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2.P.03 Alcohol and Drug Use**1. Substance Abuse**

The board of trustees intends to promote the health and well-being of students and college personnel. The college is committed to an ongoing substance abuse prevention, education, and assistance program. Specific procedures relating to substance abuse prevention education, identification, constructive intervention, information, assistance, and referral shall be developed by the college, consistent with existing law and the best interests of all concerned.

These procedures shall be reviewed and published annually and updated when necessary to comply with current law and to reflect current medical knowledge and abuse prevention practices.

2. Alcoholic Beverages

The use of alcoholic beverages on campus shall conform with the following:

- A. Lake Washington Institute of Technology reserves the right to permit the use of alcoholic beverages on the campus, as deemed appropriate.
- B. When approved by the president, alcoholic beverages may be served by a recognized campus organization, college administrative unit, or community organization.
- C. Approval of alcoholic beverages on campus must be requested at least fourteen (14) working days prior to the date of use. Each program event will be limited to beer and wine service purchased in conjunction with food.
- D. All requests from student organizations are to be filed with the office of the executive vice president, instructional services. All other requests are to be filed with the president's office. If the request is congruent with the best interests of the requesting organization and the college, the request may be approved.
- E. The application for use of alcoholic beverages on campus must be completed by an authorized representative of the organization who accepts responsibility for compliance with the college and other governmental rules and regulations, where applicable, and agrees to be present at the specific function. A banquet permit is required.
- F. The approving administrative official or designee shall be available at functions where alcoholic beverages are being served, and has the authority to make decisions that might arise concerning college policies or procedures.
- G. All events where alcoholic beverages are served will be approved in accordance with Washington State Liquor Control Board guidelines which permit the consumption of alcoholic beverages at such events.
- H. The approving college official shall designate the specific location for the distribution of alcoholic beverages at approved events. A driver's license with

picture or a Washington State identification card will be the only acceptable forms of identification to obtain access to the designated distribution locations.

- I. Alcoholic beverages will be served and consumed only in a designated area.
- J. All sales and use of alcoholic beverages will be covered by the Washington State Law, as interpreted by the Washington State Liquor Control Board.
- K. Nonalcoholic beverages will be available to persons under legal age at all college events where alcoholic beverages are served.
- L. The college reserves the right to require that security be provided at any function where alcoholic beverages are being served.
- M. No person who is under the influence of alcohol or dangerous substances, or who is disorderly in conduct, shall be allowed to serve, consume, or dispense alcoholic beverages.

Adopted January 8, 1992

2.P.05 Chronic Communicable Disease

The board of trustees intends to promote the health and well-being of students and college personnel. The college is committed to providing education about the transmission and prevention of chronic, communicable diseases, including acquired immune deficiency syndrome (AIDS).

Specific procedures relating to chronic communicable diseases shall be developed by the college, consistent with existing law and the best interests of all concerned.

These procedures shall be reviewed annually and updated when necessary to comply with current law and to reflect current medical knowledge.

Adopted January 8, 1992

2.P.07 College Calendar (WAC 495D-136-010)

At its regular December meeting, or such subsequent regular meeting as is practical, the board of trustees, upon recommendation from the president and after such conference with faculty and other staff as provided for in the college's bargained agreements, will adopt the college calendar(s) for the ensuing academic year(s). The president will solicit comments from all college staff regarding revisions to the calendar(s) prior to completing such recommendations to the board. Such calendar(s) will specify for each term the days available for instruction, the days which will constitute the final examination period (if any is scheduled), the days which will be designated as the college holidays, and other such dates as the board determines shall be of general use. The calendar for each academic year will begin with the summer term. The calendar(s) adopted as outlined above will be published in the college catalog and will be available in the offices of admissions and registration during regular college business hours.

Adopted December 9, 1992

2.P.09 College Closure (WAC 495D-136-020)

In the event of severe weather conditions, power curtailment, a major disaster, or other emergency, the college president or his or her designee may close the college by a general announcement to that effect, which shall be conveyed to appropriate news media.

Adopted December 9, 1992

2.P.11 Cancellation of Classes (WAC 495D-136-030)

Classes publicized in the printed quarterly schedule of classes may be cancelled by the registrar. Advance notice will be provided to students whenever possible and practical. The college shall not incur any liability for personal expenses incurred by students beyond:

1. The refund of tuition and fees for such classes, as specified in chapter 495D-135 WAC and published in publications of the college; and
2. The refund of payment for texts and supplies required for the canceled class(es) which were purchased in the college bookstore, as provided by chapter 495D-144 WAC and in publications of the college and college bookstore.

Adopted December 9, 1992

2.P.13 College Holidays

Lake Washington Institute of Technology shall be closed in observance of the following holidays:

Independence Day	Christmas Day
Labor Day	New Year's Day
Thanksgiving Day	Martin Luther King's Birthday
Day After Thanksgiving	Presidents' Day
Day Before Christmas	Memorial Day

Whenever any holiday recognized within this policy falls upon a Saturday or Sunday, the President or designee shall determine and designate the day to be recognized as the holiday.

Adopted November 1, 1999

2.P.15 Equal Employment Opportunity.

1. Policy.

The college provides equal opportunity in education and employment per state and federal law. The college prohibits discrimination against any person due to race or ethnicity, creed, color, national origin, citizenship, sex, marital status, sexual orientation, gender identity, age, religion, the presence of any sensory, mental, or physical disability, genetic information, or veteran status.

2. Nondiscrimination Statement.

The college does not discriminate on the basis of race or ethnicity, creed, color, national origin, citizenship, sex, marital status, sexual orientation, gender identity, age, religion, the presence of any sensory, mental, or physical disability, genetic information, or veteran status.

3. Additional Information or Complaints.

Inquiries regarding compliance procedures and complaints may be directed to the college's Affirmative Action Officer:

Chief Human Resources Officer
11605 132nd Ave NE
Kirkland, WA 98034
(425) 739-8212
(425) 739-8122 (TDD)

2.P.16 Affirmative Action.

The college is an affirmative action employer and commits to take affirmative action to increase the numbers of protected group members in under-represented areas. Protected groups include Asians, Blacks, Hispanics, Native Americans, women, persons over the age of forty, persons of disability, and disabled veterans, who are in positions where it is determined they are under-represented. The college will make every effort to:

1. Remove barriers to equal employment opportunity for protected group members.
2. Improve employment opportunities available to under-represented groups.

The college will:

1. Recruit, hire, train, and promote people in all job classifications based only on their qualifications and ability or potential ability to do the job. It will consider protected group status only when such is a bona fide occupational qualification.
2. Administer all other personnel actions such as compensation, benefits, layoffs, return from layoffs, terminations, college-sponsored training, education, tuition assistance, and social and recreational programs without regard to protected group status.
3. Set numerical goals in areas where protected classes are under-represented. It will make every effort to meet such goals within established timetables.

The president maintains:

1. Overall responsibility to ensure the college administers the equal employment opportunity and affirmative action policies effectively.
2. Authority to exercise that responsibility.

Every college employee must make a good faith effort to carry out these policies. Failure to do so may be grounds for disciplinary action.

2.P.17 Sexual Harassment

Sexual harassment is a violation of federal and state law and has the capacity to tarnish the academic and work environment of an educational institution. Sexual harassment in any form, by any member of the College community, including employees, agents, volunteers and representatives, students, and all other persons authorized to be present on the campus or to represent the College at any time or place, is therefore prohibited by Lake Washington Institute of Technology. While it is the responsibility of the College to publish and make known this policy to members of the College community, it is the responsibility of members to be familiar and comply with its provisions.

Sexual harassment can occur between members of the opposite sex or between members of the same sex, among College employees, among students, among other persons on campus, or between any of these persons. In some cases, sexual harassment may occur when a third party reasonably believes that a person in some position of authority gives or appears to give preferential treatment to another person in consideration of a romantic or sexual relationship.

It is a violation of College policy for any member of the College community to engage in sexual harassment. Furthermore, it is a violation of policy to retaliate against any individual or group of individuals who brings an allegation or files a complaint of sexual harassment, or who participates in any proceeding to determine if sexual harassment has occurred. Violations of these policies may result in disciplinary action up to and including dismissal from the College. Complaints of sexual harassment or violation(s) of these policies must be filed with the affirmative action officer or designee in accordance with policy 2.P.82 or 2.P.83.

Definitions:

1. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other oral or written communication or physical conduct of a sexual nature when:
 - A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing;
 - B. Submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting such individual; or
 - C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or such conduct creates an intimidating, hostile or abusive work or academic environment.
2. Sexual harassment is further defined as conduct which places an objectionable emphasis on the sexuality or sexual identity of a person when:
 - A. The objectionable acts are directed toward person(s) of either sex;
 - B. The intent or effect of the objectionable act(s) is to limit or deny full and equal participation in employment or educational services, opportunities or benefits; or
 - C. The intent or effect of the objectionable act(s) is to create an intimidating, hostile or offensive academic or work environment for the member of either sex.

*Adopted February 12, 1992
Revised June 6, 2005*

2.P.18 Conflicts of Interest and Abuses of Power: Sexual or Romantic Relationships with Students, Employees, or Members of the Campus Community

There is an inherent inequality in relationships between students and those College employees with a professional responsibility to teach, advise, counsel or otherwise facilitate students in their academic careers. Consequently the ability of students to genuinely consent to the romantic or sexual advances of such College personnel must be considered questionable. Such relationships may also create an appearance of

favoritism in the eyes of third parties which may contribute to the creation of a hostile educational environment.

There is a similar inherent inequality between supervisors and administrators and those College employees whom they supervise when the supervisor or administrator has the ability to affect the employees' career advancement, pay, job assignments, or other terms and conditions of employment. Such relationships may also create the appearance of favoritism in the eyes of third parties and contribute to the creation of a hostile work environment.

Therefore, College employees are prohibited from engaging in any romantic or sexual relationship with or from making any overt romantic or sexual advances upon students whom they have professional responsibility to teach, advise, counsel or otherwise facilitate in their (the students') academic careers.

College employed administrators or supervisors at any level are prohibited from engaging in any romantic or sexual relationship with or from making any overt romantic or sexual advances upon any employee or member of the College community they supervise or the terms and conditions of whose employment or position at the College they have the ability to affect.

Complaints may be initiated by a student, employee or other member of the College community who is or has been, in a romantic or sexual relationship or is or has been the subject of overt romantic or sexual advances, or by third parties who allege they have been specifically adversely affected by such a relationship.

The President may initiate formal proceedings on his or her own initiative.

Any complainant who files a complaint under this policy in willful disregard of the truth may be subject to appropriate disciplinary proceedings.

*Adopted June 6, 2005
Revised September 17, 2005*

2.P.19 Executive Conflict of Interest

Pursuant to the Ethics in Public Service Act (chapter 42. 52 RCW), the board of trustees promulgates, for the guidance of its employees, regulations relating to conflict of interest appropriate in view of the college's educational objective. The college policy supplements the Ethics in Public Service Act and any amendments thereto, as well as any executive orders promulgated pursuant to the Act. It is a dual objective in prescribing these essential restrictions against conflicts of interest by the college to not create unnecessary barriers to recruitment and retention of needed personnel.

No administrator, faculty member, employee or agent of the college shall:

1. Have a direct and substantial interest, financial or otherwise, or engage in any business or transaction or professional activity, or incur any obligation of any nature which is in direct and substantial conflict with the proper discharge of his/her official duties or is in conflict with the public interest in his/her capacity as an administrator, faculty member, employee or agent of the college.
2. Transact or participate in a transaction of any business in his/her official capacity as a college employee with any business entity of which he/she is an officer, agent, employee, or a member, or in which he/she or his/her spouse or minor child has a direct and substantial economic interest. This includes faculty members requiring stu-

dents to purchase books, tests, or supplies where the faculty member has a personal economic interest in the sales.

In matters where the possibility of conflict exists, reference should be made to the Act, this policy, and advice of legal counsel should be obtained prior to any action. College employees may seek a waiver from the president or his/her designee by notifying the president or his/her designee of any employment, activity, or interest, other than the college, which would reasonably be considered a conflict of interest or which would interfere with the satisfactory performance of his/her assigned duties.

If it is determined that other employment or other interest is in conflict with his/her assigned duties and that remedial action is required, the employee shall take immediate action to end such conflict and advise the president or his/her designee of the action taken.

Failure to take remedial action as determined by the president or his/her designee shall constitute just cause to dismiss, suspend, or take such other disciplinary action as may be appropriate with respect to any employee upon finding that such employee has violated any provision of the Ethics in Public Service Act and/or this policy.

Adopted Februan; 12, 1992
Revised December 10, 1997

2.P.21 Employee Ethical Conduct

Pursuant to the Washington Ethics in Public Service Law (chapter 42.52 RCW), the board of trustees promulgates, for the guidance of its employees, regulations relating to standards of ethical conduct appropriate in view of the college's educational objective. The college policy supplements the Ethics in Public Service law and any amendments thereto, as well as executive branch agency substantive rules (chapter 292-110 WAC) and any executive orders promulgated pursuant to the law.

Lake Washington Institute of Technology is a state agency operated in accordance with state laws and rules. To protect the public interest, college employees are obligated to treat their positions as a public trust, using their official powers and duties and the resources of the college only to advance the public interest. This obligation requires that all college employees:

1. Protect the integrity of the college by being independent and impartial in the exercise of their duties, avoiding the use of their positions for personal gain or private benefit.
2. Promote an environment free from fraud, abuse of authority, and misuse of public property.
3. Create a work environment that is free from all forms of unlawful discrimination and harassment.
4. Treat members of the campus community and of the community at large with respect, concern, courtesy, and responsiveness.
5. Protect confidential information to which employees have access in the course of their duties.
6. Not have a financial interest or engage in any activity that is in conflict with the proper discharge of the employee's official duties.

7. Not use their official position to secure special privileges for themselves or any other person or organization.
8. Not receive compensation from any person or organization, except the state of Washington, for performing their official duties.

The board of trustees directs the president to establish procedures to implement the policy and to publish the basic principles of the Ethics in Public Service law for all college staff to use in the daily conduct of their duties.

Adopted November 12, 1997

2.P.22 Charitable Organizations

The College President or designee may authorize the use of state resources to support, promote, or solicit on behalf of charitable organizations.

Adopted February 5, 2018

2.P.25 College Equipment Use

Article VII, Section 7 of the state's constitution prohibits the lending of the state's credit or money to any individual. College equipment is state equipment. The use of state equipment is restricted by law and regulation to official state business on or off campus. No state officer or state employee may employ or use any property under the officer or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another. (RCW 42.52.360)

College-owned equipment, tools, computers, etc. are not to be removed from college facilities for any reason, except with the written permission of the college president or his or her designee. This policy applies to all faculty, administrators, and classified staff, both full and part-time. Off-campus use of state-owned equipment, tools, computers, etc. must be approved in accordance with procedures established by the president, and such use will be limited to authorized college business or purposes.

July 10, 1996

2.P.27 Legal Assistance

The attorney general is the official legal advisor to all college boards (RCW SB.10.510). An assistant attorney general is assigned to work directly with the board and the president, providing the following advisory services:

1. Oral advice in response to informal requests.
2. Memoranda in response to written requests.
3. Letter opinions appropriate to the college and circumstance.
4. Formal opinions in response to specific formal request, which are publicly distributed.

All informal inquiry, informal request, written request, letter opinion, and formal opinion communications with the college's assigned assistant attorney general, or with other offices of the attorney general, will be conducted through the office of the president, executive vice president for instructional services,

or vice president for administrative services. A record of attorney general opinions will be maintained in the office of the vice president for administrative services.

Adopted November 12, 1997

2.P.29 Comprehensive Staff Development

1. Staff Development Philosophy

The board of trustees is committed to fostering an environment which promotes and values the full development of all college staff. The board believes it is essential to encourage the continuing growth of a well-educated, well-trained professional staff that is highly skilled in areas essential to the fulfillment of the college's mission; strategic plan, goals, and objectives. Staff development at Lake Washington should provide opportunities and direction to build and enhance current and future performance skills.

The board of trustees recognizes that the environment in which the college operates is changing rapidly. A leading-edge program of staff development must anticipate timely changes in the college's needs. Such a program will concentrate staff development efforts on ability to use new technologies and college systems. It will also offer and structure staff development based on the assessed needs of specific individuals and focus on changing student needs.

The board of trustees believes an effective staff development program includes both central coordination and the facilitation of a concerted effort to address the growth of all regular employees. It also requires the allocation of an adequate level of resources to provide the time, expertise, and materials necessary to attain training and development objectives. At the same time, staff should not have to devote discretionary training resources to college-required activities.

To this end, the board of trustees envisions the creation and maintenance of a comprehensive staff development program which includes broad participation of employees in its design, includes a range of required as well as discretionary activities, and incorporates an outcomes assessment consistent with program objectives. The president will establish procedures to effect this end. These procedures shall be reviewed and published annually and updated when necessary to comply with current law and the needs of the college.

2. Training and Development Programs

Training and development programs should be designed for to:

- A. Professional Growth: Support opportunities for staff to gain the skills necessary for successful performance of job descriptions. Provide opportunities for staff to gain skills necessary for upward mobility.
- B. College Growth: Support training which will result in the most effective and economic assignment of staff for accomplishing institutional goals.

- C. Job Growth: Support opportunities for employees to re-join for other fields of endeavor within the college. This should include situations where an employee's skills may have deteriorated due to physical disability.

It is not the intent of this policy, nor of the provisions describing training and development programs, to obligate the college to provide any specific form of training for a particular employee, nor train a particular employee for a new field of employment.

3. Employee Responsibility

The purpose of the staff development program is to enhance the college's ability to achieve its mission, strategic plan, and goals and objectives. It must, therefore, support staff members to enhance their abilities to perform their jobs. Employees share in the responsibility to create and participate in an effective staff development program. Each employee may participate in the college's comprehensive staff development program through construction annually of a professional growth plan, which should focus on the employee's current field of employment or related fields, be reviewed by their supervisor, and which will:

- A. Establish the activities in which he or she will engage during the year.
- B. Submit appropriate documentation upon completion of each element of the growth as agreed between the employee and his or her supervisor.
- C. Ensure that the college is aware of their educational and technical background by keeping their employment records current.

The provisions of the staff development program are not to conflict with existing language in the college's collective bargaining agreements.

4. Policy Coordination

This comprehensive staff development policy is to be coordinated with existing or future board policies on this subject, particularly at the time of its adoption board policies 4.P.31, 5.P.31, 4.P.35, 4.P.39, 5.P.41.

Adopted June 12, 1996

2.P.31 Committees

The college will create and maintain standing and ad hoc committees to take part in shared governance and decision-making. College committees will:

1. Develop recommendations.
2. Communicate and publish information.
3. Accomplish assigned college business.

Committee membership may include representation from college:

1. Administrators.
2. Faculty.

3. Staff.
4. Students.
5. Community members.

Adopted November 12, 1997

Revised May 2, 2011

2.P.35 Shared Leave

The college recognizes that state employees historically have joined together to help fellow employees who suffer from, or have relatives or household members suffering from, an extraordinary or severe illness, injury, impairment or physical or mental condition which prevents the individual from working and causes great economic and emotional distress to the employee and his/her family and that these circumstances may be exacerbated because the affected employees use all accrued sick leave and annual leave and are forced to take leave without pay or terminate employment. Therefore, the college will participate in the Washington State leave sharing program and directs the president to establish procedures, in accordance with chapter 41.04 RCW, to implement such a program.

Adopted February 12, 1992

2.P.37 Voluntary Employee Beneficiary Association (VEBA).

The college will participate in a voluntary employee beneficiary association program (VEBA) for its employees. The college has developed and will follow procedures for the VEBA, consistent with VEBA requirements and college collective bargaining agreements.

2.P.40 Donation Acceptance

1. Donations may be solicited for the college by staff for approved college activities with prior approval by the staff member's supervisor.
2. Donations may not be accepted for the college without supervisor approval.
3. All donations received in the name of and for the benefit of Lake Washington Institute of Technology shall be approved of, receipted by, and accounted for by the college treasurer and become state property.
4. All donations received in the name of or for the benefit of Lake Washington College Foundation shall be approved of, receipted by, and accepted by the foundation director.

Adopted November 12, 1997

2.P.50 Access to Public Records- Purpose (WAC 495D-276-010)

The purpose of this chapter is to ensure that College District 26 complies with the provisions of chapter 42.56 RCW and in particular with those sections of that chapter dealing with public records.

Adopted July 8 1992

Revised February 5, 2018

2.P.51 Access to Public Records- Definitions (WAC 495D-276-020)

1. "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.
2. "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds or symbols, combination thereof and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, disks, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.
3. "College District 26" is an agency organized by statute pursuant to RCW 28B.50.040. College District 26 shall hereafter be referred to as the "college." Where appropriate, the term "college" also refers to the staff and employees of the college.

Adopted July 8 1992
Revised February 5, 2018

2.P.52 Access to Public Records - Description of Central and Field Organization of College District 26 (WAC 495D-276-030)

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 college is located on the Lake Washington Institute of Technology campus within the city of Kirkland, Washington. The Lake Washington Institute of Technology campus likewise comprises the central headquarters for all operations of the college.
2. The college 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 college.
3. The president of the college is responsible to the board of trustees for the operation and administration of the college. A detailed description of the administrative organization of the college is contained within the policies and procedures manual for Lake Washington Institute of Technology, a current copy of which is available for inspection at the administrative office of the college.

Adopted July 8 1992
Revised February 5, 2018

2.P.53 Access to Public Records-Operations and Procedures (WAC 495D-276-040)

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 Institute of Technology, a current copy of which is available for inspection at the administrative office of the college.

Adopted July 8, 1992
Revised February 5, 2018

2.P.54 Access to Public Records-Public Records Available (WAC 495D-276-050)

All public records of the college, as defined in this chapter, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.56 or other statutes.

Adopted July 8, 1992
Revised December 4, 2017

2.P.55 Access to Public Records- Public Records Officer (WAC 495D-276-060)

The public records officer will oversee compliance with the act but another college staff member may process the request. Therefore, these rules will refer to the public records officer or designee¹¹. The public records officer or designee and Lake Washington Institute of Technology will provide the fullest assistance¹¹ to requestors; create and maintain for use by the public and college officials an index to public records of Lake Washington Institute of Technology; ensure that public records are protected from damage or disorganization; and prevent fulfilling public records requests from causing excessive interference with essential functions of the Lake Washington Institute of Technology.

Adopted July 8, 1992
Revised February 5, 2018

2.P.56 Access to Public Records-Office Hours (WAC 495D-276-070)

Public records shall be available for inspection and copying during the customary office hours of the district. For purposes of this chapter, the customary office hours shall be from 7:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays and holidays established by the college calendar.

Adopted July 8, 1992

2.P.57 Access to Public Records- Requests for Public Records (WAC 495D-276-080)

In accordance with the requirements of RCW 42.56.100 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records are only obtainable by members of the public when those members of the public comply with the following procedures:

1. Any person wishing to request access to public records of Lake Washington Institute of Technology, or seeking assistance in making such a request should contact the public records officer of the college at:

Public Records Officer
Attn.: Administrative Services
Lake Washington Institute of Technology
11605 132nd Avenue NE
Kirkland, WA 98034
425-739-8201
publicrecords@lwtech.edu

2. A public records request must be for identifiable records. A request for all or substantially all records prepared, owned, used, or retained by the college is not a valid request for identifiable records, provided that a request for all records regarding a particular topic or containing a particular keyword or name shall not be considered a request for all of the college's records.
3. A request should be made in writing on the Public Records Request form, or by letter, fax, or email addressed to the public records officer. The request should include the following information:
 - a) The name of the person requesting the record;
 - b) Address of requestor;
 - c) Other contact information, including telephone number and any email address;
 - d) The date and time of day of the request;
 - e) Identification of the public records adequate for the public records officer or designee to locate the records;
 - f) If the matter requested is referenced within the current index maintained by the public records officer, a reference to the requested record as it is described in such current index;
 - g) If the requested matter is not identifiable by reference to the current index, an appropriate description of the record requested.
4. In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer, or person to whom the request is made, to assist the member of the public in identifying the public record requested.
5. The college may deny a bot request that is one of multiple requests from the requestor to the college within a twenty-four hour period, if the college establishes that responding to the multiple requests would cause excessive interference with other essential functions of the college. For these purposes, "bot request" means a request for public records that the college reasonably believes was automatically generated by a computer program or script.

*Adopted July 8, 1992
Revised February 5, 2018*

2.P.58 Access to Public Records - Charges for Public Records (WAC 495D-276-090)

1. **Cost.** Calculating the actual costs of charges for providing public records is unduly burdensome because it will consume scarce college resources to conduct a study of actual costs, and it is difficult to accurately calculate all costs directly incident to copying records, including equipment and paper costs, data storage costs, electronic production costs, and staff time for copying and sending requested records. Instead of calculating the actual costs of charges for records, the college president or designee shall establish, maintain, and make available for public records inspection and copying a statement of costs that the college charges for providing photocopies or electronically produced copies of public records, and such charges for records shall not exceed the maximum default charges allowed in RCW 42.56.120 (2)(b). The college may also use any other method authorized by the Public Records Act for imposing charges for public records including, but not limited to, charging a flat fee, charging a customized service charge, or charging based on a contract, memorandum of understanding, or other agreement with a requester. The college may waive charges assessed for records when the public records officer determines collecting a fee is not cost effective.
2. **Payment.** Payment may be made by cash, check, or money order to Lake Washington Institute of Technology. The college may require a deposit in an amount not to exceed ten percent of the estimated cost of providing copies for a request, including a customized service charge. If the college makes a request available on a partial or installment basis, the college may charge for each part of the request as it is provided. If an installment of a records request is not claimed or reviewed, the college is not obligated to fulfill the balance of the requests. The college will close a request upon 30 days when a requester fails by the payment date to pay in the manner prescribed for records, an installment of records, or a required deposit.

*Adopted July 8, 1992
Revised February 5, 2018*

2.P.59 Access to Public Records-Determination Regarding Exempt Records (WAC 495D-276-100)

1. The college reserves the right to determine that a public record requested in accordance with the procedures outlined in chapter 495D-276-080 WAC is exempt pursuant to chapter 42.56.210 RCW or other statute. Such determination may be made in consultation with an assistant attorney general assigned to the college.
2. Pursuant to chapter 42.56.230 RCW, the college reserves the right to delete identifying details when it makes available or publishes any public record when there is reason to believe that disclosure of such details would be an unreasonable invasion of personal privacy or impair a vital governmental interest: *Provided, however,* In each case, the justification for the deletion shall be explained fully in writing.
3. Responses to requests for public records must be made promptly. For the purposes of this section, a prompt response occurs if the person requesting the public record is notified within five business days as to whether his request for a public record will be honored.
4. Every denial of a request for public records must be accompanied by a written statement, signed by the public records officer or his/her designee, specifying the reason for the denial, a statement of the specific exemption authorizing the withholding of

the record and a brief explanation of how the exemption applies to the public record withheld.

Adopted July 8, 1992
Revised February 5, 2018

2.P.60 Access to Public Records - Review of Denials of Public Records Requests (WAC 495D-276-110)

1. Petition for internal administrative review of denial of access. Any person who objects to the denial or partial denial of a records request may petition in writing (including e-mail) to the public records officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the public records officer or designee denying the request.
2. Consideration of petition for review. The public records officer shall promptly provide the petition and any other relevant information to the president or appropriate vice-president. That person will immediately consider the petition and either affirm or reverse the denial within two business days following the college's receipt of the petition, or within such other time as mutually agreed upon by the college and the requestor.
3. Review by the attorney general's office. Pursuant to RCW 42.56.530, if Lake Washington Institute of Technology denies a requestor access to public records because it claims the record is exempt in whole or in part from disclosure, the requestor may request the attorney general's office to review the matter. The attorney general has adopted rules on such requests in WAC 44-06-160.
4. **Judicial review.** Any person may obtain court review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative appeal.
- 5.

Adopted July 8, 1992
Revised February 5, 2018

2.P.61 Access to Public Records - Protection Of Public Records (WAC 495D-276-120)

Public records and a facility for their inspection will be provided by the public records officer. Such records shall not be removed from the place designated. Copies of such records may be arranged according to the provisions of chapter WAC 495D-276-090.

Adopted July 8, 1992
Revised February 5, 2018

2.P.62 Access to Public Records- Records Index (WAC 495D-276-130)

1. The college has available for the use of all persons a current index which provides identifying information as to the following records issued, adopted, or promulgated by the district after September 1, 1991:
 - A. Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

- B. Those statements of policy and interpretations of policy, statute, and the constitution which have been adopted by the agency;
 - C. Administrative staff manuals and instructions to staff that affect a member of the public;
 - D. Planning policies and goals, and interim and final planning decisions;
 - E. Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports, or surveys, whether conducted by public employees or others; and
 - F. Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or any private party.
2. The current index maintained by the college shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

Adopted July 8, 1992
Revised February 5, 2018

2.P.63 Access to Public Records-Adoption of Form (WAC 495D-276-140)

The college shall adopt an appropriate form for use by all persons requesting inspection and/or copying or copies of its records.

Adopted July 8, 1992
Revised February 5, 2018

2.P.70 Copyright And Patent Policies - General Statement (WAC 495D-180-005)

1. The board of trustees of College District 26 recognizes that, as part of the institutional educational mission, the publication of certain materials may enhance educational processes. The board also recognizes and encourages the right of faculty, staff, and students to exercise individual initiative in creating materials which meet copyright specifications and which may generate royalty income when marketed.
2. The generation of materials which may be copyrighted often extends beyond the initiative of individuals and may include the use of equipment, facilities, and financial support either from the institution or from outside sources. Accordingly, the college will maintain a policy which clarifies and protects the respective rights of faculty, staff, student employees, and the college by defining the types of materials which should be designated as "college-supported" or "college-sponsored," by establishing procedures for administering policy concerning these materials and by stating policy governing their ownership and use and the rights to income produced therefrom.

3. It should be emphasized that this policy does not affect the personal ownership rights of faculty, staff, or student employees to books or other materials not specifically commissioned by the college or the preparation of which were not assisted in any significant way by a third party sponsor or the college. The creator is free to use his or her own name, and receive royalties resulting from sales, providing the initiative for the work came solely from the creator and the college, including grants or contracts administered by the college, did not provide a significant portion of the resources utilized in production of materials.

Adopted December 9, 1992

2.P.71 Copyright And Patent Policies-Scope and Definitions (WAC 495D-180-010)

1. This statement of policy shall apply to all faculty, staff, and student employees of the college and any group or groups of faculty or staff or student employees of the college or any combination thereof.
2. As used in this chapter:
 - A. "Copyright administrator" means the college president or his or her designee;
 - B. "Creator" means the author or producer of a creative work;
 - C. "Individual" means any faculty, staff, or student employee or employees of the college or any group or groups of faculty, staff, or student employees of the college.

Adopted December 9, 1992

2.P.72 Copyright And Patent Policies-Materials Subject to Copyright (WAC 495D-180-015)

1. The following original creations, among others, ordinarily are classed as copyright-eligible:
 - A. Books, journal articles, texts, glossaries, bibliographies, study guides, laboratory manuals, syllabi, tests, and proposals.
 - B. Lectures, musical or dramatic compositions, and unpublished scripts.
 - C. Films, film strips, charts, transparencies, and other visual aids.
 - D. Video and audio tapes and cassettes.
 - E. Live video or audio broadcasts.
 - F. Programmed instruction materials.
 - G. Computer programs.
2. This policy does not apply to the following types of materials:
 - A. Articles submitted to or published by scholarly and professional journals.

- B. Class notes produced in connection with a regularly-scheduled course of instruction.

Adopted December 9, 1992

2.P.73 Copyright And Patent Policies-Rights to Copyrightable Materials (WAC 495D-180-020)

1. Individual effort: Any individual who produces copyright-eligible material as the result of individual initiative and effort and without the significant assistance, support or sponsorship of the college or a college-administered grant or contract shall retain full right of ownership, control, use, and disposition over the material. The individual shall be solely responsible under such circumstances for determining whether to copyright the material.
2. A College-supported individual effort: If the college provides significant support or assistance for an individual in producing materials eligible for copyright such as, but not limited to, the creator's use of college funds, equipment, facilities, materials, staff services, or other resources without full and prompt reimbursement by the individual, ownership of rights in the material shall be vested in the college subject to the conditions set forth in this policy. The college may copyright such materials when it appears that copyrighting will be in the best interest of the college and individual.
 - B. Any individual who is preparing, or is planning to prepare copyright-eligible material under circumstances which may be considered college-supported, College-assisted, or college-sponsored, shall initiate an inquiry as to their status. A descriptive statement of the relevant facts shall be forwarded to the college copyright administrator. Thereafter, the college copyright administrator shall advise the individual as promptly as possible as to whether the materials should be regarded as college-supported or college-sponsored within the meaning of this policy. The college copyright administrator's decision in such cases will be considered as a preliminary draft opinion subject to clarification and final action when the work is completed. The final decision will be rendered in accordance with WAC 495D-180-025.
3. College-sponsored effort: Ownership rights in college-sponsored materials shall be vested in the college subject to the conditions set forth in this statement of policy. Materials are college-sponsored if the individual has been commissioned in writing by the college or otherwise assigned to develop the materials or, in their production, has been authorized released time for which the individual will receive compensation from college funds, including grant and contract funds administered by the college. The college copyright administrator may, at his or her sole discretion, elect to share with the individual royalties resulting from sales of such materials: Provided, that the individual shall have no right to the sharing of such royalties in the absence of an express written agreement with the college copyright administrator.
4. A Efforts supported by outside agencies: Copyright-eligible materials produced under the sponsorship of agencies outside the college must contain specific provisions regarding the disposition of any royalties or materials generated through grants or contracts furnished by such agencies. Any individual accepting support from outside agencies must verify the content of these provisions. No college employee may enter into a contract with an out-

side agency which requires a college employee's participation unless royalty rights and the disposition of copyright-eligible materials are specified clearly, and such provisions are acceptable to the college copyright administrator and consistent with college policies covering such activities.

- B. Where the college is a party to sponsored projects resulting in production of copyrightable materials, the following conditions will apply:
- (i) Title to all materials will remain with the college.
 - (ii) The sponsor of the project may retain rights to royalty-exempt use of materials.
 - (iii) With the college copyright administrator's written concurrence, parties to a sponsored grant or contract may agree to assignment of rights which may vary from (b)(i) and (ii) of this subsection.
 - (iv) Any sharing of, or individual participation in any royalty income, must be specified under the terms of the contract with the sponsoring agency and approved in writing by the college copyright administrator.
 - (v) As copyright administrator, the president of the college or his or her designee will retain final responsibility and authority for all decisions on royalty sharing and other copyright matters involving the college.

Adopted December 9, 1992

2.P.74 Copyright And Patent Policies-Procedures (WAC 495D-180-025)

1. In any instance where copyrightable materials are generated other than by individual efforts, i.e., partially or fully supported or sponsored by the college or by an outside agency but involving college participation, the college copyright administrator will confer with the individual creator and other concerned parties to reach a copyright agreement which is acceptable to all parties and consistent with the college copyright policy.
2. The college copyright administrator may appoint a copyright committee of up to three persons to advise on matters related to ownership, disposition, and royalty distribution from copyrightable materials.
3. All programs expected to generate copyrightable materials by other than individual effort must undergo prior review by the copyright administrator in order that a preliminary determination can be made regarding rights, disposition of materials, and distribution of income.
4. Records of advance arrangements and copies of all agreements must be part of all project files; the creator must provide copies of all agreements to the copyright administrator.

5. Any agreement made with individual creators may be reviewed and revised subsequently at the option of the college copyright administrator.
6. All contracts or agreements made with individuals or sponsoring agencies must contain reference to the college copyright policy as a basis for the agreement.
7. In all instances, copyright agreements and decisions affecting those agreements will be formulated on the assumption that protection of the rights of individuals is important and that agreements should be designed to stimulate individual initiative.
8. All agreements made under the college copyright policy and these procedures should be designed to assure adequate controls and to fulfill college accountability for allocated public resources and the reimbursement of those resources where appropriate.

Adopted December 9, 1992

2.P.75 Copyright and Patent Policies - Use of Materials (WAC 495D-180-030)

1. Two categories of use are differentiated for purposes of this policy:
 - A. Internal use: Use by any unit of the college for instruction or other educational purposes.
 - B. External use: Use by educational institutions other than the college, use by government agencies and other nonprofit institutions, and use resulting from lease or other contractual arrangements for commercial distribution of the materials.
2. Use of college-supported or college-sponsored materials under this policy shall be subject to the following conditions:
 - A. Internal use: (i) Use within the college does not require the approval of either the individual creator or the college unless advance approval is required by a prior written agreement. (ii) As long as the individual creator of college-supported or college-sponsored materials remains employed by the college, he or she may request reasonable revision of the materials prior to any instance of internal use and may ask that the materials be withdrawn from internal use if necessary revisions are not feasible. The final decision regarding appropriate revision or withdrawal of materials will be made by the copyright administrator. (iii) If the individual creator terminates employment with the college, then the college retains the right to continue internal use of the college-supported or college-sponsored materials except as the individual and the college agree in writing on special conditions for subsequent internal use of the materials and the procedures for their revision.
 - B. External use: Licensing or sale of college-supported or college-sponsored materials for external use shall be preceded by written agreement between the college and the individual creator specifying the conditions of use, including provisions concerning the right of the individual creator to revise materials periodically or to withdraw them from use, subject to existing agreement, in the event revisions are not feasible.

Adopted December 9, 1992

2.P.76 Copyright and Patent Policies - Payments to the Individual Creator (WAC 495D-180-035)

1. Compensation for production activity: In general the regular assignments of the individual should be adjusted to take into account the extra time required to develop or produce college-supported or college-sponsored materials. In these circumstances, additive compensation will not be paid to the individual creator. If recorded material is reused, it may be appropriate to adjust the regular assignments of the individual where he or she makes some continuing input or contribution to the repeated program.
2. Income from sales or rentals:
 - A. Both the college and the individual are entitled to a share of income from the licensing or sale of college-supported or college-sponsored materials; the college on the basis of salary, facilities, administrative support, or other resources devoted to the project, and the individual for creative activity which contributes to an enriched educational program. Where sponsored grant or contract funds are involved, the division of income will be subject to approval by the sponsoring agency. In some cases, the sponsor may require that all income be credited to the project account.
 - B. Where college-supported or college-sponsored materials are to be sold or rented, and subject to any limitations specified by granting agencies, the following guidelines pertaining to financial arrangements shall be observed: (i) All incremental expenses related to the production and distribution of additional copies will be recovered from each sale or rental. (ii) An appropriate fraction of the college's original production costs, as agreed upon between the individual and the college copyright administrator, also will be recovered from each sale or rental. (iii) Subject to any limitations specified by outside granting agencies, a royalty of not more than ten percent of (b) (i) and (ii) of this subsection may be included in the sale or rental price. After production costs are fully recovered and after required distribution to a sponsoring agency, if any, the resultant royalty income will be divided equally between the individual and the college.

Adopted December 9, 1992

2.P.77 Copyright and Patent Policies - Protection and Liability (WAC 495D-180-040)

1. The college copyright administrator shall investigate allegations of unauthorized use or copyright infringement of college-supported or college-sponsored materials and shall recommend appropriate action. If legal remedies are pursued by the college, all costs of such remedies shall be borne by the college. All proceeds in excess of such costs shall be shared equally by the college and the individual creator, subject to sponsoring agency limitations, if any, when a grant or contract is involved.
2. Before any use is made of college-supported or college-sponsored materials, the individual creator shall certify in writing to the copyright administrator that, to the best of the individual creator's knowledge, the materials do not infringe on any existing copyright or other legal right. When there are allegations of violations of personal or

property rights by the college or by the individual creator in college-supported or college-sponsored materials copyrighted by the college, the college shall assume responsibility for the defense on any action. However, the individual creator may indemnify the college against any damages, charges, costs, expenses (including counsel fees), judgments, penalties, liabilities, or losses of any other kind or nature whatsoever, which are sustained or suffered by or imposed on the college as a result of the finding of any court or other decision-making tribunal that such a violation, caused by the creator, has occurred.

Adopted December 9, 1992

2.P.80 Grievance Policies and Procedures - Discrimination- Preamble (WAC 495D-300-010)

Lake Washington 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 Institute of Technology who believes she/he has been discriminated against may lodge an institutional grievance by following the procedures below.

Adopted July 8, 1992

2.P.81 Grievance Policies and Procedures- Discrimination- Policy Statement on Disabilities
(WAC 495D-300-015)

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 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.

Adopted July 8, 1992

2.P.82 Grievance Policies and Procedures - Discrimination - Informal Procedure (WAC 495D-300-020)

All employees and students should feel free to discuss perceived discrimination with the individual immediately in charge, such as the first-line supervisor or instructor, to see if the situation can be resolved informally. Employees and students may also consult directly with the college affirmative action officer, or coordinator for disabled student services for grievances related to handicap/ disability, without making a formal written complaint, and this consultation will be considered confidential. Employees and students are not required to use the informal process and may go directly to the formal procedure.

Any college official receiving a discrimination complaint shall contact the affirmative action officer or designee as soon as reasonably convenient. The college official shall arrange for the complainant to receive a copy of the grievance procedure.

Adopted July 8, 1992

2.P.83 Grievance Policies and Procedures- Discrimination-Formal Procedure (WAC 495D-300-030)

Employees and students must make a written complaint concerning discriminatory behavior to the affirmative action officer or designee.

1. Complaints will be held in confidence. No action against the person accused will ordinarily be taken on behalf of the complainant unless the complainant consents to be identified to the one accused in connection with the investigation, although the college reserves all rights to take appropriate corrective measures regardless of actions of the complainant.
2. The complainant may bring a person of his or her choice to the initial or subsequent complaint meetings.
3. The affirmative action officer or designee shall give a copy of these regulations and any applicable board policy to the person making the formal complaint and to the accused.
4. The result of that consultation and any investigation made will be communicated to the complainant before any further action is taken. The affirmative action officer or designee will be responsible for investigating the complaint and discussing the complaint with the complainant and the accused.
5. The affirmative action officer will make a written report and/or recommendation to the appointing authority or appropriate disciplinary authority within a reasonable time following the close of the investigation or meeting. An informal meeting may be substituted for investigation if the complainant and the accused agree.
6. Appropriate corrective measures, if any, will be decided by the appointing disciplinary authority upon consultation with the affirmative action officer and the appropriate administrators and consistent with applicable bargained agreement provisions and state statutes. If an accused employee or student disagrees with the determination or appropriateness of the corrective measures, that individual may contest those measures through any available faculty or classified grievance procedures, if they are covered by a bargained agreement, or the student disciplinary code.
7. In the absence of an applicable grievance procedure under a collective bargaining agreement, the accused employee or student may, within thirty days of the corrective measure(s), file with the executive vice president for instruction or vice-president for administrative services a written request for adjudication. That vice-president shall meet with the employee or student to determine whether the matter should be heard as a regular or brief adjudicative proceeding. That vice president shall be the presiding officer for the proceeding.
8. The presiding officer may affirm, modify, or reverse the corrective measure(s).

9. The decision of the presiding officer shall be final unless, within twenty-one days after it is served, a party files with the president a written request for administrative review or the president or designee decides to conduct such review.
10. Information will be entered in the personnel or student file only to the extent that a formal reprimand or other disciplinary action has been taken. If no disciplinary action is taken, the affirmative action officer will keep a record of the investigation accessible to the president, the complainant and the accused for a period of three years and then that record will be destroyed. If a formal complaint is filed with an outside state or federal agency, files will be maintained until the complaint is resolved. When such files are used, written notice will be placed in the file indicating the person using the file and the date used.

Adopted July 8, 1992

2.P.84 Grievance Policies and Procedures - Discrimination - Other Remedies (WAC 495D-300-040)

These procedures outlined in chapters 495D-300-010 through 495D-300-030 WAC, are internal college procedures and, as such, serve to resolve complaints within the college's administrative framework. These procedures do not replace an individual's timely complaint with an external agency such as the Office of Civil Rights, Equal Employment Opportunity Commission, or the Washington state human rights commission.

Adopted July 8, 1992

2.P.85 Nepotism Policy-Definitions (WAC 495D-113-010)

1. Employee: Any individual who receives payment for services rendered to the college district, other than an outside vendor or contractor.
2. Family member or relative: An employee's or employee's spouse's mother, father, child (including foster and adopted children), sibling, grandparent, cousin, uncle, aunt, nephew, niece, in-law, or the employee's spouse.
3. Nepotism: The practice of showing favoritism to relatives in hiring and employment practices.

Adopted December 9, 1992

2.P.86 Nepotism Policy-Inclusive Limits of the Policy (WAC 495D-113-020)

This policy is intended to provide guidelines for the employment of all individuals by the district, except as modified by applicable policies of the state board for community and technical colleges, policies of the higher education personnel board, collective bargaining agreements, or state statute.

Adopted December 9, 1992

2.P.87 Nepotism Policy-Basic Nepotism Policy (WAC 495D-113-030)

In the appointment of its faculty and staff members, the college district seeks those persons best qualified to fulfill the institution's teaching and service obligations. Accordingly, members of the same family may

be appointed to faculty and staff positions when it has been determined that they are the most qualified candidates for the positions. However, a person may not be hired into a position that would result in a relationship where an employee is involved in the recruitment, screening, appointment, termination of appointment, promotion, demotion, approval of salary increase or decrease, supervision, or evaluation of a member of the employee's family or of a person with whom the employee shares a substantial economic interest. Otherwise, family relationships shall not be used as a basis for granting or denying employment rights, privileges, or benefits.

Adopted December 9, 1992

2.P.90 Practice And Procedure-Adoption of Model Rules of Procedure (WAC 495D-108-010)

The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250 are adopted for use at this college. Those rules may be found in chapter 10-08 WAC. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and procedural rules adopted by this college, the college rules prevail.

Adopted July 8, 1992

2.P.91 Practice And Procedure-Appointment of Presiding Officers (WAC 495D-108-020)

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

Adopted July 8, 1992

2.P.92 Practice And Procedure-Method of Recording (WAC 495D-108-030)

Proceedings shall be recorded by a method determined by the presiding officer, among those available under the model rules of procedure.

Adopted July 8, 1992

2.P.93 Practice And Procedure -Application for Adjudicative Proceeding (WAC 495D-108-040)

An application for adjudicative proceeding shall be in writing. Application forms are available at the following address:

Lake Washington 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.

Adopted July 8, 1992

2.P.94 Practice And Procedure - Brief Adjudicative Procedures (WAC 495D-108-050)

This rule is adopted in accordance with chapters 34.05.482 through 34.05.494 RCW, the provisions of which are adopted by reference. Brief adjudicative procedures shall be used in all matters related to:

1. Residency determinations;
2. Challenges to contents of education records;
3. Student conduct proceedings, except as provided in another rule;
4. Parking and traffic violations;
5. Outstanding debts owed by students or employees;
6. Loss of eligibility for participation in college-sponsored activities;
7. Denials of requests for public records.

Adopted July 8 1992

2.P.95 Practice And Procedure- Discovery (WAC 495D-108-060)

Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall refer to the civil rules of procedure. The presiding officer may control the frequency and nature of discovery permitted, and order discovery conferences to discuss discovery issues.

Adopted July 8 1992

2.P.96 Practice And Procedure - Procedure for Closing Parts of the Hearings (WAC 495D-108-070)

Any party may apply for a protective order to close part of a hearing. The party making the request shall state the reasons for making the application to the presiding officer, and serve copies on all other parties. If another party opposes the request, a written response to the request shall be made within ten days of the request to the presiding officer. The presiding officer shall determine which, if any, parts of the proceeding shall be closed, and state the reasons in writing within twenty days of receiving the request.

Adopted July 8 1992

2.P.97 Practice And Procedure- Recording Devices (WAC 495D-108-080)

No cameras or recording devices are allowed in those parts of proceedings that the presiding officer has determined shall be closed under chapter 495D-108-070 WAC, except for the method of official recording selected by the college.

Adopted July 8 1992

2.P.99 Rules Coordinator (WAC 495A-134-010)

The rules coordinator for Lake Washington Institute of Technology as designated by the president is:
Vice-President

Administrative Services
Lake Washington Institute of Technology
11605 132nd Avenue Northeast
Kirkland, WA 98034-8506

Adopted July 8, 1992

Resources:

1. Office of Financial Management (State Administrative and Accounting Manual)
<http://www.ofm.wa.gov/policy/default.asp>
2. Revised Code of Washington
<http://apps.leg.wa.gov/rcw/>
3. Washington Administrative Code
<http://apps.leg.wa.gov/wac/>

2.P.15, 2.P.16, 2.P.37 Revised and Adopted February 3, 2014

2.P.12 (Deleted), 2.P.22 (New Section), 2.P.50-2.P.63 (Revised); Adopted February 5, 2018