

WSR 11-13-049
EXPEDITED RULES
LAKE WASHINGTON
TECHNICAL COLLEGE

[Filed June 10, 2011, 8:43 a.m.]

Title of Rule and Other Identifying Information: Amending RCW 28B.50.1404 and 28B.45.0201, changing the name of Lake Washington Technical College to Lake Washington Institute of Technology.

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 Terry Byington, Lake Washington Technical College, 11605 132nd Avenue N.E., Kirkland, WA 98034-8506, AND RECEIVED BY August 22, 2011.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Changes the name of Lake Washington Technical College to Lake Washington Institute of Technology. There are no anticipated effects with this name change.

Corrects references to Otteson High School. That name was changed some years ago to Lake Washington Technical Academy, and two references were missed when the WAC was updated at that time. There are no anticipated effects with this name change.

Removes the reference to the Marymoor Annex. The educational facility in Redmond is not referred to by that name. There is no anticipated effect as a result of this change.

Changes the rule[s] coordinator from the vice-president of administrative services to the president or his or her designee. There is no anticipated effect as a result of this change.

Statutory Authority for Adoption: RCW 28B.50.140 (13).

Statute Being Implemented: RCW 28B.50.1401.

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

Name of Proponent: Lake Washington Technical College, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Terry Byington, 11605 132nd Avenue N.E., Kirkland, WA 98034, (425) 739 8219.

June 6, 2011

David Woodall

President

AMENDATORY SECTION (Amending WSR 98-09-031, filed 4/10/98, effective 5/11/98)

WAC 495D-104-010 Time and place of board meetings. The board of trustees shall hold one regular meeting each month and such special meetings as may be requested

by the chair of the board or by a majority of the members of the board. All regular and special meetings of the board of trustees shall be announced in accordance with law. All regular and special meetings of the board of trustees shall be held at Lake Washington (~~Technical College~~) Institute of Technology, unless scheduled elsewhere, and are open to the general public, except for lawful executive sessions. No official business may be conducted by the board of trustees except during a regular or special meeting.

AMENDATORY SECTION (Amending WSR 92-15-081, filed 7/16/92, effective 8/16/92)

WAC 495D-108-040 Application for adjudicative proceeding. An application for adjudicative proceeding shall be in writing. Application forms are available at the following address: Lake Washington (~~Technical College~~) Institute of Technology, Affirmative Action Officer, 11605 132nd Avenue Northeast, Kirkland, Washington, 98034-5608.

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

AMENDATORY SECTION (Amending WSR 92-15-081, filed 7/16/92, effective 8/16/92)

WAC 495D-116-030 Definitions. The definitions set forth in this section apply throughout this chapter 495D-116 WAC.

(1) "Annual permits" mean permits that are valid from the date of issue until the first day of the following academic year.

(2) "Board" means the board of trustees of College District 26.

(3) "Campus" means all lands and buildings devoted to, operated by, or maintained by College District 26.

(4) "Campus security officer" means an employee of the college designated by and who is responsible to the vice-president of administration.

(5) "College" means Lake Washington (~~Technical College~~) Institute of Technology.

(6) "Continuing permits" mean permits issued to full-time employees for an indefinite period of time.

(7) "Employee" means an individual appointed to the faculty, staff, or administration of the college.

(8) "Guests or visitors" mean persons who come upon the campus as guests or persons who lawfully visit the campus.

(9) "Safety and security supervisor" means the college's safety and security supervisor as designated by and responsible to the vice-president of administration.

(10) "Temporary permits" mean permits that are valid for a specific period designated on the permit.

(11) "Vehicle" means an automobile, truck, motor-driven cycle, scooter, or any vehicle powered by a motor.

AMENDATORY SECTION (Amending WSR 04-16-003, filed 7/22/04, effective 8/22/04)

WAC 495D-121-010 Student conduct code—Statement of purpose. (1) Lake Washington (~~Technical College~~) Institute of Technology is operated by the state of Washington to provide programs of instruction in higher education and related community services. Like any other institution having its own special purposes, the college must maintain conditions conducive to the effective performance of its functions. Consequently, it has special expectations regarding the conduct of the various participants in the college community.

(2) Admission to the college carries with it the prescription that the student will conduct himself or herself as a responsible member of the college community. This includes an expectation that the student will obey appropriate laws, will comply with the rules of the college and its departments, and will maintain a high standard of integrity and honesty.

(3) Violations of college rules or conduct that interfere with the operation of college affairs will be dealt with by the college, and the college may impose sanctions independently of any action taken by civil or criminal authorities. Provisions of this code are subject to change. Misconduct of students under the age of eighteen who attend the Lake Washington Technical Academy will be reported to the student's parents. The college and the academy may report misconduct to any parent who claims the student as a dependant or as otherwise provided by the Family Educational Rights and Privacy Act of 1972, as amended.

AMENDATORY SECTION (Amending WSR 04-16-003, filed 7/22/04, effective 8/22/04)

WAC 495D-121-020 Student conduct code—Definitions. The definitions set forth in this section apply throughout this chapter.

(1) "Board" means the board of trustees of College District 26.

(2) "College" means Lake Washington (~~Technical College~~) Institute of Technology.

(3) "Liquor" means the definition of liquor as contained within RCW 66.04.010.

(4) "Drugs" means a narcotic drug as defined in RCW 69.50.101, a controlled substance as defined in RCW 69.50.-201 through 69.50.212, or a legend drug as defined in RCW 69.41.010.

(5) "College facilities" means the real property controlled or operated by the college and includes all buildings and appurtenances affixed thereon or attached thereto, including various distance learning environments not limited to online courses, telecourses, Washington Online, and interactive video.

(6) "President" means the chief executive officer of the college appointed by the board of trustees.

(7) "Disciplinary official" means the instructor or administrator who takes disciplinary action as authorized in this chapter.

(8) "Student" means a person who is enrolled at the college, including enrollment in distance learning courses.

(9) "Disciplinary action" means one or more of the sanctions described in WAC 495D-121-170.

(10) "Good standing" means that the student is currently enrolled in the college, has no restrictions on the use of college facilities and/or services, is eligible to participate in college activities, and is not under any current disciplinary or academic sanctions.

AMENDATORY SECTION (Amending WSR 04-16-003, filed 7/22/04, effective 8/22/04)

WAC 495D-121-150 Student conduct code—Hazing prohibited. (1) Hazing is prohibited.

(2) Hazing means any method of initiation into a student organization or living group or any pastime or amusement engaged in with respect to such an organization or living group that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm, to any student or other person attending any institution of higher education or postsecondary institution.

(3) Penalties.

(a) Any student organization, association or club that knowingly permits hazing shall:

(i) Be liable for harm caused to persons or property resulting from hazing; and

(ii) Be denied recognition by Lake Washington (~~Technical College~~) Institute of Technology as an official organization, association, or club on this campus. If the organization, association, or club is a corporation, whether for profit or nonprofit, the individual directors of the corporation may be held individually liable for damages.

(b) A person who participates in the hazing of another shall forfeit any entitlement to state-funded grants, scholarships, or awards for a period of one year.

(c) Forfeiture of state-funded grants, scholarships, or awards may include permanent forfeiture, based upon the seriousness of the violations.

(d) The student conduct code may be applicable to hazing violations.

(e) Hazing violations are also misdemeanors punishable under state criminal law according to RCW 9A.20.021.

(4) Sanctions for impermissible conduct not amounting to hazing.

(a) Impermissible conduct associated with initiation into a student organization or club or any pastime or amusement engaged in, with respect to the organization or club, will not be tolerated.

(b) Impermissible conduct, which does not amount to hazing, may include conduct that causes embarrassment, sleep deprivation or personal humiliation, or may include ridicule or unprotected speech amounting to verbal abuse.

(c) Impermissible conduct not amounting to hazing is subject to any sanctions available under the student conduct code, depending upon the seriousness of the violation.

AMENDATORY SECTION (Amending WSR 04-16-003, filed 7/22/04, effective 8/22/04)

WAC 495D-121-160 Student conduct code—Student misconduct. Disciplinary action may be taken for a violation of any provision of this student code, for a violation of other

college rules, which may from time to time be properly adopted, or for any of the following types of misconduct:

(1) Academic dishonesty, including cheating, plagiarism, or knowingly furnishing false information to the college;

(2) Attempting, aiding, abetting, conspiring, hiring or being an accessory to any act prohibited by this code shall be considered to be the same extent as completed violations.

(3) Breaching campus safety or security, to include, but not be limited to:

(a) Unauthorized access to college facilities; intentionally damaging door locks; unauthorized possession of college keys or access cards; duplicating college keys or access cards; or propping open of exterior doors;

(b) Tampering with fire safety equipment such as fire extinguishers, smoke detectors, alarm pull stations or emergency exits;

(c) Placement of equipment or vehicles (including bicycles) so as to obstruct the means of access to/from college buildings;

(d) Illegal entry. Entering or remaining in any closed college facility or entering after the closing time of the college facility without permission of a college official;

(4) Disorderly conduct. Conduct that is disorderly, lewd, indecent or a breach of peace on college premises or at college-sponsored activities;

(5) Disruptive activity. Participation in promoting disruptive activity that would interfere with teaching, research, disciplinary proceedings or other college activities. Such activity may include, but is not limited to:

Classroom behavior that seriously interferes with either:

(a) The instructor's ability to conduct the class; or

(b) The ability of other students to profit from the instructional program;

(6) Failure to appear for a college disciplinary proceeding to respond to allegations or to testify as a witness when reasonably notified to do so;

(7) Failure to comply with college attendance policy as published in the current edition of the *Student Handbook* or course syllabi;

(8) Failure to comply with a college rule or policy, as set forth in the *Lake Washington ((~~Technical College~~) Institute of Technology Policies and Procedures Manual* (a copy of which may be found in the Lake Washington Technical College library);

(9) Failure to comply with the direction of college officials acting in the legitimate performance of their duties;

(10) False statements. The intentional making of false statements or filing of false charges against the college, its employees, and members of the college community;

(11) Forgery, alteration, or misuse of college documents, records, funds, or instruments of identification with the intent to defraud;

(12) Harassment, including conduct (physical, verbal, graphic, written, or electronic) that is sufficiently severe, pervasive or persistent so as to threaten an individual or limit the ability of an individual to work, study or participate in the activities of the college;

(13) Illegal use of alcoholic beverages. The possession, use, sale, or distribution of any alcoholic beverage or illegal

drugs on the college campus except as specifically provided for by board policy. The use of illegal drugs by any student attending a college-sponsored event is also prohibited, even though the event does not take place at the college. The use of alcohol by any student attending such events on noncollege property shall conform to state law;

(14) Illegal use or possession of weapons. The unauthorized use, possession, display, or storage of any weapons, fireworks or explosives on college premises or at any college-sponsored activity. The term weapon means any object or substance designed to inflict a wound, cause injury, or incapacitate. Weapons may include, but are not limited to, all firearms (whether lawfully or unlawfully possessed), pellet guns, slingshots, martial arts devices, switchblade knives and clubs. Legal defense sprays possessed or used for the purpose of self-defense are exempt from this section;

(15) Imminent danger. Where the student presents an imminent danger to college property or to himself or herself or other students or persons in college facilities on or off campus, or to the education processes of the college;

(16) Interference with the discipline code. Action or conduct that hinders, obstructs or otherwise interferes with the implementation of this discipline code;

(17) Interruption of instructional programs (see policy (6. P.39));

(18) Misuses of information technology. Failure to comply with laws, license agreements, and contracts governing network, software and hardware use. Abuse of communal resources. Use of computing resources for unauthorized commercial purposes or personal gain. Failure to protect passwords or use of computer accounts. Breach of computer security, unauthorized access to computer system networks, college or agent's web sites, codes and data, or computer back-end systems. Harmful access or invasion of privacy; use of another's password or identity, or use of anonymous or fictitious e-mail addresses, internet domains or name servers.

(19) Physical abuse, including attempting or causing injury to an individual. Causing or threatening physical contact with another when the person knows or should reasonably believe that the other will regard the contact or threat as offensive or provocative;

(20) Inciting others. Intentionally encouraging, preparing, or compelling others to engage in prohibited conduct.

(21) Ethical violation. The breach of any generally recognized and published code of ethics or standards of professional practice that governs the conduct of a particular profession for which the student is taking a course or is pursuing as an educational goal or major.

(22) Sexual assault/rape, including the oral, anal, or vaginal penetration by a sexual organ of another or anal/vaginal penetration by any means against the victim's will or without his/her consent. An individual who is mentally incapacitated, unconscious, or unaware that the sexual assault is occurring is considered unable to give consent. The type of force employed may involve physical forces, coercion, and intentional impairment of an individual's ability to appraise the situation through the administering of any substance or threat of harm to the victim;

Sexual abuse, including attempting or making sexual contact including, but not limited to, inappropriate touching

or fondling against the person's will, or in circumstances where the person is physically, mentally or legally unable to give consent;

(23) Smoking. Smoking in all enclosed college facilities and other areas so posted by college officials;

(24) Stalking, including any repeated conduct directed specifically at another person that causes that person (or a member of that person's family or household) to fear for his/her safety. Such conduct includes following another person and acts that threaten or intimidate another person through fear of bodily injury or death of self or members of that person's family or household or an offense being committed against that person's property;

(25) Theft and damage. Theft from or damage to college premises or property, or theft of or damage to property of a member of the college community or college premises;

(26) Unacceptable use of college facilities and equipment;

(27) Violation of laws. Violation of any law of the United States, laws of the state of Washington, or applicable municipal or county ordinance;

(28) Witness retaliation. Retaliation upon witnesses or accusers under this chapter.

AMENDATORY SECTION (Amending WSR 04-16-003, filed 7/22/04, effective 8/22/04)

WAC 495D-121-170 Student conduct code—Student conduct sanctions. Student conduct sanctions are categorized as primary and secondary. More than one primary sanction or any combination of primary sanctions and secondary sanctions may be imposed for any single violation. Once a student has been finally assessed a disciplinary sanction, however, no more severe primary sanctions may be assessed against him or her by any higher college authority.

(1) Primary sanctions (in order of severity):

(a) *Expulsion*: Separation of the student from the college whereby the student is not eligible for reenrollment or readmission to the college.

(b) *Dismissal*: Separation of the student from the college for an indefinite period of time. Readmission to the college may be possible in the future, but no specific time for a decision is established.

(c) *Suspension*: Separation of the student from the college for a period of time with a review of the disciplinary action prior to readmission. The student is not guaranteed readmission at the end of such period of time, but is guaranteed a review of the case and a decision regarding eligibility for readmission.

(d) *Deferred suspension*: The sanction of suspension may be placed in deferred status. If the student is found in violation of any college rule during the time of deferred suspension, the suspension takes effect immediately without further review. Additional student conduct sanctions appropriate to the new violation also may be taken. A student who has been issued a deferred suspension sanction is deemed "not in good standing" with the college. A student who is not in good standing is subject to the following restrictions:

(i) Ineligible to hold an office in any student organization recognized by the college or to hold any elected or appointed office of the college.

(ii) Ineligible to represent the college to anyone outside the college community in any way, including representing the college at any official function, or any forms of intercollegiate competition or representation.

(iii) May have additional restrictions or conditions also may be imposed, depending on the nature and seriousness of the misconduct.

(e) *Conduct probation*: An official warning that the student's conduct is in violation of Lake Washington (~~Technical College~~) Institute of Technology student conduct code, but is not sufficiently serious to warrant expulsion, dismissal or suspension. A student on conduct probation is deemed "not in good standing" with the college.

(f) *Letter of enrollment block*: A letter stating that the student may not reenter Lake Washington (~~Technical College~~) Institute of Technology without prior approval by the office of the vice-president for student services if enrollment has been blocked for a previous student conduct problem or for medical reasons.

(g) *Letter of reprimand*: A letter that makes a matter of record any incident that reflects unfavorably on the student or the college.

(h) *Warning*: Admonition of a student for actions unbecoming to the college community.

(2) Secondary sanctions (no order of severity is established for secondary sanctions):

(a) *Community/college service*: A student may be offered an opportunity to complete a specified number of hours of community/college service in lieu of other sanctions. The type of community/college service must be approved by the hearing officer.

(b) *Educational requirements*: A provision to complete a specific educational requirement directly related to the violation committed. The provision will be clearly defined. Such educational requirements may include, but are not limited to, completion of an alcohol education workshop, a diversity awareness workshop, an anger management class, essays, or reports.

(c) *Restrictions*: The withdrawal of specified privileges for a definite period of time, but without the additional stipulations contained in the imposition of conduct probation. The restrictions involved will be clearly defined.

(d) *Restitution*: A payment for financial injury to an innocent party in cases involving theft, destruction of property or deception. The assessed costs to be paid may be in addition to receipt of any of the above sanctions.

(e) *Loss of parking privileges on campus*: Revocation of parking privileges.

AMENDATORY SECTION (Amending WSR 92-15-081, filed 7/16/92, effective 8/16/92)

WAC 495D-130-010 Tuition and fee schedules. Chapter 28B.15 RCW and RCW 28B.50.327 set the parameters for tuition and fee levels at state community and technical colleges. Based on this legislation, the specific amounts to be charged are recommended by the administration and adopted

by the board of trustees of Lake Washington (~~(Technical College)~~) Institute of Technology.

AMENDATORY SECTION (Amending WSR 92-15-081, filed 7/16/92, effective 8/16/92)

WAC 495D-130-015 Tuition and fee waivers. Chapter 28B.15 RCW and RCW 28B.50.327 set the parameters for tuition and fee waivers at state community and technical colleges. Based on this legislation, the specific types of tuition and fee waivers are established by the administration and adopted by the board of trustees of Lake Washington (~~(Technical College)~~) Institute of Technology.

AMENDATORY SECTION (Amending WSR 92-15-081, filed 7/16/92, effective 8/16/92)

WAC 495D-130-020 Location of schedules. Additional and detailed information and specific amounts to be charged for each category of students and courses will be found in the college catalog, schedule of courses, and in the following locations on the Lake Washington (~~(Technical College)~~) Institute of Technology campus:

- (1) The office of admissions;
- (2) The registration office;
- (3) The office of the administrator of financial services;
- (4) The financial aid office; and
- (5) The college relations office.

AMENDATORY SECTION (Amending WSR 00-20-007, filed 9/22/00, effective 10/23/00)

WAC 495D-131-010 Scholarships. Detailed information concerning the criteria, eligibility, procedures for application, and other information regarding scholarships at Lake Washington (~~(Technical College)~~) Institute of Technology is located in the financial aid office on the Lake Washington (~~(Technical College)~~) Institute of Technology campus.

AMENDATORY SECTION (Amending WSR 92-15-081, filed 7/16/92, effective 8/16/92)

WAC 495D-133-020 Organization—Operation—Information. (1) Organization. Lake Washington (~~(Technical College)~~) Institute of Technology is established in Title 28B RCW as a public institution of higher education. The college is governed by a five-member board of trustees, appointed by the governor. The board employs a president, who acts as the chief executive officer of the college. The president establishes the structure of the administration.

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

11605 132nd Avenue Northeast
Kirkland, WA 98034-8506

The office hours are 7:30 a.m. to 4:30 p.m., Monday through Friday, except legal holidays. Educational operations are also located at the following address:

(~~(Marymoor Annex)~~)
6505 176th Avenue Northeast

Redmond, WA 98052-4943

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

11605 132nd Avenue Northeast
Kirkland, WA 98034-8506

AMENDATORY SECTION (Amending WSR 92-15-081, filed 7/16/92, effective 8/16/92)

WAC 495D-134-010 Rules coordinator. The rules coordinator for Lake Washington (~~(Technical College as designated by)~~) Institute of Technology is the president (~~(is:)~~) or his or her designee.

(~~(Vice-President~~
~~Administrative Services)~~)
Lake Washington (~~(Technical College)~~)
Institute of Technology
11605 132nd Avenue Northeast
Kirkland, WA 98034-8506

AMENDATORY SECTION (Amending WSR 03-13-080, filed 6/16/03, effective 7/17/03)

WAC 495D-135-040 Tuition and special course/program connected fees refund policy. It shall be the policy of Lake Washington (~~(Technical College)~~) Institute of Technology that students shall receive refunds of tuition and fees in a fair and equitable manner in accordance with policy expressed in state law. Further, all applicable federal laws and regulations will be observed and implemented when doing so is necessary to maintain eligibility for federal funding of programs, as allowed by state law.

AMENDATORY SECTION (Amending WSR 92-15-081, filed 7/16/92, effective 8/16/92)

WAC 495D-140-010 Use of college facilities. Lake Washington (~~(Technical College)~~) Institute of Technology serves King and Snohomish counties by providing continued educational opportunity for its citizens. In keeping with this general purpose, and consistent with RCW 28B.50.140(7) and 28B.50.140(9), the board of trustees believes that facilities should be available for a variety of uses which are of benefit to the general public if such general uses substantially relate to and do not interfere with the educational mission of the college. However, a state agency is under no obligation to make its public facilities available to the community for private purposes.

AMENDATORY SECTION (Amending WSR 92-15-081, filed 7/16/92, effective 8/16/92)

WAC 495D-140-100 Application procedures. (1) At least ten days prior to date of intended use of any college facility, or such lesser period as is approved by the vice-president of administrative services, an authorized representative of the requesting organization must submit proper and com-

plete written application for use of college facilities which may be obtained through the college's inservice coordinator. A single application may be sufficient for a series of meetings by an organization unless those meetings vary significantly in some substantive way; if so, separate applications will be required.

(2) An authorized representative of the using organization shall sign the application, which upon approval by the vice-president of administrative services or designee shall serve as an agreement. By affixing a signature as representing the using organization, the signatory certifies that he or she has authority to enter into agreement on behalf of the organization and if the organization fails to pay the amount due, the signatory becomes responsible for all charges. These charges may include interest on overdue accounts, as specified on the facility use form but not less than one percent per month.

(3) For large events, events requiring expenditures on the part of the college, or events where significant areas are blocked out for the user, up to fifty percent advance deposit may be required at the time of application.

(4) The college reserves the right to make pricing changes without prior written notice, except that such price changes shall not apply to facility use agreements already approved by the administration.

(5) Use of a facility is limited to the facility specified on the agreement.

(6) The priorities for facility use place primary emphasis on regular college events and activities. The college reserves the right to cancel any agreement and refund any payments for use of college facilities and equipment when he or she deems such action advisable and in the college's best interests.

(7) In the event of a cancellation of a facility use permit by the applicant, that applicant and organization are liable for all college costs and expenses in preparing the facility for its use.

(8) Any admission charge is to be specified by the applicant and approved by the college in advance.

(9) Organizations using Lake Washington (~~Technical College~~) Institute of Technology's facilities shall conduct all activities in accordance with applicable local, state, and federal laws including all policies adopted by the board of directors of College District 26.

AMENDATORY SECTION (Amending WSR 93-01-084, filed 12/15/92, effective 1/15/93)

WAC 495D-144-010 Lake Washington (~~Technical College~~) Institute of Technology bookstore operating policy. (1) Lake Washington (~~Technical College~~) Institute of Technology bookstore is operated for the special convenience, support, and use by students and staff of Lake Washington (~~Technical College~~) Institute of Technology. The bookstore's goods, services, and facilities are directly and substantially related to the educational mission of the college. Prices and fees will take into account all direct and indirect college costs, including overhead. Specific operating policies and procedures will be established by the president or his or her designee to promote the effective and efficient operation

of the bookstore and to implement the provisions of this chapter.

(2) The bookstore will sell goods on the same basis to other persons as well. There is no similarly situated private bookstore available to meet all the demands of college visitors.

AMENDATORY SECTION (Amending WSR 93-01-084, filed 12/15/92, effective 1/15/93)

WAC 495D-144-030 Lake Washington (~~Technical College~~) Institute of Technology bookstore credit policies. The Lake Washington (~~Technical College~~) Institute of Technology bookstore will not establish personal charge accounts or extend personal credit.

AMENDATORY SECTION (Amending WSR 93-01-084, filed 12/15/92, effective 1/15/93)

WAC 495D-144-040 Lake Washington (~~Technical College~~) Institute of Technology bookstore pricing policies. (1) The bookstore will supply books and supplies at an established retail rate.

(2) Complimentary copies of books will not be furnished to faculty.

(3) No discounts will be given to specific individuals.

(4) Discounts applied at the discretion of the administration to categories or groupings of merchandise, and available to all customers, may be offered in order to clear aging or promotional merchandise. Detailed records will be kept of such discount activities.

AMENDATORY SECTION (Amending WSR 93-01-084, filed 12/15/92, effective 1/15/93)

WAC 495D-148-010 Equal employment opportunity/affirmative action policy. (1) Lake Washington (~~Technical College~~) Institute of Technology is an equal opportunity employer committed to providing equal opportunity and nondiscrimination to employment applicants and employees without regard to race or ethnicity, creed, color, national origin, sex, marital status, sexual orientation, age, religion, the presence of any sensory, mental, or physical disability, or whether a disabled veteran or Vietnam era veteran (hereinafter, protected group status). The college is equally committed to take affirmative action to increase the numbers of protected group members such as Asians, Blacks, Hispanics, Native Americans, women, persons between the ages of forty and seventy, persons of disability, disabled veterans and Vietnam era veterans in positions where it is determined they are under-represented. The college will make every effort to eliminate barriers to equal employment opportunity encountered by these protected group members and to improve employment opportunities available to under-represented groups.

(2) The college will recruit, hire, train, and promote individuals in all job classifications solely upon their qualifications and ability or potential ability to do the job, and shall consider protected group status only when such is a bona fide occupational qualification.

(3) All other personnel actions such as compensation, benefits, layoffs, return from layoffs, terminations, college-sponsored training, education, tuition assistance, and social and recreational programs will be administered without regard to protected group status.

(4) Numerical goals will be set in areas where protected classes are determined to be under-represented based upon the district's demographics. The college will make every effort to meet such goals within the timetables established for such goals.

(5) The president is charged with the overall responsibility for assuring that the equal employment opportunity/affirmative action policy is administered effectively, and is granted the authority to exercise that responsibility. It is incumbent upon each member of the Lake Washington (~~Technical College~~) Institute of Technology faculty, administration, and staff to make a good faith effort in the execution of this policy. Failure to do so may be grounds for disciplinary action.

AMENDATORY SECTION (Amending WSR 92-15-081, filed 7/16/92, effective 8/16/92)

WAC 495D-168-010 Title. WAC 495D-168-010 through 495D-168-040 will be known as the library-media center code of Lake Washington (~~Technical College~~) Institute of Technology.

AMENDATORY SECTION (Amending WSR 92-15-081, filed 7/16/92, effective 8/16/92)

WAC 495D-168-020 Loans. Materials from the college library media center are checked out only to the following groups:

- (1) All currently registered students of the college;
- (2) All current faculty and administrative staff members;
- (3) All persons currently employed in classified staff positions;
- (4) All holders of currently valid courtesy cards. This latter group includes members of the board of trustees, community educators whose work might necessitate usage of library-media materials, and other individuals who show a particular need for specialized items in the library-media collections which are not available elsewhere;
- (5) Students from other institutions with which the college library-media center has a reciprocal lending agreement through a "shared use plan." This group may use materials on a loan basis at the discretion of the circulation supervisor who will determine lending priorities based upon the current usage of individual items by Lake Washington (~~Technical College~~) Institute of Technology students;
- (6) Persons in charge of groups using college facilities under the terms of the facility use agreement; and
- (7) Lake Washington School District No. 414 staff under terms of interlibrary loan agreements as may be approved by the college president or his or her designee.

AMENDATORY SECTION (Amending WSR 92-15-081, filed 7/16/92, effective 8/16/92)

WAC 495D-168-040 Student handbook. Additional administrative policy and procedure governing the operation of the library-media center and the rules for loaning books, other print materials and nonprint materials may be developed by the administration and published in the college policy and procedure manual and in the student handbook of Lake Washington (~~Technical College~~) Institute of Technology.

AMENDATORY SECTION (Amending WSR 92-15-081, filed 7/16/92, effective 8/16/92)

WAC 495D-276-030 Description of central and field organization of College District 26. (1) College District 26 is a state agency established and organized under the authority of chapter 28B.50 RCW for the purpose of implementing the educational goals established by the legislature in RCW 28B.50.020. The administrative office of the district is located on the Lake Washington (~~Technical College~~) Institute of Technology campus within the city of Kirkland, Washington. The Lake Washington (~~Technical College~~) Institute of Technology campus likewise comprises the central headquarters for all operations of the district.

(2) The district is operated under the supervision and control of a board of trustees. The board of trustees consists of five members appointed by the governor. The board of trustees normally meets at least once each month, as provided in WAC 495D-104-010. The board of trustees employs a president, an administrative staff, members of the faculty, and other employees. The board of trustees takes such actions and promulgates such rules and policies in harmony with the rules established by the state board for community and technical colleges, as are necessary to the administration and operation of the district.

(3) The president of the district is responsible to the board of trustees for the operation and administration of the district. A detailed description of the administrative organization of the district is contained within the policies and procedures manual for Lake Washington (~~Technical College~~) Institute of Technology, a current copy of which is available for inspection at the administrative office of the district.

AMENDATORY SECTION (Amending WSR 92-15-081, filed 7/16/92, effective 8/16/92)

WAC 495D-276-040 Operations and procedures. (1) Formal decision-making procedures are established by the board of trustees through rules promulgated in accordance with the requirements of chapter 34.05 RCW, the Administrative Procedure Act.

(2) Informal decision-making procedures at the college, as established by the board of trustees, are set forth in the policies and procedures manual of Lake Washington (~~Technical College~~) Institute of Technology, a current copy of which is available for inspection at the administrative office of the district.

AMENDATORY SECTION (Amending WSR 00-20-007, filed 9/22/00, effective 10/23/00)

WAC 495D-280-010 Family Educational Rights and Privacy Act—General policy. Lake Washington (~~Technical College~~) Institute of Technology implements the policy contained in this chapter in compliance with the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) and its implementing regulation (34 C.F.R. § 99). Briefly, Lake Washington (~~Technical College~~) Institute of Technology is required to provide students with access to their own education records, to permit students to challenge their records on the grounds that they are inaccurate, misleading, or otherwise in violation of the student's privacy or other right, to obtain written consent before releasing certain information and to notify students of these rights.

AMENDATORY SECTION (Amending WSR 00-20-007, filed 9/22/00, effective 10/23/00)

WAC 495D-280-015 Family Educational Rights and Privacy Act—Definitions. For the purposes of this policy, the following definitions apply:

(1) "Student" means any individual who is or has been in attendance at Lake Washington (~~Technical College~~) Institute of Technology and for whom the college maintains education records. A person no longer in attendance at the college is no longer a current student, but his or her educational records remain covered by the Family Educational Rights and Privacy Act.

(2) "Education records" are those records, files, and documents (in handwriting, print, tapes, film, microfiche, or other medium) maintained by the college that contain information directly related to the individual student. Education records include only the following:

(a) Records pertaining to admission, advisement, registration, grading, and progress toward a certificate or degree that are maintained by the registrar.

(b) Testing information used for advisement purposes by the counseling center.

(c) Information concerning payment of fees as maintained by the registrar.

(d) Financial aid information as collected by the financial aid office.

(e) Information regarding students' participating in student government that is maintained by the student government office.

(f) Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.

(3) "Personally identifiable" means the following information about students or family members:

(a) Student information:

(i) Name;

(ii) Address;

(iii) Telephone numbers;

(iv) E-mail address;

(v) Date and place of birth;

(vi) Level of education;

(vii) Academic major;

(viii) Degrees, certificates, and awards received;

(ix) Eligibility for and participation in officially recognized college activities and organizations;

(x) Dates of attendance;

(xi) Educational institution in which the student most recently was enrolled;

(xii) Full-time or part-time status;

(xiii) Grades;

(xiv) Test scores;

(xv) Medical records;

(xvi) Specific dates and places of classes in which enrolled;

(xvii) Personal identifiers such as Social Security number or college student identification numbers;

(xviii) Other personally identifying characteristics which would make the student's identity easily traceable;

(xix) Photograph.

(b) Family information:

(i) Names of parents or other family members;

(ii) Parents or other family members' addresses.

(4) "Directory information" includes the following student information:

(a) Name;

(b) Academic major;

(c) Degrees, certificates, and awards received;

(d) Eligibility for and participation in official activities and organizations;

(e) Dates of attendance;

(f) Full-time or part-time status.

(5) "Solomon amendment" information is student information provided to military recruiters for recruitment purposes in accordance with federal statute, and includes the following:

(a) Name;

(b) Address;

(c) Telephone numbers;

(d) Date and place of birth;

(e) Level of education;

(f) Academic major;

(g) Degrees, certificates, and awards received;

(h) Educational institution in which the student most recently was enrolled.

(6) "Written consent" means a written authorization for disclosure of student education records which is signed by the student (or parent if the student is under the age of eighteen and is attending (~~Otterson High School~~) Lake Washington Technical Academy), dated, specifying the records to be disclosed, and specifies to whom disclosure is authorized.

AMENDATORY SECTION (Amending WSR 00-20-007, filed 9/22/00, effective 10/23/00)

WAC 495D-280-020 Family Educational Rights and Privacy Act—Annual notification of rights. Lake Washington (~~Technical College~~) Institute of Technology will notify students of their rights under the Family Educational Rights and Privacy Act of 1974 by publication in the college catalog and quarterly schedule of courses. The college shall make available upon request a copy of the policy governing release of student records. In addition, the college shall post

at conspicuous places on the campus information regarding the existence of this policy and of the availability of copies.

AMENDATORY SECTION (Amending WSR 00-20-007, filed 9/22/00, effective 10/23/00)

WAC 495D-280-040 Family Educational Rights and Privacy Act—Disclosure of education records. (1) The college may, at its discretion, make disclosures from education records of students to the following listed parties:

(a) College officials including college administrative and clerical staff, faculty, and students officially elected or appointed to the associated student government of Lake Washington (~~(Technical College)~~) Institute of Technology or employed by the college, including contractors such as the National Student Loan Clearinghouse;

(b) To officials of another school in which the student seeks or intends to enroll;

(c) To authorized federal, state, or local officials as required by law;

(d) In connection with financial aid for which the student has applied or received;

(e) To appropriate parties in a health or safety emergency;

(f) To accrediting organizations to carry out their functions;

(g) The disclosure is to parents, as defined in Section 99.3, of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986.

(h) To parents of an eligible student who claim the student as a dependent for income tax purposes;

(i) To comply with a judicial order or a lawfully issued subpoena;

(j) To military recruiters authorized to obtain specific information under the Solomon Amendment;

(k) To a victim of an alleged perpetrator of a crime of violence or a nonforcible sex offense.

(2) The college shall not permit access to or the release of education records or personally identifiable information contained therein, other than "directory information," without the written consent of the student, to any party other than those listed in subsection (1) of this section.

(3) "Directory information" may be disclosed at the discretion of the college and without the consent of the student, unless he or she elects to prevent disclosure. Students who wish to prevent disclosure will file a written request with the registrar. The request continues in effect according to its terms unless revoked in writing by the student.

(4) "Solomon Amendment" information, as defined in 7.P.23, may be released to military recruiters authorized to obtain specific information for recruitment purposes. Release of this information applies to students seventeen years and older and does not apply to students with previous military experience or to students who have filed a request to prevent disclosure of "directory information."

(5) "Personally identifiable" information, other than that defined as "releasable," "directory information," or "Solomon Amendment" information shall not be released, except as specifically requested by the student (or parents in the case of

~~(Otterson High School)~~ Lake Washington Technical Academy students under the age of eighteen).

AMENDATORY SECTION (Amending WSR 00-20-007, filed 9/22/00, effective 10/23/00)

WAC 495D-280-050 Family Educational Rights and Privacy Act—Limits on rights to review and inspect and obtain copies of education records. (1) When a record contains information about more than one student, the student may inspect and review only the records which relate to him or her.

(2) Lake Washington (~~(Technical College)~~) Institute of Technology reserves the right to refuse to permit a student to inspect the following records:

(a) The financial statement of the student's parents;

(b) Letters and statements of recommendation for which the student has waived his or her right of access, or which were placed in file before January 1, 1975;

(c) Records connected with an application to attend Lake Washington (~~(Technical College)~~) Institute of Technology if that application was denied; and

(d) Those records which are excluded from the Federal Rights and Privacy Act definition of education records, and not otherwise available for inspection under the Washington Public Records Act, chapter 42.17 RCW.

(3) Lake Washington (~~(Technical College)~~) Institute of Technology reserves the right to deny transcripts or copies of records not required to be made available by the Federal Educational Rights and Privacy Act in any of the following situations:

(a) The student has an unpaid financial obligation to the college;

(b) There is an unresolved disciplinary action against the student.

AMENDATORY SECTION (Amending WSR 92-15-081, filed 7/16/92, effective 8/16/92)

WAC 495D-300-010 Preamble. Lake Washington (~~(Technical College)~~) Institute of Technology is covered by the Age Discrimination in Employment Act, Titles VII and IX of the Civil Rights Act of 1964, by section 504 of the Rehabilitation Act of 1974, chapter 49.60 RCW, and the Americans With Disabilities Act. The college prohibits discrimination on the basis of race, color, religion, marital status, age, handicap/disability, national origin, sex, sexual orientation, sexual harassment, or any other unlawful basis. Any applicant for admission, enrolled student, applicant for employment, or employee of Lake Washington (~~(Technical College)~~) Institute of Technology who believes she/he has been discriminated against may lodge an institutional grievance by following the procedures below.

AMENDATORY SECTION (Amending WSR 92-15-081, filed 7/16/92, effective 8/16/92)

WAC 495D-300-015 Policy statement on disabilities. Students with documented disabilities as defined in PL 101-336 who meet admission qualifications will be provided reasonable accommodation. Accommodations may be made in

the style of instructional delivery, method of evaluation, or curricular aides. The college will not lower the standard measurement of competency for the certificate of merit or the standards for a degree.

Specific support services and auxiliary aids will be determined prior to registration. State vocational rehabilitation agencies or common school districts charged with providing support to handicapped students will retain primacy of responsibility for necessary auxiliary aids.

Lake Washington (~~Technical College~~) Institute of Technology encourages all students to achieve the highest level of skill development possible, as well as to achieve the ability to function independently in the workplace. Therefore, accommodations will be provided on a decreasing basis to the extent that the student's reasonable requirements diminish as the student becomes increasingly successful in training and nears job placement.

AMENDATORY SECTION (Amending WSR 03-01-070, filed 12/12/02, effective 1/12/03)

WAC 495D-325-010 Implementation of State Environmental Policy Act. (1) It shall be the policy of Lake Washington (~~Technical College~~) Institute of Technology District 26 that all actions taken by the district shall comply with the provisions of chapter 43.21C RCW (the State Environmental Policy Act), chapters 197-11 and 131-24 WAC.

(2) The president of the district or his or her designee shall be responsible for administering and implementing this policy.