

WSR 13-11-095
EXPEDITED RULES
WASHINGTON STATE UNIVERSITY

[Filed May 20, 2013, 10:34 a.m.]

Title of Rule and Other Identifying Information: Practice and procedure—Matters subject to brief adjudication.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Ralph Jenks, Washington State University, P.O. Box 641225, Pullman, WA 99164-1225, AND RECEIVED BY July 23, 2013.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Updates to cross-references in WAC 504-04-010 to reflect the addition of references to WAC sections that did not exist at the time this section was last revised and the removal of references to WAC sections that no longer exist.

Reasons Supporting Proposal: To bring the references included in the section into compliance with current WAC organization.

Statutory Authority for Adoption: RCW 28B.30.150.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Office of finance and administration, Washington State University, public.

Name of Agency Personnel Responsible for Drafting: Ralph Jenks, Director, Procedures, Records, and Forms, Information Technology Building 3089, Pullman, WA 99164-1225, (509) 335-2005; Implementation and Enforcement: Roger Patterson, Vice-President, Finance and Administration, French Administration 442, Pullman, WA 99164-1045, (509) 335-5524.

May 20, 2013

Ralph T. Jenks, Director
 Procedures, Records, and Forms
 and University Rules Coordinator

AMENDATORY SECTION (Amending WSR 07-02-034, filed 12/26/06, effective 1/26/07)

WAC 504-04-010 Matters subject to brief adjudication. The following proceedings are matters to be treated as brief adjudications pursuant to RCW 34.05.482 through 34.05.491:

(1) Student conduct proceedings. The procedural rules of chapter ((504-25)) 504-26 WAC apply to these proceedings.

(2) Appeals of residency determinations. If a hearing is required by law or constitutional right, appeals of residency determinations under RCW 28B.15.013 are brief adjudicative proceedings conducted by the office of admissions.

(3) Appeals of parking violations. Appeals of parking violations are brief adjudicative proceedings conducted pursuant to applicable rules. See WAC ~~504-13-860~~, 504-14-860, 504-15-860, ((504-18-170,)) and 504-19-860.

(4) Hearings on student records. Hearings pursuant to the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g are to be brief adjudicative proceedings conducted pursuant to the rules of chapter 504-21 WAC.

(5) Hearings on denial of financial aid. Any hearings required by state or federal law regarding granting, modification or denial of financial aid are brief adjudicative proceedings conducted by the office of scholarships and financial aid.

(6) Emergency withdrawal of students. Proceedings to disenroll students for medical or psychological reasons are brief adjudicative proceedings conducted by the office of student affairs.

(7) Discipline and termination of student employees. When required by law, hearings for the termination of or imposition of disciplinary measures on student employees shall be brief adjudicative proceedings.

WSR 13-11-110
EXPEDITED RULES
ENVIRONMENTAL AND
LAND USE HEARINGS OFFICE

(Shorelines Hearings Board)

[Filed May 21, 2013, 9:32 a.m.]

Title of Rule and Other Identifying Information: Amendments to shorelines hearings board (SHB) procedural rules WAC 461-08-305, 461-08-315, 461-08-320, 461-08-325, 461-08-330, 461-08-340, 461-08-345, and 461-08-500.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kay Brown, Environmental and Land Use Hearings Office, P.O. Box 40903, Olympia, WA 98504-0903, AND RECEIVED BY July 22, 2103 [2013].

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of these changes are to:

(1) Comply with SSB 5192, RCW 90.58.090, 90.58.140, 90.58.180, 90.58.190, which made changes to notice and appeal provisions for amendments to local shoreline master programs, and the starting dates for timelines pertaining to appeals of permit decisions to the SHB. These changes were codified at RCW 90.58.090, 90.58.140, 90.58.180, and 90.58.190.

(2) Update the name of the agency, its address, and telephone number.

(3) Correct a citation to the agency's public records rules.

(4) Update references to information on the agency's web site.

Reasons Supporting Proposal: Changes identified in (1) above are necessary to implement SSB 5192, chapter 277, Laws of 2011, and are specifically dictated by that statute. The other changes (Nos. (2)-(4)) provide updated information to the public regarding the agency's name, contact information, cite to public record's rules, and web site.

Statutory Authority for Adoption: RCW 90.58.175, 90.58.090, 90.58.140, 90.58.180, 90.58.190.

Statute Being Implemented: RCW 90.58.090, 90.58.140, 90.58.180, 90.58.190.

Name of Proponent: Environmental and land use hearing[s] office and shorelines hearings board, governmental.

Name of Agency Personnel Responsible for Drafting: Kay Brown, Environmental and Land Use Hearings Office, (360) 664-9160; Implementation and Enforcement: Kathleen D. Mix, Environmental and Land Use Hearings Office, (360) 664-9160.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Changes identified in (1) above are necessary to implement SSB 5192, chapter 277, Laws of 2011, and are specifically dictated by that statute. The other changes (Nos. (2)-(4)) provide updated information to the public regarding the agency's name, contact information, cite to public record's rules, and web site.

May 21, 2013
Kathleen D. Mix
Agency Director

AMENDATORY SECTION (Amending WSR 10-18-021, filed 8/23/10, effective 9/23/10)

WAC 461-08-305 Definitions. The following terms apply throughout this chapter and, unless the context clearly requires otherwise, have the following meanings:

(1) "Agency" means any state governmental entity.

(2) "Adjudicative proceeding" means a proceeding involving an opportunity for hearing before the board as defined in chapter 34.05 RCW. The terms "appeal," "adjudicative proceeding" and "case" are used interchangeably in this chapter.

(3) "Board" means the shorelines hearings board, a quasi-judicial body created pursuant to chapter 90.58 RCW and described in WAC 461-08-315.

(4) "Date of ~~((receipt~~ means:

~~(a) Five business days after the date of mailing; or~~

~~(b) The date of actual receipt, when the actual receipt date can be proven by a preponderance of the evidence. The recipient's sworn affidavit or declaration indicating the date of receipt, which is unchallenged by the agency, shall constitute sufficient evidence of actual receipt. The date of actual receipt, however, may not exceed forty five days from the date of mailing.)~~ filing" as used in this chapter and RCW 90.58.140(6) has different meanings depending upon the type of local government decision that is being appealed.

(a) "Date of filing" of a local government's approval or denial of a substantial development permit, or local government's denial of a variance or conditional use permit, is the date of actual receipt by the department of the local government's decision.

(b) "Date of filing" of a local government's approval of a conditional use permit or variance is the date that the department transmits its final decision or order to local government.

(c) For substantial development permits filed simultaneously with approvals of conditional use permits or variances, the "date of filing" is the date that the department transmits its final decision or order on the variance or conditional use permit to local government.

(5) "Department" refers to and means the department of ecology.

(6) "Filing" of a document means actual receipt by the board during regular office hours. Any document filed with the board shall contain an affirmation that copies were served on the appropriate agency, local government and parties. Filing by facsimile is permitted of documents ten pages or less if the original document is concurrently mailed or submitted to a commercial delivery service. Electronic filing of documents, other than the appeal document itself, may be authorized by the presiding officer after consultation with the parties regarding format and authentication.

(7) "Local government" means any county, incorporated city or town which contains within its boundaries any lands or water subject to chapter 90.58 RCW.

(8) "Party" means:

(a) A person to whom any local government or agency decision is specifically directed; or

(b) A person named as a party to the appeal, or allowed to intervene or joined as a party by the board.

(9) "Person" means any individual, partnership, corporation, association, organization, governmental subdivision, agency or entity of any character.

(10) "Petition for review" is a document that when properly filed with the board initiates an adjudicative proceeding before the board.

(11) "Presiding officer" means any member of the board or an administrative appeals judge who is assigned to conduct a conference or hearing by the chairperson or the vice-chairperson.

(12) "Service" of a document means delivery of the document to the other parties to the appeal. Service may be made in any of the following ways:

(a) Personally, in accordance with the laws of the state, with a return of service or affidavit of service completed.

(b) First-class, registered or certified mail. Service is complete upon deposit in the United States mail properly stamped and addressed.

(c) Facsimile transmission with mailing or submission to a commercial delivery service of copies on the same day. Service by facsimile is regarded as complete by production of the confirmation of transmission and evidence of mailing or submission to a delivery service of the copies.

(d) Commercial delivery service. Service by commercial delivery service is regarded as complete upon delivery to the delivery company with charges prepaid.

(e) Electronic service. Electronic service of documents, other than the appeal document itself, is authorized if the parties agree to electronic service or if authorized by the presiding officer.

AMENDATORY SECTION (Amending WSR 96-15-002, filed 7/3/96, effective 8/3/96)

WAC 461-08-315 Board membership, function and jurisdiction. (1) **Members.** The board is made up of six members. Three members are also members of the pollution control hearings board and are appointed by the governor. A fourth member is appointed by the association of Washington cities and a fifth member is appointed by the association of county commissioners. The sixth member is the commissioner of public lands or the commissioner's designee.

(2) **Function and jurisdiction.** This board is a quasi-judicial body with powers of de novo review authorized by chapter 90.58 RCW to adjudicate or determine the following matters:

(a) Appeals from any person aggrieved by the granting, denying or rescinding of a permit issued or penalties incurred pursuant to chapter 90.58 RCW;

(b) Appeals of department rules, regulations or guidelines; and

(c) Appeals from department decisions to approve(~~(s)~~) or reject (~~(or modify)~~) a proposed master program or program amendment of local governments which are not planning under RCW 36.70A.040.

(3) This section is intended to be general and informational only and failure herein to list matters over which the board has jurisdiction shall not constitute a waiver or withdrawal of that jurisdiction.

AMENDATORY SECTION (Amending WSR 02-06-008, filed 2/22/02, effective 3/25/02)

WAC 461-08-320 Office hours, telephone number, telefacsimile number and address of the board. (1) The administrative business of the board, except rule making, is performed by the environmental and land use hearings office. To the extent necessary for rule making, the appeals board holds regular meetings at 10:00 a.m. on the second Tuesday of each month at the address set forth below.

(2) The board is organized within the Environmental and Land Use Hearings Office, (~~(4224 6th Avenue SE, Building No. 2 Rowe Six, Lacey)~~) 1111 Israel Road S.W., Tumwater, Washington. The mailing address is:

Shorelines Hearings Board
(~~(4224 6th Avenue S.E., Building No. 2, Rowe Six)~~)
P.O. Box 40903
(~~(Lacey)~~) Olympia, WA 98504-0903

(3) The telephone number of the board is (~~((360) 459-6327)~~) 360-664-9160. The telefacsimile number is (~~((360) 438-7699)~~) 360-586-2253.

(4) The office hours of the environmental and land use hearings office are 8:00 a.m. to 5:00 p.m., Monday through Friday, except for legal holidays.

AMENDATORY SECTION (Amending WSR 07-03-074, filed 1/17/07, effective 2/17/07)

WAC 461-08-325 Public information about practice before the board and public records. (1) Questions about board procedures may be directed to the environmental and land use hearings office by mail or, during regular office hours, by telephone or by telefacsimile.

(2) Case files of appeals pending before the board, past written opinions of the board and other public records maintained by the board under chapter (~~(498-12)~~) 198-14 WAC are available for public inspection and copying during regular office hours at the environmental hearings office. The form for requests for public records is set forth in WAC (~~(498-12-140)~~) 198-14-050. Any person seeking to make copies of such public records may copy the documents at the environmental and land use hearings office for a reasonable charge per page.

(3) The environmental and land use hearings office maintains a web site with information on the shorelines hearings board, including information about the board members, the board hearings calendar, past decisions of the board, a (~~(handbook)~~) brief description of the appeal process with helpful information for practice before the board, a set of frequently asked questions, sample forms, and links to the board's rules of (~~(practice)~~) procedure and other pertinent statutes and rules. This web site may be accessed via the internet at (~~(http://www.cho.wa.gov)~~) http://www.eluho.wa.gov.

AMENDATORY SECTION (Amending WSR 09-21-032, filed 10/13/09, effective 11/13/09)

WAC 461-08-330 Board decision making on appeals. The number of board members required to make a decision on a case differs depending on the type of case.

(1) **Short-board appeals.** Pursuant to RCW 90.58.185, petitions for review that involve a single-family residence or an appurtenance to a single-family residence, including a dock or pier for a single-family residence, and petitions for review involving a penalty of fifteen thousand dollars or less, may be heard by a panel of three board members. The chair of the hearings board may also designate other cases for review by a short-board appeal panel. In designating these cases, the chair shall consider factors such as the complexity and precedential nature of the case and the efficiency and cost-effectiveness of using a short board versus a full board. A short-board appeal panel must have at least one but not more than two members of the pollution control hearings board. Two members of the panel must agree to issue a final decision. The decision of the panel is the final decision of the full board.

(2) **Full-board appeals.** All other appeals are full-board appeals. Four members of the board constitute a quorum for making a decision and may act even if the other two members are unavailable or have not yet been appointed.

(3) **Administrative appeals judges.** For both full-board and short-board cases, the chairperson may appoint an administrative appeals judge from the environmental and land use hearings office to be the presiding officer.

AMENDATORY SECTION (Amending WSR 10-18-021, filed 8/23/10, effective 9/23/10)

WAC 461-08-340 Where to file a petition for review and number of copies. (1) An adjudicative proceeding before the board is initiated by filing a petition for review with the board at the environmental and land use hearings office. The board shall acknowledge filing of the petition for review by a stamp and the board's stamp on the petition is prima facie evidence of the date of filing. The board may thereafter require that additional copies be filed.

(2) **Deadlines for filing a petition for review.** Different deadlines for filing a petition for review apply depending upon the type of shoreline decision or government action taken, and whether local government or the department makes the final decision.

(a) Any person aggrieved by a local government's decision granting, denying or rescinding a shoreline substantial development, or its denial of a shoreline conditional use or variance must file a petition for review with the board within twenty-one days of the "date of ((receipt by the applicant of a written notice from the department that the department has received the local government's shoreline decision)) filing" as defined in WAC 461-08-305 (4)(a).

(b) If local government approves a shoreline conditional use or variance permit, that action will be reviewed by the department, which will make the final decision on the conditional use or variance permit. Any person aggrieved by the department's decision to approve, approve with conditions or deny a conditional use or variance permit must file a petition for review with the board within twenty-one days of the "date of ((receipt by the local government or applicant of the department's decision)) filing" as defined in WAC 461-08-305 (4)(b).

(c) When a local government simultaneously transmits to the department its decision on a shoreline substantial development with its approval of a shoreline conditional use permit and/or variance, a petition for review of the shoreline substantial development decision must be filed no later than twenty-one days from the "date of ((receipt by the local government or applicant of the department's decision on the conditional use or variance permit)) filing" as defined in WAC 461-08-305 (4)(c).

(d) A petition for review by a person who has incurred a penalty assessment must be filed with the board within thirty days of the date of receipt of the penalty.

(e) A petition for review by any person aggrieved by the department's final decision to approve, or reject a proposed master program, or master program amendment, by a local government that is not planning under the Growth Management Act, RCW 36.70A.040, must be filed with the board within thirty days of the date ((of the department's written notice to the local government of its final decision)) that the department publishes notice of its final decision under RCW 90.58.090(8).

(f) A petition for review of any rules, regulations, or guidelines adopted or approved by the department pursuant to chapter 90.58 RCW must be filed with the board within thirty days of the date of adoption or approval.

AMENDATORY SECTION (Amending WSR 10-18-021, filed 8/23/10, effective 9/23/10)

WAC 461-08-345 Deadline for filing petition for review of permitting decisions by the department or attorney general. The department or the attorney general may, pursuant to RCW 90.58.180(2), obtain review of any final decision granting a permit, or granting or denying an application for a permit issued by a local government by filing a written petition for review with the board and the appropriate local government within twenty-one days from the date ((of receipt of)) the final decision was filed as provided in RCW 90.58.140(6).

AMENDATORY SECTION (Amending WSR 02-06-010, filed 2/22/02, effective 3/25/02)

WAC 461-08-500 Scope and standard of review and burden of proof. (1) Hearings upon petitions for review shall be quasi-judicial in nature. The scope and standard of review shall be *de novo* unless otherwise required by law. However, the board shall conduct the following types of hearings on the record compiled by the department:

(a) Petitions for review of department decisions to adopt or approve rules, regulations or guidelines pursuant to chapter 90.58 RCW; and

(b) Petitions for review to approve ((;)) or reject ((or modify)) a proposed master program or master program amendment.

(2) The board shall make findings of fact based on the preponderance of the evidence unless otherwise required by law.

(3) Persons requesting review pursuant to RCW 90.58.180 (1) and (2) shall have the burden of proof in the matter. The issuing agency shall have the initial burden of proof in cases involving penalties or regulatory orders.

WSR 13-11-134
EXPEDITED RULES
COMMUNITY COLLEGES
OF SPOKANE

[Filed May 22, 2013, 8:54 a.m.]

Title of Rule and Other Identifying Information: Amend WAC 132Q-01-006 Organization and operation.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kathleen Roberson, Executive Assistant to the CFO, Community Colleges of Spokane, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000,

kathleen.roberson@ccs.spokane.edu, AND RECEIVED BY July 22, 2013.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Housekeeping to update names, titles, and addresses referencing the Institute for Extended Learning.

Reasons Supporting Proposal: The Institute for Extended Learning will merge with Spokane Community College effective July 1, 2013.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: RCW 28B.50.140.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Community Colleges of Spokane, governmental.

Name of Agency Personnel Responsible for Drafting: Kathleen Roberson, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000, (509) 434-5275; Implementation and Enforcement: Community Colleges of Spokane, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000, (509) 434-5275.

May 22, 2013

Kathleen Roberson
Executive Assistant
to the CFO

AMENDATORY SECTION (Amending WSR 11-20-021, filed 9/23/11, effective 10/24/11)

WAC 132Q-01-006 Organization and operation. (1)

Organization: Washington State Community College District 17, Community Colleges of Spokane including Spokane Community College(=) and Spokane Falls Community College (~~and the Institute for Extended Learning~~), is established in Title 28B RCW as a public institution of higher education. District 17 is governed by a five-member board of trustees, appointed by the governor. The board employs a chancellor who establishes the structure of the administration.

(2) Operation: The administrative office is located at 501 North Riverpoint Boulevard, P.O. Box 6000, Spokane, Washington 99217-6000. Spokane Community College is located at 2000 North Greene Street, Spokane, Washington 99217-5499; Spokane Falls Community College is located at 3410 West Fort George Wright Drive, Spokane, Washington 99224-5288(~~the Institute for Extended Learning is located at 2917 West Fort George Wright Drive, Spokane, Washington 99224-5202~~). The office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday, except for legal holidays. During summer months, sections of the district may operate on an alternate schedule and throughout the year, evening services are provided. Specific information is available through each campus.

(3) Additional and detailed information concerning the educational offerings may be obtained from the college catalog, available on the Community Colleges of Spokane web site and at various locations including college libraries, admissions, and counseling offices.

WSR 13-11-135
EXPEDITED RULES
COMMUNITY COLLEGES
OF SPOKANE

[Filed May 22, 2013, 8:55 a.m.]

Title of Rule and Other Identifying Information: Amend chapter 132Q-20 WAC, Traffic rules and regulations.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kathleen Roberson, Executive Assistant to the CFO, Community Colleges of Spokane, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000, kathleen.roberson@ccs.spokane.edu, AND RECEIVED BY July 22, 2013.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Housekeeping to update names, titles, and addresses referencing the Institute for Extended Learning.

Reasons Supporting Proposal: The Institute for Extended Learning will merge with Spokane Community College effective July 1, 2013.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: RCW 28B.50.140.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Community Colleges of Spokane, governmental.

Name of Agency Personnel Responsible for Drafting: Kathleen Roberson, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000, (509) 434-5275; Implementation and Enforcement: Community Colleges of Spokane, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000, (509) 434-5275.

May 22, 2013

Kathleen Roberson
Executive Assistant
to the CFO

AMENDATORY SECTION (Amending WSR 11-23-162, filed 11/22/11, effective 12/23/11)

WAC 132Q-20-005 Definitions. As used in this chapter the following words and phrases shall mean:

(1) **Annual permits** - Permits, which are valid for fall through summer quarters.

(2) **Appropriate vice-president** - The chief administrative officer over student services regardless of current position title.

(3) **Board** - The board of trustees of Washington State Community College District 17, also known as Community Colleges of Spokane (CCS).

(4) **Campus** - Any or all real property owned, leased, operated or maintained by Community Colleges of Spokane.

(5) **Campus safety** - College security officers, criminal justice, work-study students, contracted security personnel, or employees, who are responsible to the appropriate vice-president or designee for campus safety.

(6) **College** - Any community college or separate instructional unit which may be created by the board of trustees of Community Colleges of Spokane.

(7) **Community Colleges of Spokane (CCS)** - Spokane Community College, Spokane Falls Community College, (~~Institute for Extended Learning~~) and the District Office.

(8) **CCS Facilities** are facilities owned by CCS or the CCS Foundation.

(9) **Employee** - Any person employed or representing Community Colleges of Spokane on a full- or part-time basis.

(10) **Invited guest permits** - Permits which are valid for an individual invited to campus by a department for a specific period designated on the permit.

(11) **Quarterly permits** - Permits valid for a specified academic quarter.

(12) **Special permits** - Permits issued under special circumstances such as carpool permits, issued to employees who participate in commuter trip reduction; and honorary permits which are issued to Community Colleges of Spokane employees upon retirement.

(13) **Student** - Any person who is or has officially registered at any college or instructional unit with the Community Colleges of Spokane and with respect to whom the college maintains education records or personally identifiable information.

(14) **Vehicle** - An automobile, truck, motorcycle, scooter, or any vehicle powered by a motor.

(15) **Vendors** - Persons contracted to provide services to CCS.

(16) **Visitors** - Any person, excluding students, employees, vendors and invited guests who lawfully visit the campus for purposes, which are in keeping with the colleges' role as institutions of higher learning in the state of Washington.

AMENDATORY SECTION (Amending WSR 11-23-162, filed 11/22/11, effective 12/23/11)

WAC 132Q-20-265 Appeals. (1) Each college shall establish a parking appeals board consisting of no less than three members appointed by the president. The appeals board membership shall be evenly balanced among faculty, students and classified staff. (~~Appeals from IEL sites shall be considered by the SFCC parking appeals board.~~)

(2) The parking appeals boards shall use criteria on which to fairly judge appeals including, but not limited to:

(a) Did an institutional error occur?

(b) Were there extenuating circumstances that caused the error to occur?

(c) Did the person make a good faith effort to comply with the parking rules?

WSR 13-11-136
EXPEDITED RULES
COMMUNITY COLLEGES
OF SPOKANE

[Filed May 22, 2013, 8:56 a.m.]

Title of Rule and Other Identifying Information: Amend WAC 132Q-30-105 Definitions.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kathleen Roberson, Executive Assistant to the CFO, Community Colleges of Spokane, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000, kathleen.roberson@ccs.spokane.edu, AND RECEIVED BY July 22, 2013.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Housekeeping to update names, titles, and addresses referencing the Institute for Extended Learning.

Reasons Supporting Proposal: The Institute for Extended Learning will merge with Spokane Community College effective July 1, 2013.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: RCW 28B.50.140.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Community Colleges of Spokane, governmental.

Name of Agency Personnel Responsible for Drafting: Kathleen Roberson, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000, (509) 434-5275; Implementation and Enforcement: Community Colleges of Spokane, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000, (509) 434-5275.

May 22, 2013

Kathleen Roberson
Executive Assistant
to the CFO

AMENDATORY SECTION (Amending WSR 07-10-042, filed 4/25/07, effective 6/25/07)

WAC 132Q-30-105 Definitions. For the purposes of this chapter, the following terms shall mean:

(1) "Accused student" means any student accused of violating the standards of conduct for students.

(2) "Appeal board" is a district-wide board composed of one administrator from each college appointed by the chief executive of that college. The appeal board considers appeals from a student conduct board's determination or from the sanctions imposed by the chief student services officer. The board is convened by the chief student services officer.

(3) The "chief student services officer" is that person designated by the college president(~~(/executive vice president))~~) to be responsible for the administration of the standards of conduct for students. The term also includes a college official designated by the chief student services officer to act on his/her behalf in matters related to this chapter.

(4) "College" means Spokane Community College, Spokane Falls Community College, (~~(or the Institute for Extended Learning, at)~~) and all locations of Community Colleges of Spokane (CCS).

(5) "College official" includes any person employed by the college performing assigned duties.

(6) "College premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the Community Colleges of Spokane (including adjacent streets and sidewalks).

(7) "Complainant" means any member of CCS who submits a charge alleging that a student violated the standards of conduct for students. When students believe they have been victimized by someone's misconduct, they have the same rights under these standards as are provided to the complainant, even if another member of CCS submitted the charge itself.

(8) "Faculty member" means a teacher, counselor, or librarian or person who is otherwise considered by the college to be a member of its faculty.

(9) "Instructional day" means Monday through Friday, except for federal or state holidays, when students are in attendance for instructional purposes.

(10) "Member of CCS" includes any person who is a student, faculty member, college official, or any other person employed by CCS. A person's status in a particular situation is determined by the chief student services officer.

(11) "Student" includes a person taking courses at the college, either full-time or part-time. The term also includes persons who withdraw after allegedly violating the standards of conduct for students, who are not officially enrolled for a particular quarter but have a continuing relationship with the college (including suspended students), students on study abroad programs or who have been notified of their acceptance for admission. "Student" also includes "student organization."

(12) "Student organization" means any number of persons who have complied with the formal requirements for college recognition, such as clubs and associations, and are recognized by the college as such.

(13) "Student conduct board" is a board appointed by the chief executive officer of the college to hear complaints referred by the chief student services officer to determine whether a student has violated the standards of conduct for students, and to impose sanctions when a violation has been committed. The board shall have at least one member from the respective groups: Faculty, students, administration. The chief student services officer convenes the board and appoints the chair.

WSR 13-11-137
EXPEDITED RULES
COMMUNITY COLLEGES
OF SPOKANE

[Filed May 22, 2013, 8:57 a.m.]

Title of Rule and Other Identifying Information: Amend
WAC 132Q-113-010 Designation of legislative liaisons.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kathleen Roberson, Executive Assistant to the CFO, Community Colleges of Spokane, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000, kathleen.roberson@ccs.spokane.edu, AND RECEIVED BY July 22, 2013.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Housekeeping to update names, titles, and addresses referencing the Institute for Extended Learning.

Reasons Supporting Proposal: The Institute for Extended Learning will merge with Spokane Community College effective July 1, 2013.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: RCW 28B.50.140.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Community Colleges of Spokane, governmental.

Name of Agency Personnel Responsible for Drafting: Kathleen Roberson, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000, (509) 434-5275; Implementation and Enforcement: Community Colleges of Spokane, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000, (509) 434-5275.

May 22, 2013

Kathleen Roberson
Executive Assistant
to the CFO

AMENDATORY SECTION (Amending WSR 11-20-025, filed 9/23/11, effective 10/24/11)

WAC 132Q-113-010 Designation of legislative liaisons. As required by RCW 42.17.190, those persons holding the following positions within Washington State Community College District 17 are designated legislative liaisons for Washington State Community College District 17 and those community colleges contained within Community Colleges of Spokane:

- (1) Members of the board of trustees;
- (2) Chancellor;
- (3) College presidents(~~(/chief executive officer)~~);

- (4) District management services officers; and
- (5) All those persons designated in writing by the chancellor of Washington State Community College District 17, which writing shall be made available among the records maintained by the office of the chancellor of Washington State Community College District 17.

WSR 13-11-138
EXPEDITED RULES
COMMUNITY COLLEGES
OF SPOKANE

[Filed May 22, 2013, 8:58 a.m.]

Title of Rule and Other Identifying Information: Amend chapter 132Q-136 WAC, Use of district facilities.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kathleen Roberson, Executive Assistant to the CFO, Community Colleges of Spokane, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000, kathleen.roberson@ccs.spokane.edu, AND RECEIVED BY July 22, 2013.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Housekeeping to update names, titles, and addresses referencing the Institute for Extended Learning.

Reasons Supporting Proposal: The Institute for Extended Learning will merge with Spokane Community College effective July 1, 2013.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: RCW 28B.50.140.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Community Colleges of Spokane, governmental.

Name of Agency Personnel Responsible for Drafting: Kathleen Roberson, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000, (509) 434-5275; Implementation and Enforcement: Community Colleges of Spokane, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000, (509) 434-5275.

May 22, 2013
Kathleen Roberson
Executive Assistant
to the CFO

AMENDATORY SECTION (Amending WSR 11-20-027, filed 9/23/11, effective 10/24/11)

WAC 132Q-136-020 Definitions. As used in this chapter, the following terms shall have the following meaning:

(1) "Facilities" shall include all structures, building, grounds, parking lots, sidewalks and airspace owned or controlled by District 17.

(2) "District" or "District 17" shall include Spokane Community College, Spokane Falls Community College, ~~((the Institute of Extended Learning))~~ and any other college or organizational unit of Washington State Community College District 17 hereafter established by the district board of trustees.

(3) "Use of facilities" shall include the holding of events, the posting and removal of signs, all forms of advertising, commercial activities, charitable solicitation and any other activity which takes place in or on facilities owned or controlled by District 17.

(4) "Scheduling office" shall be the office within the organization of the district which is designated as the office responsible for scheduling a particular district facility. The designation of scheduling offices shall be made by the chancellor, or staff so designated by the chancellor, pursuant to WAC 132Q-136-010(2).

(5) "User fee" shall be the fee, if any, charged any user for the use of facilities, including a use fee, fees for special custodial, attendant or security services, fees for supervisor services, fees for the use of special district equipment in conjunction with the use of facilities and any other fees established pursuant to WAC 132Q-136-010(2). The schedule of user fees may be amended from time to time.

(6) "Academic or administrative unit sponsorship" shall mean that the head of an academic or administrative unit within the district has reviewed a request for use of facilities, has determined that such use of facilities meets the general policy concerning the use of district facilities pursuant to WAC 132Q-136-010(1) and all limitations on the use of facilities pursuant to WAC 132Q-136-040, has determined that the academic or administrative unit is willing to sponsor the proposed use of facilities and has signed the appropriate request form.

AMENDATORY SECTION (Amending Resolution No. 22, filed 9/14/84)

WAC 132Q-136-050 Reservation, scheduling and approval procedure. (1) To reserve or schedule the use of facilities, faculty, staff, official student organizations or outside parties shall contact the appropriate college ~~((or institute))~~ scheduling office. The scheduling office shall provide all appropriate scheduling procedures, forms and agreements and shall arrange for all necessary approvals, reservations, scheduling and payments.

(2) No less than fourteen days prior to the anticipated date for use of district facilities, any individual or organization desiring to reserve or schedule facility use shall present all required forms, fully completed, to the appropriate scheduling office. The scheduling office shall process the completed application and secure all required approvals. The individual or organization requesting the use of facilities

shall be notified of the disposition of the request within ten days. Such fourteen day notice may be waived by the scheduling office provided that such waiver does not disrupt normal facility operation.

(3) Full payment of the appropriate user fee, if any, or satisfactory payment arrangements are required prior to the use of district facilities.

WSR 13-11-139
EXPEDITED RULES
COMMUNITY COLLEGES
OF SPOKANE

[Filed May 22, 2013, 9:00 a.m.]

Title of Rule and Other Identifying Information: Amend WAC 132Q-276-030 Central and field organization.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kathleen Roberson, Executive Assistant to the CFO, Community Colleges of Spokane, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000, kathleen.roberson@ccs.spokane.edu, AND RECEIVED BY July 22, 2013.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Housekeeping to update names, titles, and addresses referencing the Institute for Extended Learning.

Reasons Supporting Proposal: The Institute for Extended Learning will merge with Spokane Community College effective July 1, 2013.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: RCW 28B.50.140.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Community Colleges of Spokane, governmental.

Name of Agency Personnel Responsible for Drafting: Kathleen Roberson, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000, (509) 434-5275; Implementation and Enforcement: Community Colleges of Spokane, Mailstop 1006, P.O. Box 6000, Spokane, WA 99217-6000, (509) 434-5275.

May 22, 2013
Kathleen Roberson
Executive Assistant
to the CFO

AMENDATORY SECTION (Amending WSR 04-10-065, filed 4/30/04, effective 5/31/04)

WAC 132Q-276-030 Central and field organization. Washington State Community College District 17 is a community college district organized under RCW 28B.50.040. The administrative office of the district and its staff is located at 501 North Riverpoint Boulevard, P.O. Box 6000, Spokane, Washington, 99217-6000. The district operates two colleges, Spokane Community College, located at 2000 North Greene Street, Spokane, Washington, 99217-5499; and Spokane Falls Community College, located at 3410 West Fort George Wright Drive, Spokane, Washington, 99224-5288. The district also delivers instructional programming ((~~through the Institute for Extended Learning~~)) in the counties of Ferry, Lincoln (except Consolidated School District 105-157-166J and the Lincoln County portion of Common School District 167-202), Pend Oreille, Spokane, Stevens, and Whitman. ((~~The administrative offices of the Institute for Extended Learning are located at 3305 West Fort George Wright Drive, Spokane, Washington 99224-5228.~~))