 516-38-052 Computer use—Procedures. Application forms for computer services are available at the computer center. Large projects shall be brought to the center's attention at the earliest possible time in the planning stage.

The specified times of availability of center facilities will be determined by the director and posted in a conspicuous location in the computer center. The times of availability may vary from time to time as necessary, and shall provide for an orderly progression of data processing by which the academic, administrative, and instructional requirements receive processing and such schedules may be developed and projected to provide maximum utilization of the many areas of the data processing facility for the students, faculty and administration.

[Order 72-10, § 516-38-052, filed 11/17/72.]

WAC 516-38-053 Computer use—Confidentiality.

Application for computer services by any individual or agency customer shall be deemed a representation that such customer has established and is following procedures which protect the right of individuals to the privacy and confidentiality of records concerning them, regardless of whether or not such records are mechanized. Customers shall be responsible for providing such control procedures and mechanisms as are necessary to protect the confidentiality of any particular data base.

[Order 72-10, § 516-38-053, filed 11/17/72.]

WAC 516-38-110 Speech clinic. The resources of the speech and audiology clinic of Western Washington University may be made available to persons in the region with hearing or speech defects. Applications for the use of such resources shall be made through the chairman of the department, or his or her designee, who may charge a fee for such service. The fee schedule shall be prominently posted in the office of the department.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-38-110, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-38-110, filed 11/17/72.]

WAC 516-38-115 Career planning and placement center. The career planning and placement center provides (1) career planning services for undergraduates and (2) placement services for the following "eligible persons": Graduating seniors (who may establish placement credentials the quarter they become a senior), graduate degree or certificate candidates (including graduates of other institutions who may establish placement credentials upon earning thirty quarter credit hours toward advanced degree or certificate at Western) and alumni (who have received degrees or certificates from Western). Open lists of all employment opportunities and campus recruiting visits are maintained by the placement center for qualified students.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-38-115, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-38-115, filed 11/17/72.]

WAC 516-38-116 Career planning and placement center—Placement credentials—Fees. Eligible persons may complete registration forms at the career planning and placement center establishing placement credentials to be placed in the center's placement credentials file. The center may charge fees for its services and its schedule of fees shall be prominently posted within the center. Placement center services may be denied any individual who fails to pay placement fees when due. The center shall not duplicate or mail incomplete credential files, individual recommendations or personal resumes. Credentials are confidential and may only be sent to legitimate prospective employers or transferred to other educational institutions for establishment there of placement credentials.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-38-116, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-38-116, filed 11/17/72.]

(2005 Ed.)

WAC 516-38-117 Recruitment activities. (1) Employers, organizations interested in hiring graduating students or alumni, and recruiting personnel from college or university graduate schools may conduct recruitment activity on campus and shall be coordinated by the placement center subject to the following conditions:

(a) Employers shall not be eligible to recruit on campus unless they comply with all federal and state laws against discrimination.

(b) All interviewing arranged by the placement center shall be conducted in offices or space provided by the placement center.

(c) Recruiters for school districts, business and industrial firms and government agencies may be assigned individual rooms and eligible persons required to adhere to prearranged interview schedules.

(d) Recruiters for the military, Peace Corps and Vista may be assigned individual rooms and students may be interviewed on a "drop-in" basis.

(e) All company literature and brochures shall be displayed either within the interviewing room or on placement center literature tables.

(f) Poster boards and signs related to campus interviews may be posted on bulletin boards or other designated areas upon the approval of the placement center, in compliance with university policy.

(2) All prospective employers shall be free to present their points of view, and all students shall be free to determine whether they desire to listen to their presentations.

(3) To be eligible to sign up for recruitment interviews, candidates must meet the qualifications stipulated by the prospective employer. First priority on sign-up schedules shall be given students currently enrolled and eligible for placement services (provided they have established complete placement credentials with the placement center) and second priority shall be given alumni eligible for placement services (provided they have established complete placement credentials with the placement center).

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-38-117, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-38-117, filed 11/17/72.]

WAC 516-38-118 Job notification. Notification of positions listed with the placement center shall be available without screening, selecting or promoting, only to registered candidates who have updated and activated their credentials; graduates of other colleges or universities who have established reciprocity; and any bona fide employer who complies with federal and state laws against discrimination.

[Order 72-10, § 516-38-118, filed 11/17/72.]

WAC 516-38-119 Reciprocal services. Requests from Western's candidates for service from another institution must be made by the placement director. The credentials of such candidates must be updated and active.

[Order 72-10, § 516-38-119, filed 11/17/72.]

Chapter 516-39 WAC MEDIA SERVICES

WAC

516-39-010 Media services.

WAC 516-39-010 Media services. Media services provides media support for the university, primarily for classroom instruction. Support is provided in two ways: Production of medial materials and distribution/utilization of media. Services include audiovisual, video, graphics, and media engineering.

Media services provides training opportunities for students in graphics, television production and distribution, and audiovisual support. This training occurs through regular student employment and internships in collaboration with academic departments. Department staff also contribute to formal instruction in regular university courses.

There is no charge for services in direct support of classroom instruction other than for materials. For some services there are charges to other units of the university. Equipment may not be borrowed for nonuniversity purposes.

Media services may, at commercially competitive rates or for value received, sell services to noncampus clients pursuant to provisions of chapter 28B.63 RCW, "Commercial activities by institutions of higher education," as it exists now or may hereafter be amended.

[Statutory Authority: RCW 28B.35.120(12). 96-05-030, § 516-39-010, filed 2/14/96, effective 3/16/96.]

Chapter 516-52 WAC HEALTH AND SAFETY

WAC

516-52-001 Smoking on campus.
516-52-010 Control of dogs and other service animals.
516-52-020 Firearms and dangerous weapons.

WAC 516-52-001 Smoking on campus. (1) Purpose. Western Washington University is dedicated to providing a healthful and productive work environment for all employees, students, and the public visiting or conducting activities in university facilities. This policy is intended to provide a smoke-free environment for employees, students, and the public who do not wish to be affected by those who smoke.

(2) Policy. Smoking shall not be permitted inside any Western Washington University administrative or academic buildings and in identified external areas that may affect those people inside the administrative and academic buildings. Smoking will be allowed in identified outdoor smoking areas on campus.

[Statutory Authority: RCW 28B.35.120(12). 95-01-006, § 516-52-001, filed 12/8/94, effective 1/8/95; 93-01-080, § 516-52-001, filed 12/14/92, effective 1/14/93. Statutory Authority: RCW 28B.35.120(11). 86-03-020 (Order 12-5-85), § 516-52-001, filed 1/8/86; Order 72-10, § 516-52-001, filed 11/17/72.]

WAC 516-52-010 Control of dogs and other service animals. (1) Dogs and/or other service animals are not permitted in university buildings except for assisting persons with physical, mental and/or sensory disabilities.

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(2) Dogs and/or other service animals are not permitted on university property unless under immediate control of their handler.

[Statutory Authority: RCW 28B.35.120(12). 00-22-006, § 516-52-010, filed 10/20/00, effective 11/20/00. Statutory Authority: RCW 28B.35.120(11). 86-03-020 (Order 12-5-85), § 516-52-010, filed 1/8/86; Order 72-10, § 516-52-010, filed 11/17/72.]

WAC 516-52-020 Firearms and dangerous weapons.

(1) Only such persons who are authorized to carry firearms or other weapons as duly appointed and commissioned law enforcement officers in the state of Washington, commissioned by agencies of the United States government, or authorized by contract with the university, shall possess firearms or other weapons issued for their possession by their respective law enforcement agencies or employers while on the campus or other university-controlled property, including, but not limited to, residence halls. No one may possess explosives unless licensed to do so for purposes of conducting university-authorized activities relating to building construction or demolition.

(2) Other than the law enforcement officers or other individuals referenced in subsection (1) of this section, members of the campus community and visitors who bring firearms or other weapons to campus must immediately place the firearms or weapons in the university-provided storage facility. The storage facility is located at the university public safety department and is accessible twenty-four hours per day.

(3) If any member of the campus community or visitor wishes to bring a weapon to the campus for display or demonstration purposes directly related to a class, seminar, or other educational activity, permission for such possession may be applied for at the university public safety department, which shall review any such proposal and may establish the conditions of the possession on campus.

[Statutory Authority: RCW 28B.35.120(12). 93-01-080, § 516-52-020, filed 12/14/92, effective 1/14/93; 90-17-031, § 516-52-020, filed 8/9/90, effective 9/1/90.]

Chapter 516-56 WAC UNIVERSITY HOUSING AND DINING

WAC

516-56-001 Housing and dining—General.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

516-56-002 Applicability of housing and dining rules. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-56-002, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-56-002, filed 11/17/72.] Repealed by 98-14-051, filed 6/26/98, effective 7/27/98. Statutory Authority: RCW 28B.35.120(12).

516-56-010 Applications for residence halls and university apartments. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-56-010, filed 4/27/90, effective 5/1/90; Order 74-3, § 516-56-010, filed 3/13/74; Order 72-10, § 516-56-010, filed 11/17/72.] Repealed by 98-14-051, filed 6/26/98, effective 7/27/98. Statutory Authority: RCW 28B.35.120(12).

516-56-011 Assignments to residence halls. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters

- 69.41 and 43.21C RCW. 90-10-042, § 516-56-011, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-56-011, filed 11/17/72.] Repealed by 98-14-051, filed 6/26/98, effective 7/27/98. Statutory Authority: RCW 28B.35.120(12).
- 516-56-012 Assignments to university apartments. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-56-012, filed 4/27/90, effective 5/1/90; Order 74-3, § 516-56-012, filed 3/13/74; Order 72-10, § 516-56-012, filed 11/17/72.] Repealed by 98-14-051, filed 6/26/98, effective 7/27/98. Statutory Authority: RCW 28B.35.120(12).
- 516-56-013 Assignments to married student apartments. [Order 72-10, § 516-56-013, filed 11/17/72.] Repealed by Order 74-3, filed 3/13/74.
- 516-56-020 Deposits. [Order 72-10, § 516-56-020, filed 11/17/72.] Repealed by 98-14-051, filed 6/26/98, effective 7/27/98. Statutory Authority: RCW 28B.35.120(12).
- 516-56-021 Room and board payments. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-56-021, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-56-021, filed 11/17/72.] Repealed by 98-14-051, filed 6/26/98, effective 7/27/98. Statutory Authority: RCW 28B.35.120(12).
- 516-56-022 Apartment rentals. [Order 74-3, § 516-56-022, filed 3/13/74; Order 72-10, § 516-56-022, filed 11/17/72.] Repealed by 98-14-051, filed 6/26/98, effective 7/27/98. Statutory Authority: RCW 28B.35.120(12).
- 516-56-023 Charges for damages. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-56-023, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-56-023, filed 11/17/72.] Repealed by 98-14-051, filed 6/26/98, effective 7/27/98. Statutory Authority: RCW 28B.35.120(12).
- 516-56-030 Entry into rooms or apartments. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-56-030, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-56-030, filed 11/17/72.] Repealed by 98-14-051, filed 6/26/98, effective 7/27/98. Statutory Authority: RCW 28B.35.120(12).
- 516-56-040 Refunds. [Order 72-10, § 516-56-040, filed 11/17/72.] Repealed by 98-14-051, filed 6/26/98, effective 7/27/98. Statutory Authority: RCW 28B.35.120(12).
- 516-56-050 Responsibility for personal property. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-56-050, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-56-050, filed 11/17/72.] Repealed by 98-14-051, filed 6/26/98, effective 7/27/98. Statutory Authority: RCW 28B.35.120(12).
- 516-56-060 Eligibility for occupancy. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-56-060, filed 4/27/90, effective 5/1/90; Order 74-3, § 516-56-060, filed 3/13/74; Order 72-10, § 516-56-060, filed 11/17/72.] Repealed by 98-14-051, filed 6/26/98, effective 7/27/98. Statutory Authority: RCW 28B.35.120(12).
- 516-56-070 Housing regulations—General. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-56-070, filed 4/27/90, effective 5/1/90; Order 74-3, § 516-56-070, filed 3/13/74; Order 72-10, § 516-56-070, filed 11/17/72.] Repealed by 98-14-051, filed 6/26/98, effective 7/27/98. Statutory Authority: RCW 28B.35.120(12).
- 516-56-080 Consolidation of facilities. [Order 72-10, § 516-56-080, filed 11/17/72.] Repealed by 98-14-051, filed 6/26/98, effective 7/27/98. Statutory Authority: RCW 28B.35.120(12).
- 516-56-090 Guests. [Order 72-10, § 516-56-090, filed 11/17/72.] Repealed by 98-14-051, filed 6/26/98, effective 7/27/98. Statutory Authority: RCW 28B.35.120(12).
- 516-56-100 Possession of alcoholic beverages. [Order 72-10, § 516-56-100, filed 11/17/72.] Repealed by Order 75-11, filed 9/10/75.
- 516-56-110 Off-campus housing—Listing. [Order 72-10, § 516-56-110, filed 11/17/72.] Repealed by Order 74-3, filed 3/13/74.

WAC 516-56-001 Housing and dining—General. The objectives of the housing and dining areas maintained by Western Washington University are to provide comfortable, democratic, living conditions conducive to successful academic achievement and to participation in the activities of campus life.

All rules, regulations, policies, procedures and general information are found in the *WWU Office of University Residences Guide to University Residences, Room and Board Agreement, Birnam Wood Apartment Agreement, and/or the Residential Community Handbook*. Please contact the Office of University Residences, Edens Hall 101, WWU, Bellingham, Washington, for the most up-to-date information.

[Statutory Authority: RCW 28B.35.120(12). 98-14-051, § 516-56-001, filed 6/26/98, effective 7/27/98. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-56-001, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-56-001, filed 11/17/72.]

Chapter 516-60 WAC

ADMISSION AND REGISTRATION PROCEDURES

WAC

- 516-60-001 Catalog.
516-60-002 Changes in catalog.
516-60-010 Waivers of tuition and fees.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 516-60-003 Finances. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-60-003, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-60-003, filed 11/17/72.] Repealed by 01-01-137, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(12).
- 516-60-004 Refund of tuition and fees. [Statutory Authority: RCW 28B.35.120(12). 96-01-058, § 516-60-004, filed 12/15/95, effective 1/15/96. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-60-004, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-60-004, filed 11/17/72.] Repealed by 01-01-137, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(12).
- 516-60-005 Residency classification. [Statutory Authority: RCW 28B.35.120(12). 96-01-058, § 516-60-005, filed 12/15/95, effective 1/15/96. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-60-005, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-60-005, filed 11/17/72.] Repealed by 01-01-137, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(12).
- 516-60-006 Sanctions. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-60-006, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-60-006, filed 11/17/72.] Repealed by 01-01-137, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(12).
- 516-60-007 Health history. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-60-007, filed

- 4/27/90, effective 5/1/90; Order 72-10, § 516-60-007, filed 11/17/72.] Repealed by 01-01-137, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(12).
- 516-60-015 Registration. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-60-015, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-60-015, filed 11/17/72.] Repealed by 01-01-137, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(12).
- 516-60-016 Deadlines. [Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-60-016, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-60-016, filed 11/17/72.] Repealed by 01-01-137, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(12).
- 516-60-017 Changes in registration and withdrawal. [Statutory Authority: RCW 28B.35.120(12). 96-01-058, § 516-60-017, filed 12/15/95, effective 1/15/96. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-60-017, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-60-017, filed 11/17/72.] Repealed by 01-01-137, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(12).
- 516-60-020 Admission general. [Order 72-10, § 516-60-020, filed 11/17/72.] Repealed by 01-01-137, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(12).
- 516-60-030 Admission of nonmatriculated students. [Statutory Authority: RCW 28B.35.120(12). 96-01-058, § 516-60-030, filed 12/15/95, effective 1/15/96. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-60-030, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-60-030, filed 11/17/72.] Repealed by 01-01-137, filed 12/20/00, effective 2/1/01. Statutory Authority: RCW 28B.35.120(12).

WAC 516-60-001 Catalog. All dates and procedures established by the board of trustees or president relating to admissions and registration shall be published annually in the appropriate university catalog and shall be considered contractual between the student and the university. The catalog is defined as *Western Washington University Bulletin*.

[Statutory Authority: RCW 28B.35.120(12). 04-09-106, § 516-60-001, filed 4/21/04, effective 5/22/04. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-60-001, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-60-001, filed 11/17/72.]

WAC 516-60-002 Changes in catalog. The board of trustees reserves the right of the board of trustees or president to make changes in any of the provisions of the university's catalogs without prior notice. When changes are made they shall be filed in the appropriate university offices and placed with the appropriate catalog in the reference area of the library.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-60-002, filed 4/27/90, effective 5/1/90; Order 72-10, § 516-60-002, filed 11/17/72.]

WAC 516-60-010 Waivers of tuition and fees. (1) The board of trustees is authorized to grant tuition and fee waivers to students pursuant to RCW 28B.15.910 and the laws identified therein. Each of these laws, with the exception of those required by law, authorizes but does not require the board of

trustees to grant waivers for different categories of students and provides for waivers of different fees. The board of trustees or its delegate must affirmatively act to implement the legislature's grant of authority. A list of waivers that the board has implemented can be found in the *Bulletin, Timetable of Classes*, university website, or any subsequently adopted publication.

(2) Even when it has decided to implement a waiver listed in RCW 28B.15.910, the university, for specific reasons and a general need for flexibility in the management of its resources, may choose not to award waivers to any or all students who may be eligible under the terms of the laws, or it may decide to grant partial waivers. The university's description of the factors it may consider to adjust a waiver program to meet emergent or changing needs is found in subsection (5) of this section. All waivers are subject to subsection (5) of this section.

(3) The board of trustees also has the authority under RCW 28B.15.915 to grant waivers of all or a portion of operating fees as defined in RCW 28B.15.031. Waiver programs adopted under RCW 28B.15.915 are described in the sources identified in subsection (1) of this section. Waivers granted under RCW 28B.15.915 are subject to subsection (5) of this section.

(4) Tuition and fees for self-sustaining courses and programs cannot be waived.

(5) The university may modify its restrictions or requirements pursuant to changes in state or federal law, changes in programmatic requirements, or in response to financial or other considerations, which may include, but are not limited to, the need to adopt fiscally responsible budgets, the management of the overall levels and mix of enrollments, management initiatives to modify enrollment demand for specific programs and management decisions to eliminate or modify academic programs. The university may choose not to exercise the full funding authority granted under RCW 28B.15.910 and may limit the total funding available under RCW 28B.15.915, except for those waivers required by law.

[Statutory Authority: RCW 28B.35.120(12). 04-09-106, § 516-60-010, filed 4/21/04, effective 5/22/04.]

Chapter 516-108 WAC PRACTICE AND PROCEDURE

WAC

516-108-010	Adoption of model rules of procedure.
516-108-020	Appointment of presiding officers.
516-108-030	Method of recording.
516-108-040	Application for adjudicative proceeding.
516-108-050	Brief adjudicative procedures.
516-108-060	Discovery.
516-108-070	Procedure for closing parts of the hearings.
516-108-080	Recording devices.
516-108-090	Petitions for stay of effectiveness.

WAC 516-108-010 Adoption of model rules of procedure. The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended, are hereby adopted for use at this institution. Those rules may be found in chapter 10-08 WAC. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and procedural rules

adopted in this title, the procedural rules adopted by this institution shall govern. Rules adopted at this institution prior to July 1, 1989, remain in full force and effect unless specifically repealed or amended.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-108-010, filed 4/27/90, effective 5/1/90.]

WAC 516-108-020 Appointment of presiding officers. The president or president's designee shall designate a presiding officer for an adjudicative proceeding. The presiding officer shall be an administrative law judge, a member in good standing of the Washington State Bar Association, a panel of individuals, the president or his or her designee, or any combination of the above. Where more than one individual is designated to be the presiding officer, one person shall be designated by the president or president's designee to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-108-020, filed 4/27/90, effective 5/1/90.]

WAC 516-108-030 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), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-108-030, filed 4/27/90, effective 5/1/90.]

WAC 516-108-040 Application for adjudicative proceeding. An application for an adjudicative proceeding shall be in writing. Application forms are available at the following address:

President's Office
Old Main 450, WWU
516 High Street
Bellingham, WA 98225

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), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-108-040, filed 4/27/90, effective 5/1/90.]

WAC 516-108-050 Brief adjudicative procedures. This rule is adopted in accordance with RCW 34.05.482 through 34.05.494, the provisions of which are hereby adopted. Brief adjudicative procedures shall be used in all matters related to:

- (1) Residency determinations made pursuant to RCW 28B.15.013, conducted by the admissions office;
- (2) Challenges to contents of education records;
- (3) Student conduct proceedings. The procedural rules in chapter 516-22 WAC apply to these proceedings;
- (4) Parking violations. The procedural rules in chapter 516-12 WAC apply to these proceedings;
- (5) Outstanding debts owed by students or employees;

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(6) Loss of eligibility for participation in institution-sponsored athletic events, pursuant to chapter 516-400 WAC.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-108-050, filed 4/27/90, effective 5/1/90.]

WAC 516-108-060 Discovery. Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall make reference to the civil rules of procedure. The presiding officer shall have the power to control the frequency and nature of discovery permitted, and to order discovery conferences to discuss discovery issues.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-108-060, filed 4/27/90, effective 5/1/90.]

WAC 516-108-070 Procedure for closing parts of the hearings. A party may apply for a protective order to close part of a hearing. The party making the request should state the reasons for making the application to the presiding officer. If the other party opposes the request, a written response to the request shall be made within ten days of the request to the presiding officer. The presiding officer shall determine which, if any, parts of the proceeding shall be closed, and state the reasons therefor in writing within twenty days of receiving the request.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-108-070, filed 4/27/90, effective 5/1/90.]

WAC 516-108-080 Recording devices. No cameras or recording devices shall be allowed in those parts of proceedings which the presiding officer has determined shall be closed pursuant to WAC 516-108-010, except for the method of official recording selected by the institution.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-108-080, filed 4/27/90, effective 5/1/90.]

WAC 516-108-090 Petitions for stay of effectiveness. Disposition of a petition for stay of effectiveness of a final order shall be made by the official, officer, or body of officers, who entered the final order.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-108-090, filed 4/27/90, effective 5/1/90.]

**Chapter 516-133 WAC
ORGANIZATION**

WAC
516-133-020 Organization—Operation—Information.

WAC 516-133-020 Organization—Operation—Information. (1) Organization. Western Washington University is established in Title 28B RCW as a public institution of higher education. The institution is governed by an eight-member board of trustees, appointed by the governor. The board employs a president, who acts as the chief executive

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officer of the institution. The president establishes the structure of the administration.

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

Old Main 450, WWU
516 High Street
Bellingham, WA 98225

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

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

Registrar/Admissions Office
Old Main 200, WWU
516 High Street
Bellingham, WA 98225

[Statutory Authority: RCW 28B.35.120(12), 00-01-055, § 516-133-020, filed 12/9/99, effective 1/9/00. Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-133-020, filed 4/27/90, effective 5/1/90.]

Chapter 516-400 WAC

LOSS OF ELIGIBILITY—STUDENT ATHLETIC PARTICIPATION

WAC

516-400-010 Immediate suspension.

WAC 516-400-010 Immediate suspension. Student athletes found to have violated chapter 69.41 RCW (Legend drugs—Prescription drugs) shall, upon conviction, be immediately suspended from participation in school-sponsored athletic events by the director of athletics. The period of loss of eligibility to participate will be determined by the director of athletics at the conclusion of a brief adjudicative hearing, to be commenced within twenty days of the suspension.

[Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070- 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-400-010, filed 4/27/90, effective 5/1/90.]