

Title 132C WAC

COMMUNITY COLLEGES— OLYMPIC COLLEGE

Chapters

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Chapter 132C-10 WAC

BOARD OF TRUSTEES—POLICIES

WAC

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WAC 132C-10-100 Authority. Per RCW 28B.50.-140(10), the board of trustees of Olympic College has authority to adopt rules and regulations for pedestrian and vehicular traffic on property owned, operated, or maintained by the college. Parking fees may be adopted by the board of trustees, specifying the charge per quarter and per year. The college reserves the right to refuse the issuance of a parking permit.

[Statutory Authority: Chapter 28B.50 RCW. 10-02-022, § 132C-10-100, filed 12/29/09, effective 1/29/10.]

WAC 132C-10-110 Enforcement. The Olympic College safety and security department is responsible for all matters regarding pedestrian and vehicular traffic and parking regulation and enforcement of parking including, but not limited to:

- (1) Assignment of parking spaces, parking permits;
- (2) Assessment of fines for violations;
- (3) Assessment of security enhancement fees;
- (4) Designation of lot and space numbers;
- (5) Issuance of traffic or parking citations; and
- (6) Permit revocation.

[Statutory Authority: Chapter 28B.50 RCW. 10-02-022, § 132C-10-110, filed 12/29/09, effective 1/29/10.]

WAC 132C-10-120 Fines. (1) A full schedule of traffic and parking infractions shall be published by the college and made available for review in the public safety office.

(2) All fines are to be paid through the Olympic College cashier's office, either in person or by mail during normal business hours and within fifteen days of the infraction. Failure to pay fines may result in any of the following actions, but is not necessarily limited to:

- (a) Denial of registration.
- (b) Withholding transcripts, degrees, refunds, credits and grades.
- (c) Denial of future parking privileges.
- (d) Violators will be given fifteen calendar days to appeal or pay a citation. If payment or appeal is not made in this period, a warning notice will be sent indicating that pay-

ment is due within five business days with notice of penalty or action taken if not paid.

(i) If payment is not made by the final due date any parking privileges will be revoked.

(ii) If payment is not made by the final due date and the individual does not have parking privileges, future violations may result in impounding, immobilization (boot) with storage charged to the owner or operator of the vehicle. A payment plan (or payment in full for all citations) must be established through the accounting department prior to removal of the boot.

(3) During the first week of each quarter, a warning card may, at the discretion of safety and security, be placed on the vehicle in lieu of a citation. The college reserves the right to issue citations at all times.

[Statutory Authority: Chapter 28B.50 RCW. 10-02-022, § 132C-10-120, filed 12/29/09, effective 1/29/10.]

WAC 132C-10-130 Impoundment. Vehicles will be impounded if found to be blocking another vehicle or access, posing any potential threat to property or personal safety, multiple parking or traffic infractions restricting access to emergency vehicles, and other reasons seen as creating a safety hazard in the opinion of a safety and security supervisor. All costs of impoundment will be the responsibility of the vehicle owner. The college shall not be liable for loss or damage of any kind resulting from such impounding, immobilization or storage. Impoundment does not remove the obligation for any fines associated with the violation(s).

[Statutory Authority: Chapter 28B.50 RCW. 10-02-022, § 132C-10-130, filed 12/29/09, effective 1/29/10.]

WAC 132C-10-140 Appeal process. All appeals by anyone who has received a citation for a violation of these parking and traffic rules must be made in writing using the Olympic College Parking Appeal form (available from safety and security).

(1) **Level one:** Appeals must be submitted to safety and security within five working days of initial citation with an appeal form and a copy of the citation. The safety and security supervisor will make a determination and notify the appellant within five working days of receipt of the appeal.

(2) **Level two:** If a level one appeal is denied, the appellant may petition the parking advisory committee within five working days. The decision of the parking advisory committee is final. The appeal to the parking advisory committee must include the following:

- (a) A copy of the level one appeal;
- (b) A written statement indicating reasons the denial should be overturned; and
- (c) A receipt showing that the citation has been paid.

The committee will make a determination and notify the appellant within five working days of receipt of a level two appeal. The appellant will be refunded any citation fee paid if the committee overturns the citation(s).

[Statutory Authority: Chapter 28B.50 RCW. 10-02-022, § 132C-10-140, filed 12/29/09, effective 1/29/10.]

WAC 132C-10-150 Parking advisory committee. The parking advisory committee is coordinated by the safety and

security department. It is composed of one faculty, one staff, and one student. The committee will meet as needed.

[Statutory Authority: Chapter 28B.50 RCW. 10-02-022, § 132C-10-150, filed 12/29/09, effective 1/29/10.]

Chapter 132C-104 WAC

BYLAWS AND STANDING ORDERS OF BOARD OF TRUSTEES

WAC

132C-104-001	Preamble.
132C-104-002	Name, composition and powers of the board of trustees.
132C-104-003	Regular meetings.
132C-104-004	Petition to board for promulgation, amendment, or repeal of rule.
132C-104-006	Standing orders of the board of trustees.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132C-104-060	Regular meetings of the board of trustees. [Statutory Authority: Chapter 28B.50 RCW. 85-13-024 (Order 23, Resolution No. 51-0585), § 132C-104-060, filed 6/11/85; 78-09-008 (Order 20, Resolution No. 48-0678), § 132C-104-060, filed 8/7/78. Statutory Authority: Chapters 28B.10 and 28B.50 RCW. 78-05-002 (Order 18, Resolution No. 46-0378), § 132C-104-060, filed 4/6/78.] Repealed by 09-04-025, filed 1/28/09, effective 2/28/09. Statutory Authority: Chapter 28B.50 RCW.
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WAC 132C-104-001 Preamble. (1) Community College District No. 3 is established in Title 28B RCW as a public institution of higher education. The institution is governed by a five-member board of trustees appointed by the governor. The terms "Community College District No. 3," "district," "Olympic College," and "college" are used interchangeably throughout this title.

(2) The administrative office of Olympic College is located at 1600 Chester Avenue, Bremerton, Washington 98337-1699. (The office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays.)

[Statutory Authority: Chapter 28B.50 RCW. 09-04-025, § 132C-104-001, filed 1/28/09, effective 2/28/09.]

WAC 132C-104-002 Name, composition and powers of the board of trustees. (1) **Name:** The name of the governing board of Washington Community College District No. 3, shall be "the board of trustees of Olympic Community College." The terms "the board of trustees of Olympic Community College," "the board of trustees," or "board" are used interchangeably throughout this title.

(2) **Composition and powers:** The composition and powers of the board of trustees are those set forth in chapter 28B.50 RCW.

(3) **Bylaws:** The board shall by resolution adopt such bylaws for its own governance and for the governance of the college as the board shall from time to time determine in accordance with RCW 28B.50.100 and other applicable law.

(4) **Amendments:** The bylaws adopted by the board may be amended or repealed at any meeting in whole or in part by the affirmative vote of a majority of the members of the board.

(5) **Policies and rules:** Rules and policies are promulgated by the board of trustees of Community College District No. 3 as general policies of Olympic College. Requests for

adoption, repeal, or amendment of a college rule may be addressed to the rules coordinator for the college.

(6) **Exercise of powers:** The board and its committees shall act only at meetings called as provided by applicable law and the board bylaws. All matters coming before the board shall be determined by the majority vote of not less than three of its members present, the members present being not less than a quorum. The member of the board who is presiding at a meeting shall be entitled to make motions, second motions, vote, and otherwise participate in the meeting to the same extent as the other members of the board.

[Statutory Authority: Chapter 28B.50 RCW. 09-04-025, § 132C-104-002, filed 1/28/09, effective 2/28/09.]

WAC 132C-104-003 Regular meetings. The board of trustees customarily holds a regular meeting once per month unless otherwise determined by the board. The time and location of these meetings may be found in the *Washington State Register* or by contacting the office of the president, Olympic College, 1600 Chester Avenue, Bremerton, Washington. The chairperson of the board may cancel any regular meeting. All such regular meetings will be conducted in conformance with the laws of the state of Washington governing such meetings.

[Statutory Authority: Chapter 28B.50 RCW. 09-04-025, § 132C-104-003, filed 1/28/09, effective 2/28/09.]

WAC 132C-104-004 Petition to board for promulgation, amendment, or repeal of rule. (1) Persons having an interest in the promulgation, amendment, or repeal of a "rule" as defined in RCW 34.05.010(16) may submit a written petition therefore to the secretary of the board of trustees. Any petition so submitted shall include the following as required by the office of financial management under WAC 82-05-020:

(a) The name of the agency responsible for administering the rule; and

(b) The rationale for adoption of a new rule or amendment or repeal of an existing rule; and

(c) In addition to any other concerns, the petitioner should address whether:

- The rule is authorized;
- The rule is needed;
- The rule conflicts with or duplicates other federal, state, or local laws;

• Alternatives to the rule exist that will serve the same purpose at less cost;

• The rule applies differently to public and private entities;

- The rule serves the purposes for which it was adopted;

- The rule imposes unreasonable costs;

- The rule is clearly and simply stated; and

• The rule differs, without adequate justification, from a federal law which applies to the same activity or subject matter.

(2) The petition should contain sufficient information so that the agency and public can understand the proposal. Forms for submitting petitions for promulgation, amendment, or repeal of rules are available from the office of financial management. The petition shall be considered by the board not less than sixty days after the date the petition was submitted to the secretary, provided, that the board may con-

sider the petition at any earlier regular or special meeting of the board. No later than sixty days after receipt of a petition, the college must either:

(a) Initiate rule-making proceedings in accordance with chapter 34.05 RCW; or

(b) Deny the petition in writing, stating its reasons for the denial and specifically addressing the concerns stated in the petition. Where appropriate, the college must indicate alternative means by which the college will address the concerns raised in the petition.

[Statutory Authority: Chapter 28B.50 RCW. 09-04-025, § 132C-104-004, filed 1/28/09, effective 2/28/09.]

WAC 132C-104-006 Standing orders of the board of trustees. (1) **Delegation of authority:** The board of trustees delegates to the president general authority to manage the college pursuant to RCW 28B.50.140. In addition to such other specific authority as has been or may be delegated to the president, the board further delegates all express or implied authority to carry out the administration and operation of the district except as provided in subsection (2) and (3) of this section.

(2) **Reservation of powers:** Notwithstanding this broad delegation of authority to the president of Olympic College, the board of trustees reserves to itself jurisdiction and authority over the following matters:

(a) Hiring and retention of the president, assigning or reassigning the president's duties, and setting the president's salary and working conditions;

(b) Granting or denying tenure to faculty;

(c) Adoption, amendment, or revocation of rules under the Administrative Procedure Act;

(d) Reduction in force of faculty and dismissal of full-time faculty, including nonrenewal of tenure track faculty;

(e) Approval of employee collective bargaining agreements;

(f) Approval of college operating budget and capital budget requests to the state board for community and technical colleges;

(g) Naming of college buildings;

(h) Approval of tuition rates, operating fees and special fees when at the discretion of the college;

(i) Approval of request for employee indemnification and representation;

(j) Authorization to purchase real estate and every lease of real property for a term of three years or more when the college is required to make payment of fifty thousand dollars or more in a fiscal year under the terms of the lease; and

(k) Other matters as may from time to time be approved by the board.

(3) **Fiscal limitations on delegation:** Notwithstanding the board delegation of authority to the president of Olympic College, the board of trustees reserves to itself jurisdiction and authority over the following matters when the dollar value is in excess of the following limits:

(a) Approval of preliminary and final design of capital projects over five million dollars;

(b) Modifications to the operating budget in excess of three percent;

(c) Sale or conveyance of gifted property when the value is in excess of fifty thousand dollars;

(d) Acceptance of gifts when the value is in excess of twenty-five thousand dollars; and

(e) Other matters as may from time to time be approved by the board.

[Statutory Authority: Chapter 28B.50 RCW. 09-04-025, § 132C-104-006, filed 1/28/09, effective 2/28/09.]