

WSR 21-16-051

PERMANENT RULES

LOWER COLUMBIA COLLEGE

[Filed July 28, 2021, 2:14 p.m., effective August 28, 2021]

Effective Date of Rule: Thirty-one days after filing.

Purpose: WAC 132M-104-010 rule on regular meeting for the board of trustees is duplicative of the Open Public Meetings Act (RCW 42.30.075) and therefore not necessary.

WAC 132M-108-020 Brief adjudicative procedure, needs minor grammatical and formatting corrections and also needs clarification that this WAC applies to appeals pursuant to any other formal rule adopted by the college which specifically provides for a brief adjudicative procedure.

Citation of Rules Affected by this Order: Repealing WAC 132M-104-010; and amending WAC 132M-108-020.

Statutory Authority for Adoption: RCW 28B.50.140.

Adopted under notice filed as WSR 21-12-054 on May 26, 2021.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: July 28, 2021.

Kendra Sprague
Vice President of Foundation
Human Resources and Legal Affairs

OTS-2983.1

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 132M-104-010 Regular meetings.

OTS-2984.1

AMENDATORY SECTION (Amending WSR 95-16-069, filed 7/28/95, effective 8/28/95)

WAC 132M-108-020 Brief adjudicative procedure. This rule is adopted in accordance with RCW 34.05.482 through 34.05.494, the provisions of which are hereby adopted. Brief adjudicative procedures shall be used in all matters related to:

- ((1)) (a) (1) Appeals from residency classifications made pursuant to RCW 28B.15.013;
- ((2)) (b) (2) Appeals from parking and traffic infractions;
- ((3)) (c) (3) Appeals from actions from student conduct or disciplinary proceedings;
- ((4)) (d) (4) Appeals from actions due to outstanding debts of college employees or students;
- ((5)) (e) (5) Appeals from actions regarding loss of eligibility to participate in athletic events;
- ((6)) (f) (6) Challenges to the contents of education records pursuant to ((WAC 132M-113-055(2))) 34 C.F.R. Sec. 99.21;
- ((g)) (7) Appeals from actions due to mandatory tuition and fee waivers;
- (8) Appeals pursuant to any other formal rule adopted by the college which specifically provides for a brief adjudicative procedure.

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

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