

Title 132M WAC

COMMUNITY COLLEGES—LOWER COLUMBIA COLLEGE

Chapters

<p>132M-104</p> <p>132M-108</p> <p>132M-110</p> <p>132M-113</p> <p>132M-115</p> <p>132M-116</p> <p>132M-121</p> <p>132M-136</p> <p>132M-160</p> <p>132M-300</p> <p>132M-325</p> <p>132M-400</p>	<p>Rule on regular meeting date for board of trustees.</p> <p>Procedure.</p> <p>Public records disclosure policy.</p> <p>Access to student records.</p> <p>Tenure.</p> <p>Parking regulations.</p> <p>Student code of conduct.</p> <p>Use of college facilities—Academic.</p> <p>Admission, registration, graduation.</p> <p>Grievance procedure—Discrimination.</p> <p>State Environmental Policy Act.</p> <p>Loss of eligibility—Student athletic participation.</p>	<p>132M-120-065</p> <p>132M-120-070</p> <p>132M-120-080</p> <p>132M-120-090</p> <p>132M-120-095</p>	<p>Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].</p> <p>Disciplinary sanctions. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-065, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.-140.</p> <p>Nonacademic conduct. [Statutory Authority: RCW 28B.50.140(113) [28B.50.140]. 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-120-070, filed 11/4/81; Order 15, § 132M-120-070, filed 12/20/72.] Repealed by 92-09-094, filed 4/17/92, effective 5/18/92. Statutory Authority: RCW 28B.50.140.</p> <p>Disciplinary procedures. [Order 15, § 132M-120-080, filed 12/20/72.] Repealed by 92-09-094, filed 4/17/92, effective 5/18/92. Statutory Authority: RCW 28B.50.-140.</p> <p>Sanction procedures. [Order 15, § 132M-120-090, filed 12/20/72.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].</p> <p>Delegation of disciplinary authority. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-095, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p> <p>Appeals. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-100, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p> <p>Hearing procedures before the student hearing and grievance committee. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-110, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.-140.</p> <p>Evidence admissible in proceedings. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-120, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p> <p>Decision by the student hearing and grievance committee. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-130, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p> <p>Summary suspension procedures. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-200, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p> <p>Notice of summary suspension. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-210, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p> <p>Appeals from summary suspension. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-220, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p> <p>Student grievances. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-300, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.-140.</p> <p>Grievance procedures. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-310, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.-140.</p> <p>Withdrawal of grievance. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-320, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08,</p>
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DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 132M-112 AFFIRMATIVE ACTION PROGRAM

<p>132M-112-010</p> <p>132M-112-011</p>	<p>Affirmative action program. [Statutory Authority: RCW 28B.50.140(113) [28B.50.140]. 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-112-010, filed 11/4/81.] Repealed by 92-09-092, filed 4/17/92, effective 5/18/92. Statutory Authority: RCW 28B.50.140 and 29 USC ss 794, 20 USC ss 1681 et seq and 42 USC ss 200 et al.</p> <p>Affirmative action program—Grievance procedure. [Statutory Authority: RCW 28B.50.140(113) [28B.50.-140]. 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-112-011, filed 11/4/81.] Repealed by 92-09-092, filed 4/17/92, effective 5/18/92. Statutory Authority: RCW 28B.50.140 and 29 USC ss 794, 20 USC ss 1681 et seq and 42 USC ss 200 et al.</p>	<p>132M-120-100</p> <p>132M-120-110</p> <p>132M-120-120</p>	<p>Appeals. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-100, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p> <p>Hearing procedures before the student hearing and grievance committee. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-110, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.-140.</p> <p>Evidence admissible in proceedings. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-120, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p>
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Chapter 132M-120 STUDENT RIGHTS AND RESPONSIBILITIES

<p>132M-120-010</p> <p>132M-120-020</p> <p>132M-120-025</p> <p>132M-120-030</p> <p>132M-120-040</p> <p>132M-120-050</p> <p>132M-120-060</p>	<p>General policy. [Statutory Authority: RCW 28B.50.-140. 92-09-094, § 132M-120-010, filed 4/17/92, effective 5/18/92; Order 15, § 132M-120-010, filed 12/20/72.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p> <p>Definitions. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-020, filed 4/17/92, effective 5/18/92; Order 15, § 132M-120-020, filed 12/20/72.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p> <p>Student rights. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-025, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p> <p>Access to college facilities. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-030, filed 4/17/92, effective 5/18/92; Order 15, § 132M-120-030, filed 12/20/72.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p> <p>Student responsibilities. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-040, filed 4/17/92, effective 5/18/92; Order 15, § 132M-120-040, filed 12/20/72.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p> <p>Offenses which may result in probation. [Order 15, § 132M-120-050, filed 12/20/72.] Repealed by 92-09-094, filed 4/17/92, effective 5/18/92. Statutory Authority: RCW 28B.50.140.</p> <p>Cheating or plagiarism. [Order 15, § 132M-120-060, filed 12/20/72.] Repealed by 81-22-076 (Order 81-1,</p>	<p>132M-120-130</p> <p>132M-120-200</p> <p>132M-120-210</p> <p>132M-120-220</p> <p>132M-120-300</p> <p>132M-120-310</p> <p>132M-120-320</p>	<p>Decision by the student hearing and grievance committee. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-130, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p> <p>Summary suspension procedures. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-200, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p> <p>Notice of summary suspension. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-210, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p> <p>Appeals from summary suspension. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-220, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.140.</p> <p>Student grievances. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-300, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.-140.</p> <p>Grievance procedures. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-310, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08, effective 4/3/08. Statutory Authority: RCW 28B.50.-140.</p> <p>Withdrawal of grievance. [Statutory Authority: RCW 28B.50.140. 92-09-094, § 132M-120-320, filed 4/17/92, effective 5/18/92.] Repealed by 08-06-066, filed 3/3/08,</p>
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effective 4/3/08. Statutory Authority: RCW 28B.50-140.

**Chapter 132M-140
USE OF COLLEGE FACILITIES—BUSINESS**

- 132M-140-010 Commercial solicitation. [Order 15, § 132M-140-010, filed 12/20/72.] Repealed by 92-09-009, filed 4/2/92, effective 5/3/92. Statutory Authority: RCW 28B.50.140.
- 132M-140-020 Bookstore buyback. [Order 15, § 132M-140-020, filed 12/20/72.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].

**Chapter 132M-150
ESTABLISHMENT OF REPRESENTATIVE ORGANIZATION
FOR ACADEMIC EMPLOYEES**

- 132M-150-003 Purpose. [Order 2-75, § 132M-150-003, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50-140(113) [28B.50.140].
- 132M-150-006 Request for election—Canvas of academic employees by independent and neutral person or association. [Order 2-75, § 132M-150-006, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-150-009 Notice of election—Organizations to be included on ballot—Time for filing. [Order 2-75, § 132M-150-009, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-150-012 Contents of notice of election—Designation of chief election officer—Duties. [Order 2-75, § 132M-150-012, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-150-015 List of academic employees—Posting of list. [Order 2-75, § 132M-150-015, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50-140].
- 132M-150-018 Election inspectors—Duties—Right to challenge voter—Improper conduct. [Order 2-75, § 132M-150-018, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-150-021 Ballots. [Order 2-75, § 132M-150-021, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50-140(113) [28B.50.140].
- 132M-150-024 Record of vote—Signature—Challenge. [Order 2-75, § 132M-150-024, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-150-027 Incorrectly marked ballot. [Order 2-75, § 132M-150-027, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-150-030 Privacy for voter—Equipment. [Order 2-75, § 132M-150-030, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-150-033 Folding ballot—Ballot box. [Order 2-75, § 132M-150-033, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-150-036 Challenged ballot—Procedure. [Order 2-75, § 132M-150-036, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-150-039 Employees present entitled to vote—Sealing ballot box—Unused ballots. [Order 2-75, § 132M-150-039, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-150-042 Election inspectors duties after voting has terminated. [Order 2-75, § 132M-150-042, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-150-045 Disposition of challenged ballots—Tally sheets—Investigation by chief election officer. [Order 2-75, § 132M-150-045, filed 1/27/76.] Repealed by 81-22-076 (Order

- 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-150-048 Counting of ballots—Procedure—Certification of results of election—Retention of ballots—Signed voting lists. [Order 2-75, § 132M-150-048, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50-140(113) [28B.50.140].
- 132M-150-051 Electioneering within the polls forbidden. [Order 2-75, § 132M-150-051, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50-140].
- 132M-150-054 Contest of election—Time for filing objections—Investigation of objections. [Order 2-75, § 132M-150-054, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-150-057 Persons eligible to vote—Definition of "academic employee." [Order 2-75, § 132M-150-057, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-150-060 Election determined by majority of valid votes cast—Run-off election. [Order 2-75, § 132M-150-060, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-150-063 Time lapse for new election. [Order 2-75, § 132M-150-063, filed 1/27/76.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].

**Chapter 132M-168
LIBRARY**

- 132M-168-010 Reserve books. [Order 15, § 132M-168-010, filed 12/20/72.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-168-020 General circulation. [Order 15, § 132M-168-020, filed 12/20/72.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-168-030 Periodicals. [Order 15, § 132M-168-030, filed 12/20/72.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
- 132M-168-040 Fines. [Order 15, § 132M-168-040, filed 12/20/72.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50-140(113) [28B.50.140].
- 132M-168-050 Hours. [Order 15, § 132M-168-050, filed 12/20/72.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50-140(113) [28B.50.140].

Chapter 132M-104 WAC

**RULE ON REGULAR MEETING DATE FOR BOARD
OF TRUSTEES**

WAC

- 132M-104-010 Regular meetings.

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

[Statutory Authority: RCW 28B.50.140(113) [28B.50.140]. 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-104-010, filed 11/4/81; Order 15, § 132M-104-010, filed 12/20/72.]

**Chapter 132M-108 WAC
PROCEDURE**

WAC

- 132M-108-010 Model rules of procedure.

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

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

[Statutory Authority: RCW 28B.50.140. 92-09-005, § 132M-108-010, filed 4/2/92, effective 5/3/92.]

WAC 132M-108-020 Brief adjudicative procedure. 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)][(a)] Appeals from residency classifications made pursuant to RCW 28B.15.013;
- [(2)][(b)] Appeals from parking infractions;
- [(3)][(c)] Student conduct or disciplinary proceedings;
- [(4)][(d)] Outstanding debts of college employees or students;
- [(5)][(e)] Loss of eligibility to participate in athletic events;
- [(6)][(f)] Challenges to the contents of education records pursuant to WAC 132M-113-055(2);
- (g) Mandatory tuition and fee waivers.

[Statutory Authority: RCW 28B.50.140(13), 1995 c 36 § 2 and amendment to RCW 28B.16.600. 95-16-069, § 132M-108-020, filed 7/28/95, effective 8/28/95. Statutory Authority: RCW 28B.50.140. 92-09-005, § 132M-108-020, filed 4/2/92, effective 5/3/92.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 132M-108-030 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 thereof in writing within twenty days of receiving the request.

[Statutory Authority: RCW 28B.50.140. 92-09-005, § 132M-108-030, filed 4/2/92, effective 5/3/92.]

WAC 132M-108-040 Appointment of presiding officers. The president or his/her designee shall designate a presiding officer for an adjudicative proceeding. The presiding

(2009 Ed.)

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

[Statutory Authority: RCW 28B.50.140. 92-09-005, § 132M-108-040, filed 4/2/92, effective 5/3/92.]

WAC 132M-108-050 Application for adjudicative proceeding. An application for an adjudicative proceeding shall be in writing and should be submitted to the following address within twenty days of the agency action giving rise to the application, unless provided for otherwise by statute or rule: President's Office, 1600 Maple Street, Longview, Washington 98632.

[Statutory Authority: RCW 28B.50.140. 92-09-005, § 132M-108-050, filed 4/2/92, effective 5/3/92.]

WAC 132M-108-060 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.50.140. 92-09-005, § 132M-108-060, filed 4/2/92, effective 5/3/92.]

WAC 132M-108-070 Recording devices. No camera or recording devices shall be allowed in those parts of proceedings which the presiding officer has determined shall be closed pursuant to WAC 132M-108-030, except for the method of official recording selected by the institution.

[Statutory Authority: RCW 28B.50.140. 92-09-005, § 132M-108-070, filed 4/2/92, effective 5/3/92.]

WAC 132M-108-080 Petitions for stay of effectiveness. Disposition of a petition for stay of effectiveness of a final order shall be made by the official, officer, or body of officers who entered the final order.

[Statutory Authority: RCW 28B.50.140. 92-09-005, § 132M-108-080, filed 4/2/92, effective 5/3/92.]

WAC 132M-108-090 Discovery. Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall make reference to the civil rules of procedure. The presiding officer shall have the power to control the frequency and nature of discovery permitted, and to order discovery conferences to discuss discovery issues.

[Statutory Authority: RCW 28B.50.140. 95-11-014, § 132M-108-090, filed 5/5/95, effective 6/5/95.]

Chapter 132M-110 WAC

PUBLIC RECORDS DISCLOSURE POLICY

WAC

132M-110-010	Purpose.
132M-110-020	Definitions.
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132M-110-040	Operations and procedures.

132M-110-050	Public records availability.
132M-110-060	Public records officer.
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132M-110-130	Records index.
132M-110-140	Adoption of form.
132M-110-990	Appendix A—Request for public record.

WAC 132M-110-010 Purpose. The purpose of this chapter shall be to ensure compliance by the Community College District Number Thirteen with the provisions of chapter 42.17 RCW Disclosure—Campaign finances—Lobbying—Records; and in particular with RCW 42.17.250-42.17.320 of that act, dealing with public records.

[Order 1-75, § 132M-110-010, filed 11/10/75.]

WAC 132M-110-020 Definitions. (1) **Public records.** "Public record" indicates those documents which contain information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

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

(3) **Community College District Number Thirteen.** The Community College District Number Thirteen is an agency organized by statute pursuant to RCW 28B.50.040. The Community College District Number Thirteen shall hereinafter be referred to as the "college" and includes the institution known as Lower Columbia College. Where appropriate, the term college also refers to the board of trustees, and the officers, agents, and employees of the college.

[Order 1-75, § 132M-110-020, filed 11/10/75.]

WAC 132M-110-030 Description of central and field organization of Community College District Number Thirteen. District number thirteen is a community college district organized under RCW 28B.50.040. The college administrative office and its staff are located at Lower Columbia College, 1600 Maple Street, Longview, Washington, 98632.

[Order 1-75, § 132M-110-030, filed 11/10/75.]

WAC 132M-110-040 Operations and procedures. The college is established under RCW 28B.50.040 to implement the educational purposes established under RCW 28B.50.020. The college district is operated under the supervision and control of a board of trustees. The board of trustees is made up of five members each appointed by the governor to a term of five years. The trustees meet the third Wednesday of each month, unless otherwise determined, at a place designated by the chairman of the board in accordance with public notice and hold such special meetings as are announced by

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public notice. At such time, the trustees exercise the powers and duties granted it under RCW 28B.50.140.

[Order 1-75, § 132M-110-040, filed 11/10/75.]

WAC 132M-110-050 Public records availability. All public records of the college, as defined in WAC 132M-110-020 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310 and WAC 132M-110-100.

[Order 1-75, § 132M-110-050, filed 11/10/75.]

WAC 132M-110-060 Public records officer. The college's public records shall be in the charge of the records officer designated by the college president. The person so designated may in turn designate persons in the administrative office to implement this section. The records officer and his designees shall be responsible for:

(1) The implementation of the rules and regulations of the college regarding release of public records.

(2) Coordinating the staff of the college in this regard.

(3) Insuring compliance by the staff with the public disclosure requirements of chapter 42.17 RCW.

[Order 1-75, § 132M-110-060, filed 11/10/75.]

WAC 132M-110-070 Office hours. Public records shall be available for inspection and copying during the customary office hours of the college. For the purposes of this chapter the customary office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal and other college holidays.

[Order 1-75, § 132M-110-070, filed 11/10/75.]

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

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

(a) The name of the person requesting the record;

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

(c) The nature of the request;

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

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

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

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

- (a) Make the requested document available, or
- (b) State that such a document does not exist, or
- (c) Ask for clarification of the document requested, or

(d) Deny access if the record is exempt from public inspection under WAC 132M-110-050 as determined by RCW 42.17.310.

[Order 1-75, § 132M-110-080, filed 11/10/75.]

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

[Order 1-75, § 132M-110-090, filed 11/10/75.]

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

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

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

[Order 1-75, § 132M-110-100, filed 11/10/75.]

WAC 132M-110-110 Review of denials of public records. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written state-

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ment by the records officer and/or his designees which constituted or accompanied the denial.

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

(3) Administrative remedies shall not be considered exhausted until the college has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

[Order 1-75, § 132M-110-110, filed 11/10/75.]

WAC 132M-110-120 Protection of public records. Requests for public records shall be to the agency records officer and/or his designees in the appropriate locations on the campus. Public records and a facility for their inspection will be provided by the records officer and/or his designees. Such records shall not be removed from the place designated for their inspection. Copies shall be made only at Lower Columbia College. If copying facilities are not available at the college, the college will arrange to have copies made commercially according to the provisions of WAC 132M-110-090.

[Order 1-75, § 132M-110-120, filed 11/10/75.]

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

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

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

[Statutory Authority: RCW 28B.50.140, 92-09-004, § 132M-110-130, filed 4/2/92, effective 5/3/92; Order 1-75, § 132M-110-130, filed 11/10/75.]

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

[Order 1-75, § 132M-110-140, filed 11/10/75.]

ommendations related to the student's admission, application for employment, and receipt of honors.

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

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

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

(c) Such waivers are not required as a condition for admission to, receipt of financial aid from, or receipt of any other services or benefits from the college.

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

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

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

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

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

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

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

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

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

WAC 132M-113-025 Release of information to or about parents and spouses. Parents and spouses of students enrolled at the college may have access to the student's

records only with the written consent of the student. Students shall not be given access to their parents' financial records.

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

WAC 132M-113-030 Release of personally identifiable records. (1) The college shall not permit access to or the release of education records or personally identifiable information contained therein without the written consent of the student to any party other than the following:

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

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

(c) Agencies or individuals requesting information in connection with a student's application for, or receipt of, federal or state financial aid.

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

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

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

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

(a) A specification of the records to be released;

(b) The reasons for such release; and

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

(3) In such cases where records are made available without student release as permitted by subsection (1)(b), (c), (d), (e), and (f) of this section, the college shall maintain a record kept with the education record release which will indicate the parties which have requested or obtained access to a student's records maintained by the college and which will indicate the

legitimate interest of an investigating party. Releases in accordance with subsection (1)(a) of this section need not be recorded.

(4) Personally identifiable education records released to third parties, with or without student consent, shall be accompanied by a written statement indicating that the information cannot be subsequently released in a personally identifiable form to any other parties without obtaining consent of the student.

[Statutory Authority: RCW 28B.50.140, 20 USC ss 1232g and chapter 34.05 RCW. 92-09-093, § 132M-113-030, filed 4/17/92, effective 5/18/92. Statutory Authority: RCW 28B.50.140(113) [28B.50.140]. 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-113-030, filed 11/4/81.]

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

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

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

(2) Disciplinary records shall be kept separate from academic records, and transcripts of a student's academic record shall contain no notation of any disciplinary action. Special precautions shall be exercised to insure that information from disciplinary or counseling files is not revealed to unauthorized persons except as allowed under 20 U.S.C. §1232g (b)(6). Provision shall be made for periodic review and routine destruction of inactive disciplinary records by offices maintaining such records.

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

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

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

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

(c) If the college decides not to amend the record as requested, it shall inform the student of the decision and

advise the student of the right to a brief adjudicative proceeding.

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

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

[Statutory Authority: RCW 28B.50.140, 20 USC ss 1232g and chapter 34.05 RCW. 92-09-093, § 132M-113-055, filed 4/17/92, effective 5/18/92.]

Chapter 132M-115 WAC

TENURE

WAC

132M-115-001 Tenure.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132M-115-010 Definitions of terms relating to tenure. [Statutory Authority: RCW 28B.50.140(113) [28B.50.140]. 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-115-010, filed 11/4/81.] Repealed by 92-09-007, filed 4/2/92, effective 5/3/92. Statutory Authority: RCW 28B.50.140.

132M-115-020 Tenure. [Statutory Authority: RCW 28B.50.140(113) [28B.50.140]. 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-115-020, filed 11/4/81.] Repealed by 92-09-007, filed 4/2/92, effective 5/3/92. Statutory Authority: RCW 28B.50.140.

132M-115-030 Tenure termination review committee. [Statutory Authority: RCW 28B.50.140(113) [28B.50.140]. 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-115-030, filed 11/4/81.] Repealed by 92-09-007, filed 4/2/92, effective 5/3/92. Statutory Authority: RCW 28B.50.140.

132M-115-040 Review committees for probationary faculty. [Statutory Authority: RCW 28B.50.140(113) [28B.50.140]. 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-115-040, filed 11/4/81.] Repealed by 92-09-007, filed 4/2/92, effective 5/3/92. Statutory Authority: RCW 28B.50.140.

WAC 132M-115-001 Tenure. This rule is adopted pursuant to the requirement of RCW 28B.50.852 and in accordance herewith it is the declared policy of the board of trustees of Washington Community College District No. 13 that all matters relating to tenure and dismissals of academic employees shall be governed by the laws of the state of Washington and the terms of the collective bargaining agreement between the board and the duly elected academic employee bargaining agent as contained in that agreement.

[Statutory Authority: RCW 28B.50.140. 92-09-007, § 132M-115-001, filed 4/2/92, effective 5/3/92.]

**Chapter 132M-116 WAC
PARKING REGULATIONS**

WAC

132M-116-010 Parking regulations.

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

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

(3) Vehicles that are found in violation of the above restrictions shall be subject to citation, stationary abduction, or towing.

[Statutory Authority: RCW 28B.50.140(113) [28B.50.140]. 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-116-010, filed 11/4/81; Order 15, § 132M-116-010, filed 12/20/72.]

**Chapter 132M-121 WAC
STUDENT CODE OF CONDUCT**

WAC

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WAC 132M-121-010 Statement of policy and purpose. (1) Lower Columbia College, an agency of the state of (2009 Ed.)

Washington, exists for the development of students and to provide a variety of educational opportunities, and the opportunity to examine cultural, social and recreational aspects of society. Lower Columbia College as an institution of society must maintain conditions conducive to the effective performance of its functions. Consequently, Lower Columbia College has special expectations regarding the conduct of students. Student conduct that detracts from, or interferes with, the accomplishment of college purposes is not acceptable.

(2) The student is, first of all, a member of the community at large, and as such has the rights and responsibilities of any citizen. In addition, admission to Lower Columbia College carries with it the presumption that students will conduct themselves as responsible members of the college community. This includes an expectation that students will obey the law, will comply with rules and regulations of the college, will maintain a high standard of integrity and honesty, and will respect the rights, privileges and property of other members of the college community. Lower Columbia College expects an environment of integrity, respect, collaboration, cooperation, diversity, and innovation that fosters personal growth, academic excellence and accountability.

(3) The following rules regarding the conduct of students are adopted in order to provide students a full understanding of the rules that will enable the college to maintain conditions conducive to the effective performance of the college's functions. Sanctions for violations of the rules of student conduct will be administered by the college in the manner provided by said rules. When violations of laws of the state of Washington and/or the United States are also involved, the college may refer such matters to the appropriate authorities. In cases of minors, this conduct may also be referred to parents or legal guardians.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-010, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-020 Definitions. As used in this chapter, unless the context requires otherwise:

(1) "Administration" and "administrator" include the president, vice-presidents, deans, directors of programs or functions, and others designated as a member of the administration.

(2) "Arbitrary or capricious" refers to willful or unreasonable action, taken without consideration of, or in disregard of, facts or circumstances of a particular case. Where there is room for two reasonable opinions, an action shall not be deemed to be arbitrary or capricious when taken honestly and upon due consideration, however much it may be believed that an erroneous conclusion has been reached.

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

(4) "College" means Lower Columbia College or any additional community college established within Community College District 13.

(5) "College community" is composed of all individuals who are enrolled in classes and/or employed by the college.

(6) "College facilities" mean and include any and all real and personal property owned, rented, leased or operated by the board of trustees of Community College District 13, and

shall include all buildings and appurtenances attached thereto and all parking lots and other grounds.

(7) "Designee" means a person appointed in writing by an officer or other person designated in a rule to perform a function, to perform that function on the appointer's behalf.

(8) "Disciplinary action" and "discipline" shall mean and include warning, reprimand, probation, suspension, dismissal, monetary fine, restitution, and any other action taken against a student as a sanction or penalty for violation of a designated rule of student conduct.

(9) "District" means Community College District 13.

(10) "Faculty member" and "instructor" mean any employee of Community College District 13 who is employed on a full- or part-time basis as a teacher, instructor, counselor or librarian.

(11) "President" is the chief executive officer of the college appointed by the board of trustees.

(12) "Recognized student organization" means an organization established by and operated pursuant to the Constitution of the associated students of Lower Columbia College.

(13) "Student code of conduct" shall mean those rules regulating student conduct as herein adopted.

(14) "Service," "serve," "filing" and "file" shall have the meanings in WAC 10-08-110.

(15) "Student" is any person who is enrolled for classes or is formally in the process of applying for admission to the college.

(16) The singular includes the plural and vice versa, the masculine includes the feminine and vice versa, and the disjunctive includes the conjunctive and vice versa.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-020, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-030 Jurisdiction. This chapter shall apply to students and student conduct which occurs:

(1) On or in a college facility; or

(2) Whenever a student is present at or engaged in any college-sponsored program or function.

This chapter is not exclusive, and where conduct becomes known which may also violate any other rule or provision of law, nothing herein shall limit the right or duty of any person to report elsewhere or seek another remedy for that conduct.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-030, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-040 Right to demand identification.

(1) For the purpose of determining identity of a person as a student, any college administrator or member of the security staff, or designee of the president, may demand that any person produce evidence of student enrollment at the college. Presenting a current student identification card with a picture I.D. card will be deemed proof of student status.

(2) Refusal by a student to produce identification as required shall be cause for disciplinary action.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-040, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-041 Freedom of expression. The right of free speech is fundamental to the democratic process.

[Title 132M WAC—p. 10]

Students and other members of the college community shall be free to express their views or support causes by orderly means which do not disrupt the regular and essential operations of the college.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-041, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-042 Right to assembly. (1) Students shall have the right of assembly upon college facilities that are generally available to the public. Such assembly shall:

(a) Be conducted in an orderly manner;

(b) Not unreasonably interfere with vehicular or pedestrian traffic;

(c) Not unreasonably interfere with classes, scheduled meetings or ceremonies; and

(d) Not unreasonably interfere with the regular activities of the college.

(2) A student who conducts or participates in an assembly in a manner which causes or helps to cause a violation of this section shall be subject to discipline.

(3) All speakers at an assembly shall allow time, insofar as circumstances reasonably permit, for a question and answer session.

(4) Sound amplifying equipment shall not be used without permission of the vice-president for student success or designee.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-042, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-043 Right to outside speakers. (1) Any recognized student organization, after written notification to the vice-president for student success or director of student activities as prescribed herein, may invite a speaker to the college, subject to any restraints imposed by law.

(2) The appearance of an invited speaker at the college does not represent an endorsement, either implicit or explicit, by the college.

(3) The scheduling of facilities for hearing invited speakers shall be made through the student activities office.

(4) All speakers shall allow time, insofar as circumstances reasonably permit, for a question and answer session.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-043, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-044 Distribution of materials. (1) Handbills, leaflets, newspapers and similar materials may be distributed free of charge upon college facilities designated by the director of student activities, provided that such distribution does not interfere with the ingress and egress of persons or interfere with the free flow of vehicle or pedestrian traffic.

(2) All students and nonstudents shall register with the director of student activities prior to distributing any handbill, leaflet, newspaper or related matter, including, but not limited to, materials to be posted on college bulletin boards. **Materials to be posted on college bulletin boards shall have prior approval by the director of student activities.**

(3) The distribution of materials is prohibited in parking areas.

(4) All handbills, leaflets, newspapers and similar materials should identify the publisher and the distributing organization or individual.

(5) Distribution by means of accosting individuals or unreasonably disruptive behavior is prohibited.

(6) Any student who violates any provision of this rule relating to the distribution and sale of handbills, leaflets, newspapers or similar materials shall be subject to discipline.

(7) Any distribution of the materials regulated in this section shall not be construed as approval of the same by the college.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-044, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-045 Denial of access to Lower Columbia College. (1) The vice-president for student success or designee may deny admission to a prospective student, or continued attendance to an enrolled student, if it reasonably appears that the student would not be competent to profit from the curriculum offerings of the college, or would, by the student's presence or conduct, create a disruptive atmosphere within the college or a substantial risk of actual harm to a member of the campus community.

(2) Denial of access decisions may be appealed, as or like disciplinary actions, to the student conduct committee.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-045, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-046 Trespass. (1) In the instance of any event that the vice-president for student success or designee deems to be disruptive of order, or deems to impede the movement of persons or vehicles, or deems to disrupt or threaten to disrupt the ingress or egress of persons from college facilities, the vice-president for student success or designee is authorized to:

(a) Prohibit the entry of any person, or withdraw from any person the license or permission to enter onto or remain upon any portion of a college facility;

(b) Give notice against trespass to any person from whom the license or permission has been withdrawn or who has been prohibited from entering onto or remaining upon all or any portion of a college facility;

(c) Order any person to leave or vacate all or any portion of a college facility.

(2) Any student who disobeys a lawful order given by the vice-president for student success or designee pursuant to subsection (1) of this section shall be subject to discipline.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-046, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-050 Smoking. Smoking in college buildings and in areas of the campus not specifically posted by the administration as a designated smoking area, is not permitted. Violations of this section shall be cause for discipline.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-050, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-051 Liquor. Any student who, while in any college facility or participating in a college-related

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program, uses, possesses, consumes, is demonstrably under the influence of, or sells any liquor as defined in RCW 66.04.010, in violation of law or in a manner which significantly disrupts a college activity, shall be subject to discipline.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-051, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-052 Drugs/substance abuse. Any student who, while in any college facility or participating in a college-related program, uses, possesses, consumes, is demonstrably under the influence of, or sells, delivers or distributes any narcotic drug or controlled substance as defined in RCW 69.50.101, in violation of law or in a manner which significantly disrupts a college activity, shall be subject to discipline. For purposes of this section, "sell" includes the statutory meaning in RCW 69.50.410.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-052, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-053 Hazing. Any student who commits hazing, defined as any method of initiation into a student organization or any pastime or amusement engaged in with respect to such an organization that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm to any student or other person attending any college of Lower Columbia College, shall be subject to discipline, and/or in addition to any other disciplinary action which may be imposed under this chapter, forfeit any entitlement to student-funded grants, scholarships, or awards of a period of time determined by the college.

In addition, any group or organization found to have knowingly permitted hazing to be conducted by its members or by others subject to its direction or control shall be deprived of any official recognition or approval granted by the college.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-053, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-054 Failure to comply. Any student who fails to comply with the direction of college officials acting in the legitimate performance of their duties shall be subject to discipline.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-054, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-055 Disorderly or disruptive conduct. (1) Any student who significantly disrupts any college function by intentionally engaging in conduct that renders it difficult or impossible to continue such a function in an orderly manner, shall be subject to discipline. A college function for this purpose includes, but is not limited to, meetings, business activities, administrative functions, college-sponsored activities, and any disciplinary, grievance, or appeal meeting or hearing under these rules.

(2) Instructors or building/facility managers have the authority to take necessary and appropriate action to maintain order and proper conduct in the classroom or building/facility.

(3) Any student who is so disorderly or disruptive that it is difficult or impossible to maintain classroom decorum, may be excluded from any class session during which the disruption occurs, by the instructor. The instructor shall report any such exclusion from class to the supervising dean who shall refer the matter to the vice-president for student success or designee. Upon receiving a written complaint and description of the conduct, the vice-president for student success or designee may initiate disciplinary action as provided in this policy.

(4) A building/facility manager may exclude a student for the single day in which such disorderly or disruptive behavior occurs. The building/facility manager shall report the infraction and exclusion in writing to the vice-president for student success or designee at the earliest opportunity. Upon receiving a written complaint and description of the conduct, the vice-president for student success or designee may initiate disciplinary action as provided in this policy.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-055, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-056 Theft—Stolen property—Robbery. Any student who commits theft from college premises and/or property: Theft of property of a member of the college community on college premises; or possesses property stolen from college premises and/or a member of the college community while on college premises shall be subject to discipline.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-056, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-057 Damaging property. Any student who causes or attempts to cause physical damage to property owned, controlled, or operated by the district, or to property owned, controlled, or operated by another person while said property is located on college facilities, shall be subject to discipline.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-057, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-058 Interference—Intimidation—Physical abuse—Verbal abuse—Threats—Harassment—Stalking. Any student who, while in any college facility or participating in a college-related program, shall interfere by force or violence with, or intimidate by threat of force or violence, or verbally abuse; verbally threaten, physically abuse or harass another person who is in the peaceful discharge or conduct of his/her duties or studies, shall be subject to discipline.

Any student who stalks another person, defined as the willful malicious and/or repeated following or contact of another person with the reasonable intent of creating fear or emotional distress, and/or the making of a threat with the intent to place that person in reasonable fear of death or bodily harm, shall be subject to discipline.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-058, filed 3/3/08, effective 4/3/08.]

[Title 132M WAC—p. 12]

WAC 132M-121-059 Obscene, lewd or indecent conduct. Any student who engages in obscene, lewd or indecent behavior shall be subject to discipline.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-059, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-060 Racial harassment. Any student who engages in racial harassment, which included ethnic and racial jokes, racial slurs, demeaning comments, looks or gestures or other verbal, written or physical conduct deliberately designed to humiliate and/or cause discomfort to the recipient or which interferes with job or school performance shall be subject to discipline.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-060, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-061 Sexual harassment. Any student who, while in any college facility or participating in a college-related program, knowingly engages in unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature which is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from an education program or activity, or to create a hostile or abusive educational environment, shall be subject to discipline.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-061, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-062 Forgery or alteration of records. Any student, who, while in any college facility or participating in a college-related program, engages in forgery, shall be subject to discipline. Additionally, any student who alters or misuses college documents, records, funds, or instruments of identification shall be subject to discipline.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-062, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-063 Computer trespass. (1) Any student who, without authorization, intentionally gains access to a computer system or electronic data of another student, a faculty member, or the district; shall be subject to discipline.

(2) Any student who uses college computers or electronic communication devices for other than legitimate college activities, or violates the *Student Computing Resources Policy*, or uses computers to view pornography, or download music or videos using any program, web sites, servers, or other network equipment, is subject to discipline.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-063, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-064 Firearms/explosives. Any student who, while in any college facility or participating in a college-related program, uses or has on his/her person firearms or explosive materials or dangerous chemicals, without written permission of the vice-president for student success or director of security services or designee, shall be subject to discipline.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-064, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-065 Other punishable acts. Any student who, while in any college facility or participating in a college-related program, commits any other act which is a crime under the laws of the state of Washington or the United States and which act does not otherwise violate a rule of student conduct, shall be subject to discipline.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-065, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-066 False information. Providing false information to the college or the intentional making of false statements and/or filing of false charges against the college and/or members of the college community.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-066, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-067 Academic dishonesty. All forms of student academic dishonesty, including cheating, falsification, plagiarism or facilitating, aiding and abetting academic dishonesty.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-067, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-068 Malicious harassment. Malicious harassment that involves intimidation or bothersome behavior directed toward another person because of, or related to that person's race, color, religion, gender, sexual orientation, ancestry, national origin, or mental, physical or sensory disability.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-068, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-100 Initiation of discipline. (1) Any member of the Lower Columbia College community may file a complaint against a student for violations of the student code of conduct. The complaint should be filed in writing with the vice-president for student success. A complaint should be submitted as soon as possible after the event takes place, and normally within ten academic calendar days.

(2) The vice-president for student success or designee is responsible for initiating disciplinary proceedings for violations of the student code of conduct.

(3) The vice-president for student success may conduct an investigation to determine if the complaint has merit and/or if the matter(s) can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the vice-president for student success or designee. Such disposition shall be final and there shall be no subsequent proceedings. If the charges described in the complaint are not admitted and/or cannot be disposed of by mutual consent, the vice-president for student success or designee may later serve in the same matter as the student conduct committee or a member thereof. If the student admits violating code of conduct rules, but sanctions are not agreed to, subsequent process, including a hearing if necessary, shall be limited to determining the appropriate sanction(s).

(4) In order that any informality in disciplinary proceedings not mislead any student as to the seriousness of the matter under consideration, the vice-president for student success shall inform the student of the rule that he or she is charged

with violating, and what appear to be the range of sanctions, if any.

(5) The vice-president for student success, or designee, after meeting or attempting to meet with the student, and considering the evidence in the complaint, may take any of the following actions:

(a) Terminate the proceeding, exonerating the student or students.

(b) Dismiss the case after providing whatever counseling and advice may be appropriate.

(c) Impose verbal warning or reprimand not subject to student's right of appeal.

(d) Impose additional disciplinary sanctions, subject to the student's right of appeal as described in this procedure. The student shall be notified in writing of the action taken, the reason for the decision and information about the appeals process.

(e) Refer the matter to the student conduct committee for appropriate action. The student shall be notified in writing that the matter has been referred to the committee.

(6) If the student fails to appear at the scheduled meeting without prior notification or evidence of extenuating circumstances, the vice-president for student success may impose any sanctions authorized by this code.

(7) The written decision of the vice-president for student success shall become final unless appealed.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-100, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-105 Sanctions. Sanctions for violations of the code of conduct may be imposed independent of any action taken by civil authorities. In the case of minors, misconduct may be referred to parents or legal guardians.

Any of the following disciplinary sanctions may be imposed for violations of one or more provisions of this student code of conduct:

(1) Warning: An oral or written notice to a student that college expectations about conduct have not been met.

(2) Reprimand: A written notice, designated as a reprimand, which censures a student for improper conduct and includes a warning that continuation or repetition of improper conduct may result in other, further discipline.

(3) Probation: A written statement placing specific conditions upon the student's continued attendance at the college, for a stated period of time not exceeding termination of the student's enrollment. Violation of any such condition shall be cause for further disciplinary action.

(4) Suspension or dismissal: Written termination of status as a student at the college, for a period of time that is limited (suspension) or indefinite or open-ended (dismissal). The written notice shall indicate any condition(s) for readmission, and that written application for readmission must be made to the vice-president for student success. Upon receipt of such an application, with justification deemed adequate by the vice-president for student success, the student may be readmitted. No fees will be refunded for the quarter in which the action is taken.

(5) Monetary fine or restitution: A written order, alone or combined with another disciplinary action, requiring the student to pay, within a stated time limit, appropriate restitution for a financial loss caused by the student's misconduct

and/or a monetary fine not exceeding one quarter's tuition. Failure to pay shall be cause for further disciplinary action and/or canceling and barring the student's registration and/or withholding a degree.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-105, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-110 Student conduct committee. (1)

The student conduct committee is hereby established. The purpose of the student conduct committee is to provide a student with an opportunity to be heard by an independent body with regard to nonacademic discipline.

(2) The student conduct committee shall be composed of five members, who will be chosen no later than November 1st of each academic year. The committee members shall be selected as follows:

(a) One administrator or exempt employee appointed by the president of the college or a designee;

(b) An exempt employee or other supervisory employee appointed by the president of the college;

(c) Two members of the tenured faculty, appointed by the president of the Lower Columbia College Faculty Association of Higher Education ("LCCFAHE");

(d) One representative from the student body appointed by ASLCC executive council;

(e) Two alternates for each position will be appointed at the same time. Additional alternates may be appointed at such time as necessary.

(3) None of the above-named persons shall sit on any case in which he or she is a complainant or witness; or in which he or she has a direct or personal interest, in which he/she has acted previously in an advisory or official capacity. Decisions in this regard, including the selection of alternates, shall be made by the committee as a whole. The chair of the student conduct committee shall be elected by members of the committee.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-110, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-115 Appeals. A student may appeal any nonacademic disciplinary action except warning and reprimand by filing a written appeal addressed to the vice-president for student success, within five calendar days of notification of the disciplinary action. The appeal must clearly state errors in fact or matters in extenuation or mitigation which justify the appeal.

Disciplinary action by any college employee may be appealed to, and shall be reviewed by, the vice-president for student success or designee.

Disciplinary action imposed by the vice-president for student success may be appealed to, and shall be reviewed by, the student conduct committee.

Disciplinary action by the student conduct committee may be appealed to and shall be reviewed by the college president or his/her designee. The president of the college or his/her designated representative, after reviewing the case, including the decision of the committee and any statements filed by the student, shall either indicate his/her approval of the conclusions of the committee by sustaining its decision, shall give directions as to what other disciplinary action shall be taken by modifying its decision or shall nullify previous

sanctions imposed by reversing its decision. The president shall then notify the vice-president for student success, the student and the committee chair. The decision of the president is final.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-115, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-120 Groups and organizations. (1)

Recognized student groups and organizations may be charged with violations of this code. Such a group or organization and its officers may be held collectively or individually responsible when violations of this code by those associated with the group or organization have received the tacit or overt consent or encouragement of the organization, its leaders, officers or spokespersons.

(2) The vice-president for student success may withdraw a student organization's recognition and funding for good cause. Such cause shall include, but not be limited to:

(a) Failure to comply with this rule or other college requirements; or

(b) Hazing.

Additional sanctions for group or organization misconduct may include revocation of the use of college facilities for a specified period of time, denial of funds, as well as other appropriate sanctions permitted under this code. Sanctions imposed on groups or organizations are subject to the appeal process upon request.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-120, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-200 Summary suspension. (1) A student who presents an imminent danger to the health, safety or welfare of any member of the college community, to college property, or is of significant disruption to the educational process or other normal operations of the college shall be subject to summary suspension.

(2) The vice-president for student success or designee may summarily suspend a student for a period of up to five academic days; and/or for any time period through the final determination of the student's appeal by the student conduct committee. During summary suspension, a student shall be denied access to the campus (including classes) and/or all other activities or privileges for which the student might otherwise be eligible, as the vice-president for student success or designee may determine to be appropriate. The student may enter college premises only to meet with the vice-president for student success or designee; to deliver a written appeal; to attend a hearing; or as otherwise permitted by the vice-president for student success.

(3) The vice-president for student success shall give the student oral or written notice of the reasons for summary suspension, duration of the summary suspension, and of any possible additional disciplinary action that may be taken. If oral notice is given, written notice shall follow within two calendar days. In addition, the vice-president for student success shall set a date for an informal hearing on the summary suspension as soon as practicable.

(a) The presiding officer for an informal hearing shall be an administrator designated by the college president other than the administrator who initially imposed the summary suspension. The presiding officer will decide whether reason-

able cause exists to support and continue the summary suspension.

(b) The presiding officer shall issue a written decision within two days of the informal hearing. If summary suspension is continued, the written notice shall stipulate the duration of the summary suspension and conditions under which they may be terminated.

(c) The student may request a *de novo* review of the informal hearing decision before the student conduct committee. Either party may request the review to be consolidated with any other disciplinary proceeding arising from the same matter.

(4) At the end of the summary suspension period, the student shall be reinstated to prior status subject to any other disciplinary sanctions that may have been imposed.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-200, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-300 Adjudicative proceedings before the student conduct committee. (1) The hearing shall be conducted in accordance with chapters 34.05 RCW, 10-08 and 132M-121 WAC. The committee or chair shall prepare a written opinion that shall include findings of fact, conclusions, and recommendations.

(2) The student's failure to answer the charges, appear at the hearing or cooperate in the hearing shall not preclude the student conduct committee from making its findings of facts, conclusions, and recommendations. This shall not limit the possibility of a default pursuant to RCW 34.05.440.

(3) The committee chair shall give written notice of the time and place of the hearing to all parties in accordance with RCW 34.05.434 and WAC 10-08-040. Such notice shall be given not less than ten calendar days before the date set for the hearing.

(4) The student shall be entitled to:

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

(b) Present evidence and argument in his/her own behalf and to cross-examine witnesses.

(5) The student may have one advisor present at the hearing. The advisor may be allowed to advise the student during the proceedings, but is not permitted to speak to the committee; conduct examinations of witnesses; or disrupt the proceeding. No attorney representative of any party may participate in a hearing unless a notice of appearance has been filed and served at least five days before the hearing, but in the event of such notice the college may be represented by an assistant attorney general.

(6) In all disciplinary proceedings, the college may be represented by a designee appointed by the vice-president for student success; that designee may then present the college's case against the student accused of violating the rules of conduct.

(7) The presiding officer is responsible for causing the hearing to be recorded. All hearings shall be recorded by manual, electronic, or other type of recording device. Hearings shall be recorded in accordance with WAC 10-08-170.

(8) The record in an adjudicative proceeding shall consist of all documents as required by law and as specified in RCW 34.05.476 as now or hereafter amended.

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(9) The time of the hearing may be continued for good cause by the committee chair upon timely request of any party.

(10) In accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g, hearings conducted by the student conduct committee will be held in closed session; provided, the student(s) involved may waive in writing this requirement and request the hearing to be held in open session. The chair may exclude from the hearing room any person who is disruptive of the proceedings and may limit the number who may attend the hearing in order to afford orderliness to the proceedings. Any person attending the disciplinary hearing who continues to disrupt the proceedings after the chair has asked him/her to cease or leave the hearing room shall be subject to disciplinary action.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-300, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-310 Recordkeeping. (1) The vice-president for student success shall maintain for at least six years the following records of student grievance and disciplinary actions and proceedings:

(a) Only initial and final orders in cases where a student's grievance has been sustained or a disciplinary action against a student has been reversed and the student fully exonerated;

(b) The complete records, including all orders, in all other cases where adjudication has been requested;

(c) A list or other summary of all disciplinary actions reported or known to the vice-president and not appealed.

(2) Final disciplinary actions shall be entered into student records, provided that the vice-president for student success shall have discretion to remove some or all of that information from a student's record upon the student's request and showing of good cause.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-310, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-320 Evidence admissible in hearings. (1) Only those matters presented at the hearing, in the presence of the accused student, except where the student fails to attend after receipt of proper notice, will be considered in determining whether the student conduct committee has sufficient cause to believe that the accused student is guilty of violating the rules he/she is charged with having violated. In determining the appropriate sanction that should be recommended, evidence of past misconduct that the committee chair deems relevant may be considered.

(2) The chair of the student conduct committee shall, in the course of presiding at the disciplinary hearing, give effect to the rules of privilege recognized by the law and exclude incompetent, irrelevant, immaterial and unduly repetitious evidence. Hearsay evidence is admissible.

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

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-320, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-330 Initial order—Petition for administrative review—Final order. (1) The burden of proof shall be on the party seeking to uphold the discipline to establish sufficient cause by a preponderance of the evidence. Upon conclusion of the disciplinary hearing, the student conduct committee shall consider all the evidence therein presented and decide by majority vote whether to uphold the decision of the vice-president for student success or to recommend any of the following actions:

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

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

(2) Within ninety days specified in RCW 34.05.461, and preferably within thirty days, the chair shall serve on the parties and the president an initial order. At the same time, a full and complete record of the proceedings shall also be transmitted to the president. The initial order shall include a statement of findings and conclusions and otherwise comply with RCW 34.05.461 and WAC 10-08-210. It shall also describe the available administrative review procedures specified in subsection (3) of this section.

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

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

(b) A party to the proceedings files with the president a written petition for administrative review of the initial order. The president or designee shall be the reviewing officer and RCW 34.05.464 and WAC 10-08-211 shall apply to any such determination or petition.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-330, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-340 Suspension for failure to appear. The vice-president for student success is authorized to enforce the suspension of the summarily suspended student in the event the student has been served notice pursuant to WAC 132M-121-200 and fails to appear at the time designated for the summary suspension proceeding.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-340, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-350 Final decision. The president or his/her designee(s) shall review the findings and conclusions of the vice-president for student success in conjunction with the recommendations of the student conduct committee and will issue a final decision within three days.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-350, filed 3/3/08, effective 4/3/08.]

WAC 132M-121-500 Severability. If any provision of this policy is adjudged by a court to be unconstitutional or otherwise illegal, the remaining provisions shall continue in effect.

[Statutory Authority: RCW 28B.50.140. 08-06-066, § 132M-121-500, filed 3/3/08, effective 4/3/08.]

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Chapter 132M-136 WAC

USE OF COLLEGE FACILITIES—ACADEMIC

WAC

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

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132M-136-010	Student publication code. [Order 15, § 132M-136-010, filed 12/20/72.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
132M-136-040	Student social activities. [Order 15, § 132M-136-040, filed 12/20/72.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
132M-136-070	Use of baseball facilities by outside groups. [Order 15, § 132M-136-070, filed 12/20/72.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
132M-136-090	Use of vocational shop facilities. [Order 15, § 132M-136-090, filed 12/20/72.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].

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

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

(3) Newspapers, leaflets, and similar material offered for sale by any student or nonstudent person or organization may be distributed and sold through the college bookstore as are other commercial forms of merchandise, subject to reasonable rules and regulations that may be imposed by the bookstore manager.

(4) All handbills, leaflets, newspapers, and similar material must bear identification as to the publishing agency and distributing organization or individual.

(5) All students and nonstudents shall be required to register with the director of student programs prior to the distribution or sale of any handbill, leaflet, newspaper, or related material, including but not limited to posting materials on college bulletin boards and distributing materials in college parking lots.

(6) Any student who violates any provision of this section relating to the distribution and sale of handbills, leaflets, newspapers, or related materials shall be subject to disciplinary action.

(7) Any distribution of materials regulated by established policies and authorized under this section by the director of student programs shall not be construed as support or approval of the content by the college or by the board of trustees of Washington Community College District No. 13.

[Statutory Authority: RCW 28B.50.140, 92-09-009, § 132M-136-020, filed 4/2/92, effective 5/3/92. Statutory Authority: RCW 28B.50.140(113) [28B.50.140], 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-136-020, filed 11/4/81; Order 15, § 132M-136-020, filed 12/20/72.]

WAC 132M-136-030 Outside speaker policy. (1) The college subscribes to the proposition that an important aspect of the education of college students is the opportunity to listen to speakers representing a wide variety of opinions and beliefs on important public issues. In conformity with the American tradition of free speech and free inquiry, the following policies are established governing the appearance on campus of speakers not themselves members of the college community.

(2) Any recognized ASLCC student organization with written sanction of its advisor, may invite individuals to speak on campus.

(3) The appearance of an invited speaker on the campus does not involve an endorsement, either implicit or explicit, of his views by this college, its students, its faculty, its administration, or its board.

(4) The scheduling of facilities for hearing invited speakers shall be made through the dean of instruction and/or director of student activities.

(5) The dean of students will be notified at least three days prior to the appearance of an invited speaker, at which time a form, available in the office of the dean of students, shall be completed with such particulars as speaker, time, and place, signed by the sponsoring organization advisor, and filed with the dean of students. Exceptions to the three day ruling may be made by the director of student activities with the approval of the dean of students.

(6) The dean of students may require and arrange to have views other than those of the invited speaker represented at the meeting, or at a subsequent meeting. The president may, at his discretion, assign a faculty member to preside over any meeting where a speaker has been invited.

[Order 15, § 132M-136-030, filed 12/20/72.]

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

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

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

(3) The director of student activities will present the request to the student services council. If approved, the director of student activities, after conferring with appropriate col-

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lege officials, will contact the requesting organization to complete the arrangements.

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

[Order 15, § 132M-136-050, filed 12/20/72.]

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

(a) Making a profit and is in competition with available privately owned facilities.

(b) Political campaigning by or for candidates who have filed for public office except for student-sponsored activities or forums.

(c) Religious groups, as a permanent meeting place, under any circumstances. Such use shall be intermittent only.

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

(3) The use of college facilities shall, in all instances, be determined and regulated by the policies of the institution.

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

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

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

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

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

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

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

[Statutory Authority: RCW 28B.50.140. 92-09-009, § 132M-136-060, filed 4/2/92, effective 5/3/92. Statutory Authority: RCW 28B.50.140(113) [28B.50.140]. 81-22-076 (Order 81-1, Resolution No. 81-1), § 132M-136-060, filed 11/4/81; Order 15, § 132M-136-060, filed 12/20/72.]

WAC 132M-136-080 Use of college services and equipment by outside groups. (1) The use of college services and equipment is available on a negotiated basis.

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

WAC 132M-136-100 Commercial activities. College facilities shall not be used for commercial solicitation, advertising, or promotional activities except when such activities clearly serve educational objectives, including but not limited to display of books of interest to the academic or career-oriented community or the display or demonstration of technical or research equipment, and when such commercial activities related to educational objectives are conducted under the sponsorship or at the request of a college department or of the dean for students or his/her designee: Provided, That such solicitation does not interfere with, or operate to the detriment of, the conduct of college affairs or the free flow of pedestrian or vehicular traffic.

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

Chapter 132M-160 WAC

ADMISSION, REGISTRATION, GRADUATION

WAC

132M-160-010	Admission.
132M-160-040	Tuition and fee waivers.
132M-160-050	Refunds.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132M-160-020	Registration. [Order 15, § 132M-160-020, filed 12/20/72.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].
132M-160-030	Graduation. [Order 15, § 132M-160-030, filed 12/20/72.] Repealed by 81-22-076 (Order 81-1, Resolution No. 81-1), filed 11/4/81. Statutory Authority: RCW 28B.50.140(113) [28B.50.140].

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

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

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

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

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

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

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

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

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

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

[Statutory Authority: RCW 28B.50.140. 92-09-008, § 132M-160-010, filed 4/2/92, effective 5/3/92; Order 15, § 132M-160-010, filed 12/20/72.]

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

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

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

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

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

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

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

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

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

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

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

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

[Statutory Authority: RCW 28B.50.140(13), 1995 c 36 § 2 and amendment to RCW 28B.15.600. 95-16-069, § 132M-160-050, filed 7/28/95, effective 8/28/95.]

Chapter 132M-300 WAC

GRIEVANCE PROCEDURE—DISCRIMINATION

WAC

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

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

It is also the policy of Lower Columbia College to provide an environment in which members of the college community can work or study free from sexual harassment or sexual intimidation. Sexual harassment is a form of sex discrimination. As such, it is a violation of Title VII of the 1964 Civil Rights Act and Title IX of the 1972 Education Amendments.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Regional Director, Office of Civil Rights, Department of Education, 915 Second Avenue, Room 3310, Seattle, Washington 98174-1099, (206) 553-1636.

(b) Equal Employment Opportunity Commission, 2815 Second Avenue, Suite 500, Seattle, Washington 98121, (206) 442-0968.

(c) Human Rights Commission, 402 Evergreen Plaza Building, M.S. FJ-41, 711 S. Capitol Way, Olympia, Washington 98504.

[Statutory Authority: RCW 28B.50.140 and 29 USC ss 794, 20 USC ss 1681 et seq and 42 USC ss 200 et al. 92-09-092, § 132M-300-010, filed 4/17/92, effective 5/18/92.]

Chapter 132M-325 WAC

STATE ENVIRONMENTAL POLICY ACT

WAC

132M-325-010	Introduction.
132M-325-020	State Environmental Policy Act compliance.
132M-325-030	State Environmental Policy Act "responsible official."
132M-325-040	Information center and register distribution.
132M-325-050	Publication of notice of action.
132M-325-060	Time limit for completion of EIS process.

WAC 132M-325-010 Introduction. When the office of administration or another unit on campus begins to consider taking an action which might affect the environment (e.g., revising the master plan, constructing a new building or recreation facility, adding to an existing facility, landscaping, utilities modification or installation, or adopting or revising grounds maintenance policies), the college shall follow the steps outlined in WAC 132M-325-010 through 132M-325-060.

[Statutory Authority: Chapter 43.21C RCW. 78-04-072 (Resolution No. 78-1), § 132M-325-010, filed 4/3/78.]

WAC 132M-325-020 State Environmental Policy Act compliance. It is the policy of Lower Columbia College that capital projects proposed to be developed by the college and other similar type activities shall be accomplished in compliance with chapter 43.21C RCW, the State Environmental Policy Act (SEPA) and in accordance with chapter 197-10 WAC, guidelines for State Environmental Policy Act implementation. To this end, Lower Columbia College hereby adopts by reference to the following sections or subsection of chapter 197-10 of the Washington Administrative Code (the "SEPA guidelines" adopted by the state of Washington, council on environmental policy):

WAC 197-10-040:	Definitions
WAC 197-10-060:	Scope of a proposal and its impacts
WAC 197-10-160:	No presumption of significance for nonexempt actions
WAC 197-10-170:	Categorical exemptions
WAC 197-10-175:	Exemptions and nonexemptions applicable to specific state agencies
WAC 197-10-180:	Exemption for emergency actions
WAC 197-10-190:	Use and effect of categorical exemptions
WAC 197-10-200:	Lead agency—Responsibilities
WAC 197-10-203:	Determination of lead agency—Procedures
WAC 197-10-205:	Lead agency designation—Governmental proposals
WAC 197-10-210:	Lead agency designation—Proposals involving both private and public construction
WAC 197-10-215:	Lead agency designation—Private projects for which there is only one agency
WAC 197-10-220:	Lead agency designation—Private projects, licenses from more than one agency when one is city/county
WAC 197-10-225:	Lead agency designation—Private projects, license from more than one state agency
WAC 197-10-230:	Lead agency designation—Specific proposals
WAC 197-10-235:	Local agency transfer of lead agency status to a state agency

WAC 197-10-240:	Agreements as to lead agency status
WAC 197-10-245:	Agreements between agencies as to division of lead agency duties
WAC 197-10-260:	Dispute as to lead agency determination—Resolution by CEP
WAC 197-10-270:	Assumption of lead agency by another agency with jurisdiction
WAC 197-10-300:	Threshold determination requirement
WAC 197-10-305:	Recommended timing for threshold determination
WAC 197-10-310:	Threshold determination procedures—Environmental checklist
WAC 197-10-320:	Threshold determination procedures—Initial review of environmental checklist
WAC 197-10-330:	Threshold determination procedures—Information in addition to checklist
WAC 197-10-340:	Threshold determination procedures—Negative declarations
WAC 197-10-345:	Assumption of lead agency status by another agency with jurisdiction—Prerequisites, effect and form of notice
WAC 197-10-350:	Affirmative threshold determinations
WAC 197-10-355:	Form of declaration of significance/nonsignificance
WAC 197-10-360:	Threshold determination criteria—Application of environmental checklist
WAC 197-10-365:	Environmental checklist
WAC 197-10-370:	Withdrawal of affirmative threshold determination
WAC 197-10-375:	Withdrawal of negative threshold determination
WAC 197-10-390:	Effect of threshold determination by lead agency
WAC 197-10-400:	Duty to begin preparation of a draft EIS
WAC 197-10-410:	Predraft consultation procedures
WAC 197-10-425:	Organization and style of a draft EIS
WAC 197-10-440:	Contents of a draft EIS
WAC 197-10-442:	Special considerations regarding contents of an EIS
WAC 197-10-444:	List of elements of the environment
WAC 197-10-450:	Public awareness of availability of draft EIS
WAC 197-10-455:	Circulation of the draft EIS—Review period
WAC 197-10-460:	Specific agencies to which draft EIS shall be sent
WAC 197-10-465:	Agencies possessing environmental expertise
WAC 197-10-470:	Cost to the public for reproduction of environmental documents
WAC 197-10-480:	Public hearing on a proposal—When required
WAC 197-10-485:	Notice of public hearing on environmental impact of the proposal
WAC 197-10-490:	Public hearing on the proposal—Use of environmental document
WAC 197-10-495:	Preparation of amended or new draft EIS
WAC 197-10-500:	Responsibilities of consulted agencies—Local agencies
WAC 197-10-510:	Responsibilities of consulted agencies—State agencies with jurisdiction
WAC 197-10-520:	Responsibilities of consulted agencies—State agencies with environmental expertise
WAC 197-10-530:	Responsibilities of consulted agencies—When predraft consultation has occurred
WAC 197-10-535:	Cost of performance of consulted agency responsibilities
WAC 197-10-540:	Limitations on responses to consultation
WAC 197-10-545:	Effect of no written comment
WAC 197-10-550:	Preparation of the final EIS—Time period allowed
WAC 197-10-570:	Preparation of final EIS—When no critical comments received on the draft EIS
WAC 197-10-580:	Preparation of the final EIS—Contents—When critical comments received on draft EIS
WAC 197-10-600:	Circulation of the final EIS
WAC 197-10-650:	Effect of an adequate final EIS prepared pursuant to NEPA
WAC 197-10-652:	Supplementation by a lead agency of an inadequate final NEPA EIS
WAC 197-10-660:	Use of previously prepared EIS for a different proposed action

WAC 197-10-690:	Use of a lead agency's EIS by other acting agencies for the same proposal
WAC 197-10-695:	Draft and final supplements to a revised EIS
WAC 197-10-700:	No action for seven days after publication of the final EIS
WAC 197-10-710:	EIS combined with existing planning and review processes
WAC 197-10-830:	Responsibilities of agencies—SEPA public information center
WAC 197-10-835:	Regional SEPA public information centers
WAC 197-10-840:	Application of agency guidelines to ongoing actions

[Statutory Authority: Chapter 43.21C RCW. 78-04-072 (Resolution No. 78-1), § 132M-325-020, filed 4/3/78.]

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

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

WAC 132M-325-040 Information center and register distribution. The SEPA public information center required by chapter 197-10 WAC, shall be maintained in the office of administration of Lower Columbia College. Copies or updates of the registers required by WAC 197-10-830(3) shall be sent as required by WAC 197-10-830(4) to those individuals and organizations who make written request therefore.

[Statutory Authority: Chapter 43.21C RCW. 78-04-072 (Resolution No. 78-1), § 132M-325-040, filed 4/3/78.]

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

[Statutory Authority: Chapter 43.21C RCW. 78-04-072 (Resolution No. 78-1), § 132M-325-050, filed 4/3/78.]

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

[Statutory Authority: Chapter 43.21C RCW. 78-04-072 (Resolution No. 78-1), § 132M-325-060, filed 4/3/78.]

Chapter 132M-400 WAC

LOSS OF ELIGIBILITY—STUDENT ATHLETIC PARTICIPATION

WAC	
132M-400-010	Grounds for ineligibility.
132M-400-020	Suspension procedure—Right to brief adjudicative procedure.
132M-400-030	Brief adjudicative procedure.
132M-400-040	Decision.

WAC 132M-400-010 Grounds for ineligibility. Any student athlete found by the college to have violated chapter 69.41 RCW by virtue of a criminal conviction or otherwise insofar as it prohibits the possession, use, or sale of legend

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drugs, as defined in RCW 69.41.010(9), including anabolic steroids, may be disqualified from participation in any college-sponsored athletic event or activity.

[Statutory Authority: RCW 28B.50.140. 92-09-006, § 132M-400-010, filed 4/2/92, effective 5/3/92.]

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

[Statutory Authority: RCW 28B.50.140. 92-09-006, § 132M-400-020, filed 4/2/92, effective 5/3/92.]

WAC 132M-400-030 Brief adjudicative procedure. If a timely written request for a hearing is made, the dean shall designate a presiding officer, who shall be a college administrator who is not involved with the athletic program, to conduct the brief adjudicative proceeding. The presiding officer shall promptly conduct the hearing and permit affected parties to explain both the college's view of the matter and the student's view of the matter. The brief adjudicative proceeding shall be conducted in accordance with the Administrative Procedure Act, RCW 34.05.482 through 34.05.494.

[Statutory Authority: RCW 28B.50.140. 92-09-006, § 132M-400-030, filed 4/2/92, effective 5/3/92.]

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

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