



## **Bates Technical College Bylaws and Policies**

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**Chapter 1 - Bylaws [100] (Adopted 10/91 – Revised 6/92)**

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**BYLAWS [100]**

**Article I**

[101]

**I. NAME, COMPOSITION AND POWERS OF THE BOARD OF TRUSTEES**

[101.1]

*Section 1, Name.* The name of the governing board of this college shall be the "BOARD OF TRUSTEES OF BATES TECHNICAL COLLEGE DISTRICT TWENTY-EIGHT," hereinafter referred to as the "Board".

[101.2]

*Section 2, Appointment.* The Board is composed of five members appointed by the Governor of Washington State for five-year terms, with the consent of the Senate.

[101.3]

*Section 3, Removal.* No member of the Board shall be removed during the term of office for which he/she is appointed except as prescribed in RCW 28B.50.100, RCW 28B.50.140, and RCW 28B.50.142. The Board observes the general statutes of the state of Washington and policies and regulations governing technical colleges approved by the State Board for Technical College Education.

[101.4]

*Section 4, Composition and Powers.* The form and composition of the Board, its duties and its powers, are prescribed in RCW 28B.50.100, RCW 28B.50.140 and RCW 28B.50.142. The Board observes the general statutes of the state of Washington and policies and regulations governing community technical colleges approved by the State Board for Community and Technical Colleges.

[101.5]

*Section 5, Exercise of Powers.* The Board shall act only at meeting called and held as provided herein. Any action taken by the Board requires three affirmative votes. Three members of the Board shall constitute a quorum for transacting business. It requires three affirmative votes to take action.

The Board should always act as a unit. It governs the college as a body representing the people, and individual members have no authority singly. No member can bind the Board by work or action, unless it has in its corporate capacity designated him/her as its agent for some specific purpose and then he/she can go no further than he/she has been empowered, even during a regular meeting of the Board, its control is exercised as a body and the individual member has no right beyond his/her own voice in any matter.

[101.6]

*Section 6, Policies and Procedures.* The Board from time to time may adopt policies and procedures, not inconsistent with these bylaws for the governance of the college and the conduct of the business of the Board, and may amend or repeal the same, in whole or in part, as it may be advised after notice given as hereinafter provided, provided that no policy or procedure shall be adopted, amended, or repealed except by affirmative vote of the majority of the Board when a quorum is present.

[101.7]

*Section 7, Legislative Matters.* The Board and the President or his/her designee(s) shall represent the Board and the College in all matters requiring action by the legislature or by officers of the state of Washington.

[101.8]

*Section 8, Contracts.* Except when specifically authorized by the Board, no Trustee may make or enter into any contract on the behalf of the College.

[101.9]

*Section 9, Compensation.* No trustee shall receive salary for his/her services as a trustee. A trustee may be reimbursed for expenses incurred by reason of his/her attendance upon any meeting of the Board or a committee thereof or in the performance of other official business of the trustees in accordance with existing statute.

[101.10]

*Section 10, Fiscal Year.* The fiscal year of the Board shall conform to the fiscal year of the state of Washington and shall be from July 1 to June 30 inclusive.

## **Article II**

[102]

### **II. OFFICERS OF THE BOARD**

[102.1]

*Section 1, Designation of Officers.* The officers of the Board shall be Chair, Vice Chair, and Secretary. The Chair and Vice Chair shall be members of the Board. The Secretary will be the College President.

[102.2]

*Section 2, Election of Chair and Vice Chair.* The Board shall elect the Chair and Vice Chair annually at the regular June meeting of the Board. In the event of an interim vacancy in the office of the Chair or Vice Chair, successors may be elected to hold office for the unexpired term.

## **Article III**

[103]

### **III. POWERS AND DUTIES OF THE OFFICERS**

[103.1]

*Section 1, Chair and Vice Chair.* The Chair of the Board shall preside at meeting of the Board. In the event of his/her absence or inability to act, the Vice Chair shall preside.

In case of the absence of the Chair and Vice Chair from any meetings of the Board, or in the case of the inability of both of the two to act, the Board may elect for that meeting a Chair PRO TEMPORE, AND may authorize such Chair PRO TEMPORE to perform the duties and acts authorized or required by said Chair or Vice Chair to be performed, as long as the inability of these said officers to act may continue.

The Chair of the Board, in conjunction with the Secretary, shall be responsible to establish a yearly budget for the Board and monitor such budget, approving all proposed withdrawals from it for any purpose except reimbursement provided by law for trustees to attend regular and special Board meetings. The Chair shall designate representatives from the Board to represent the Board at state and national meetings.

[103.2]

## Chair of the Board

[103.2.1]

- A. When present, to preside at all meetings and decide on questions of order.

[103.2.2]

- B. To appoint members of the Board to serve on special committees as approved by the Board.

[103.2.3]

- C. To execute all contracts approved by the Board and other official documents legally requiring the signature of the Chair of the Board, such as resolutions, general obligations and revenue bonds.

[103.2.4]

- D. To call special meetings of the Board as required.

[103.2.5]

- E. To represent, when possible, the Board at meetings of Trustee organizations to which the District belongs.

[103.2.6]

- F. To perform any other duty formally assigned by the Board, or by the state statute.

[103.3]

## Vice Chair of the Board

[103.3.1]

- A. To perform all duties of the Chair of the Board in the absence or disability of the Chair.

[103.3.2]

- B. To discharge such other functions as the Chair of the Board may request from time to time.

[103.4]

*Section 2 , Secretary.* The secretary shall assist all committees of the Board as required by them, and shall cooperate with all other officers of the Board as may be requested by them in the performance of their duties.

The secretary may certify to any action of the Board or its committees, or to the identity, appointment and authority of officers of the Board, or to the provisions of the Board Bylaws.

The secretary shall cause to be filed or recorded in appropriate offices of public record, or posed, or published, as may be required by law or as may be necessary for the protection of the college, documents and notices which it is necessary or appropriate for him/her to file, or record, or post, or publish, in the performance of his/her duties.

The secretary is authorized, in the name of the Board, to sign receipts an acknowledgements, and notices and declarations, as may be appropriate or necessary in the performance of his/her duties as ordered by the Board.

Information and materials pertinent to a proposed action item to be placed on the agenda of all regular meetings must be received by the secretary of the Board at least two weeks prior to a regular meeting date. The secretary will mail the agenda and supporting materials to the Board members and announce the meeting publicly one week prior to the meeting date. The Chair and secretary may, however, present a matter of important business after the mailing has been made, if in their judgment the matter is of an important nature.

The secretary shall execute or attest to all contracts, deeds, leases, notes, mortgages, deeds of trust, bonds, indentures, warrants, undertakings, powers of attorney, releases and satisfactions of mortgages and indebtedness, reconveyances under deeds of trust, and all other releases, when the same have been authorized to be executed by order of the Board.

All business transacted in official board meetings shall be recorded in minutes, approved by the Board in subsequent meetings, and filed for reference after being signed by the secretary and Chair of the Board.

The secretary shall be responsible for Board correspondence, compiling the agenda of meetings and distributing the minutes of the meetings, and distributing the minutes of the meetings and related reports.

The office of the secretary shall be the official office of the Board. All records and minutes of the Board shall be kept in the office.

The secretary will announce all special meetings of the Board at least twenty-four (24) hours prior to the meeting time. The agenda of the special meeting will be determined at the time of the official call for such meeting. No business shall be transacted or official action taken other than the purpose for which the special meeting was called.

The secretary may arrange study sessions prior to regular or special meetings of the Board with the approval of the Chair of the Board. Study sessions constitute special meetings of the Board and shall be announced as such by the secretary.

The secretary or his designee, must attend all regular and special meetings of the Board, and official minutes must be kept of all such meetings.

The secretary will provide each new member of the Board a copy of these policies and other information as necessary to assist in orientation of the new member to his/her duties and responsibilities.

[103.5]

*Section 3, Special Authority of Officers.* The Officers of the Board shall have such powers and shall perform such duties in addition to those in this constitution set forth as may be delegated to them by the Board.

#### **Article IV**

[104]

#### **COMMITTEES**

[104.1]

*Section 1, Special Committees.* Special Committees may be appointed by the Chair of the Board upon authority of the Board with such powers and duties as the Board may determine, provided that no Special Committee shall act for more than one year from the date of appointment, and shall be considered discharged upon the expiration of said year, unless specifically authorized by the Board at the time of its appointment, or from year to year, to act for a longer period.

[104.2]

*Section 2, Proceedings of Special Committee Meetings.* Proceedings of the special committee meetings shall be reported at the next regular meeting of the Board.

#### **Article V**

[105]

#### **V. MEETINGS**

[105.1]

*Section 1, Regular Meetings.* Regular meetings of the Board shall be held monthly unless canceled by direction of the Board or the Chair of the Board.

At the May meeting of each year, a schedule of regular meetings shall be adopted for the ensuing fiscal year and filed with the State Code Reviser for inclusion in the Washington State Register.

All matters to be placed upon the written agenda shall be transmitted to the Secretary of the Board.

[105.2]

*Section 2, Special Meetings.* The Chair of the Board, or any three members thereof, may call special meetings of the Board at any time by requesting the secretary to give at least twenty-four hours notice.

The agenda and its order may be different than the order of business provided for regular meetings. Any matter relating to the college may be considered at any meetings, with the exception that the Board cannot take action on any item not included on the agenda of a special meeting.

[105.3]

*Section 3, Executive Sessions.* The Chair of the Board shall be responsible to conduct executive sessions only as prescribed by law. He/She shall announce the purpose of the executive session, the time the Board will be in executive session, and notify interested parties if the executive session is to continue beyond the announced period of time. He/She shall permit no official business to be conducted in executive session and shall preside over the executive session for the following purposes:

[105.3.1]

- A. To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price;

[105.3.2]

- B. To consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price. However, final action selling or leasing public property shall be taken in a meeting open to the public;

[105.3.3]

- C. To review the progress of negotiations with the Labor/Management contracts and on the performance of publicly bid contracts when public knowledge regarding such consideration would cause a likelihood of increased costs;

[105.3.4]

- D. To receive and evaluate complaints or charges brought against a public officer or employee. However, upon the request of such officer or employee, a public hearing or a meeting open to the public shall be conducted upon such complaint or charge;

[105.3.5]

- E. To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW 43.30.140 (4) discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action on hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public;

[105.3.6]

- F. To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

[105.4]

*Section 4, Public Meeting.* All regular and special Board meetings are open to the public; provide, however, the Chair may call an executive session when permitted by Washington State law at which a member of the general public shall not be present unless invited.

Public votes and public records shall be open to the public for inspection and duplication.

[105.5]

*Section 5, Required Vote.* An affirmative vote of a majority of all trustees (or approval) shall be required for adoption of any matter upon which the Board votes.

The Chair of the Board, or other presiding officer, shall have a vote upon all questions and may engage in general discussion.

A member abstaining from voting on any matter shall voice such abstention for recording in the minutes.

[105.6]

*Section 6, Action by Resolution.* When exercising the general powers of the Board, the following shall be by resolution:

[105.6.1]

A. Establishment of general college policies.

[105.6.2]

B. Fixing and determining educational policy and curriculum.

[105.6.3]

C. Policies involving terms and conditions of employment of college personnel.

[105.6.4]

D. Fixing the compensation of the College President.

[105.6.5]

E. Fixing and determining tuition rates and other fees.

[105.6.6]

F. Entering into contracts and agreements, when applicable.

[105.6.7]

G. Any proceedings for eminent domain.

[105.6.8]

H. Delegation to the President or a named designee of any of the powers and duties vested in the Board.

[105.7]

*Section 7, Action by Motion.* Generally, all other action taken by the Board and not falling in the categories listed in Section 1.5080 will be by motion of the Board and passed by a majority vote at a regular or special meeting. This would include the following:

[105.7.1]

A. Acting upon routine approvals of the Board at a regular or special meeting covering such matters as:

1. Serving as final adjudicating body for students, employees, and citizens on matters of policy and interpretation.

2. Considering communications and requests from citizens and organizations on matters of policy and interpretation.
3. Adoption of rules of order.
4. Appearances before the Board.
5. Appointment of special committees.
6. Adoption of annual budgets.
7. Other items which may come to the Board's attention.

[105.8]

*Section 8 . Quorum.* Three trustees shall constitute a quorum of the Board for the transaction of business at any regular or special meeting of the Board.

[105.9]

*Section 9 . Rules of Procedure.* Except as otherwise specified here, the proceedings of the Board shall be governed by the rules prescribed in Robert's Rules of Order Newly Revised.

[105.10]

*Section 10, Order of Business of the Board.* The following shall be the order of business at each regular meeting of the Board:

1. General Matters
  - A. Call to Order
  - B. Changes or Additions/Approval of Agenda
  - C. Approval of Minutes of Previous Meetings
  - D. Introduction of Guests/Presentations
  - E. Correspondence
  - F. Information Reports/Remarks
2. Unfinished Business
3. New Business

4. Citizen Remarks
5. Board Member Reports/Remarks
6. Executive Session (when called)
7. Board Action as a Result of Executive Session (when necessary)
8. Next Meeting
9. Adjournment

The order of agenda items may be altered at the discretion of the Board Chair.

[105.11]

*Section 11, Agenda.* At least seven days prior to each regular meeting the secretary shall mail or distribute to each member of the Board an agenda setting forth all substantive matters to be considered at the meeting.

As to those matters which are the subject of consideration and recommendation after the mailing of said agenda, a detailed report shall be made to the Board at its meeting.

[105.12]

*Section 12, Minutes.* Minutes of each meeting of the Board shall be part of the mailing of the agenda for the next meeting.

[105.13]

*Section 13, Communications.* Communications for the presentation to the Board shall be in writing and shall be presented by the President at the next regular meeting following their receipt.

[105.14]

*Section 14, Presentations to the Board.* Any interested individual or organization, upon written request to and receipt by the Secretary's office at least two weeks in advance of the next scheduled Board meeting, may request advance of the next scheduled Board meeting, may request that any relevant matter concerning the college be placed on the Board meeting agenda. The Chair, however, waive this two-week notification procedure if sufficient emergency exists.

The following format shall be used by individuals or organizations in making their request for additions to the Board meeting agenda:

[105.14.1]

A. Title of the items to be considered;

[105.14.2]

B. A brief descriptive background which includes relevant facts and documentary evidence, including written materials, personal interviews, expert testimony or matters of record;

[105.14.3]

C. Identification of the requesting party, including relevant organizational affiliations and job titles.

It shall be the prerogative of the Board not to take any action on matters that come before the Board by such presentations.

In the case of all presentations to the Board on behalf of organizations, special interest groups, and other multi-member bodies, testimony shall normally be limited to one individual representative.

In the case of all presentations, the Board reserves the right, without notice, to limit the length of any particular presentation or to reschedule presentations when, in its judgment, the demands of public business before the Board necessitate making such limitations.

It is the intent of the Board that procedures set forth in this bylaw shall be liberally interpreted to the end that all interested citizens and organized groups shall be able to address the Board on any matter relevant to its responsibilities and duties in the operations of the College. Notwithstanding any of the provisions of this section, impromptu comments or questions may be presented at any meeting of the Board consistent with the provisions of Chapter 42.30. RCW, the open public meeting act. The Chair shall have the right to limit the length of time of any presentation.

## **Article VI**

[106]

### **I. BOARD LEGISLATION**

[106.1]

*Section 1, Classification of Board Legislation.* Legislation by the Board shall be classified as (a) Bylaws and (b) Policies and Procedures. Such legislation shall be classified by the Secretary of the Board with the advice and consent of the Board, previous to or at the time of the adoption of the legislation.

[106.2]

*Section 2, Bylaws of the Board.* Legislation concerning the organization and functions of the Board itself shall be classified as Bylaws of the Board.

[106.3]

*Section 3, Policies and Procedures.* Legislation concerning the basic structure of the internal operating organization of the college shall be classified as policies and procedures.

[106.4]

*Section 4, Amendment of Board Legislation.*

[106.4.1]

- A. No Bylaw shall be adopted, repealed, or amended, except by affirmative vote of three trustees at a meeting of the Board, and unless notice of intention to propose, or repeal, or amendment of such Bylaw, including a draft thereof, shall have been given at least one week prior to said meeting.

[106.4.2]

- B. Policies and Procedures may be changed or amended and additional Policies and Procedures adopted at any regular or special meeting of the Board by a vote of the majority of the total membership of the Board, provided that notice of the intention to change, amend, or add to the policies and procedures in whole or in part (which notice may be included in the call for the meeting) shall have been given to the members of the Board, and provided further that other Board policies or agreements or amendment procedures are not violated. Such notice shall be in writing and shall include the exact wording proposed.

[106.4.3]

- C. Changes, amendments, and additions shall be upon formal motion, indicating specifically the change in, amendment of, or addition to the policies and procedures that is intended. An action of the Board which fails to embody such indication shall not have the status of a regulation.

## **Article VII**

[107]

### **I. AMENDMENTS**

[107.1]

*Section 1, Procedure.* The Bylaws of the Board may be revised by majority vote of the Board at a regular meeting of the Board. Nothing in the Bylaws or any act or failure to act by the Board shall be construed or operate as an abridgment of any rights, powers, or privileges of the Board.

**Chapter 2: General Policy Statement [200] (Adopted 11/91 - Revised 9/94; Section X - 1/96, 2/99)**

- I. Advisory and Legislative Function of the Board of Trustees
- II. Authority of the Board of Trustees
- III. Delegation of Authority to the President
- IV. Delegation of Authority - Director of Personnel
- V. Delegation of Authority - Vice President of Business & Finance
- VI. Relationship to Other College Bodies
- VII. College Foundation
- VIII. Recognition of Community Contributors
- IX. Awards Process
- X. Policy Making Process
- XI. Consideration and Action for Tenure
- XII. Technology

[201]

**I. ADVISORY AND LEGISLATIVE FUNCTION OF THE BOARD OF TRUSTEES**

Although the Board of Trustees may initiate policy, for the most part it functions in an advisory and legislative manner. It delegates to the President duties which are initiatory and executive. It is the function of the Board to approve, modify or reject policies proposed in the light of all available objective evidence. The President develops with his/her administration, faculty and staff, the educational and other programs for consideration, and the Board furnishes the necessary legislation and authority for the President to carry them out effectively. It is the Board's position that sound administration springs from professional leadership and lay control.

The above does not in any way restrict the Board of Trustees from expressing its opinion on educational issues or matters of institutional welfare including long range planning.

The Board of Trustees should seldom, if ever, concern itself with the details of administration. Upon the basis of recommendations and data presented by the President, it should determine how in general the various problems and administrative tasks are to be solved and leave it to the President to apply the policies decided upon. Whenever a case arises where no policy has been established, the President will analyze the situation and determine the issue upon which the Board need to act, and it will then be the function of the Board to establish a policy. After the Board has acted, the President will apply the new policy to all particular cases.

[202]

**II. AUTHORITY OF THE BOARD OF TRUSTEES**

The Board of Trustees, under RCW 28B.50.140, reserves unto itself the following authority (unless specifically delegated in particular instances by definite resolution passed by the Board):

[202.1]

A. To organize, administer and conduct the business of the Board of Trustees including the following responsibilities:

1. Establish and maintain college mission, goal and objectives statements to guide the administration of the college and to monitor their implementation.
2. Develop, with the college staff, the long-range plans for the college.
3. Develop and maintain a Board Policy Manual to guide the administration of the College.
4. Serve as an advocate for the College with the general public and other levels of government.
5. Establish the college's legislative action program and work with the President to develop support from all segments of the college community.
6. Evaluate institutional, Presidential and Board performance.

[202.2]

B. To employ a college president and set his/her salary and the terms and conditions of his/her employment.

[202.3]

C. To authorize any additional or new positions at the Director level.

[202.4]

D. To select the Board's delegated representative(s) in professional negotiations and collective bargaining.

[202.5]

E. To approve and execute negotiated agreements with bargaining agents for academic employees and classified staff.

[202.6]

F. To award and deny tenure and dismiss and/or lay off faculty members.

[202.7]

G. To approve the annual college operating budget and authorize submittal of the capital budget request to the State Board for Technical College Education.

[202.8]

- H. To approve revisions or reductions to the adopted budget involving a transfer of \$100,000 or more from one object to another or additions of \$100,000 to an object.

[202.9]

- I. To authorize requests for funding or grant applications including nonappropriated funds in excess of \$50,000.

[202.10]

- J. To authorize request to the State Board for Community and Technical Colleges for the purchase or long-term lease (for two years or more) of real property and leases involving new programs or new locations.

[202.11]

- K. To enter into agreements with public agencies pursuant to the Interlocal Cooperation Act (Chapter 39.34 RCW).

[202.12]

- L. To enter into major contracts for amounts in excess of \$100,000.

[202.13]

- M. To accept gifts, grants, conveyances, devices, bequests of real or personal property from private sources valued in excess of \$10,000 and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof.

[202.14]

- N. To establish dormitories, food service facilities, bookstores and other self-supporting facilities.

[202.15]

- O. To borrow money and issue and sell revenue bonds or other evidences of indebtedness.

[202.16]

- P. To approve the initiation or the discontinuation of educational programs of study that lead to the award of a degree and/or a certificate of completion.

[202.17]

- Q. To retain the responsibility for the expenditure of state funds by the College and its agents and employees.

[202.18]

- R. To adopt, amend or repeal rules pursuant to the Higher Education Administrative Procedure Act (Chapter 28B.19 RCW).

[202.19]

- S. To exercise all authority expressly reserved to the Board of Trustees in rules which have been or are hereafter adopted or amended by the Board pursuant to the provisions of Higher Education Administrative Act (Chapter 28B.19.RCW).

[202.20]

- T. To retain all authority which may be hereafter delegated to the Board of Trustees by the Legislature of the State of Washington, unless such authority is expressly delegated to the President or his designee.

[203]

### III. DELEGATION OF AUTHORITY TO THE PRESIDENT.

The President shall be directly responsible to the Board of Trustees. He/she shall carry out all rules, regulations, orders, directives and policies established by the Board and shall perform all other duties necessary or appropriated for the Board. The essence of the relationship between the Board and the President shall be of full mutual confidence and completely open communication.

The Board of Trustees specifically delegates to the President the authority:

[203.1]

- A. To act as the chief executive officer of the college and to supervise all operations and programs of the College.

[203.2]

- B. To be the appointing authority for all administrative exempt personnel and to set their salary.

[203.3]

- C. To be the appointing authority for all full-and part-time faculty and set their salary levels in accordance with the Board of Trustees and faculty Association contract agreement.

[203.4]

- D. To make budget revisions of less than \$100,000.

[203.5]

- E. To request funding or grant applications, including nonappropriated funds under \$50,000.

[203.6]

- F. To sign contracts for amounts less than \$100,000.

[203.7]

- G. To sign contracts and agreements for educational programs and services.

[203.8]

- H. To accept gifts, grants, conveyances, devices, bequests of real or personal property from private sources.

[203.9]

- I. To dispose of surplus property.

[203.10]

- J. To establish schedules for services and activities and special fees charged by the college.

[203.11]

- K. To establish procedures for the refund of tuition and fees for students who withdraw from a class or program of study, provided said procedures are within parameters set forth in RCW 28B.15.600.

[204]

#### IV. DELEGATION OF AUTHORITY - DIRECTOR OF PERSONNEL.

The Board of Trustees delegates to the Director of Personnel the authority to hire classified employees and other employees not specifically designated to the President.

[205]

#### V. DELEGATION OF AUTHORITY - VICE PRESIDENT OF BUSINESS AND FINANCE.

The Board of Trustees delegates to the Vice President of Business and Finance services the authority:

[205.1]

A. To invest funds

[205.2]

B. To approve travel advances

[205.3]

C. To sign checks in accordance with RCW 28B.50.320.

[206]

#### VI. RELATIONSHIP TO OTHER COLLEGE BODIES.

Unless as provided in specific Board approved policy or stat law, all substantive recommendations of college groups will be reviewed by the President who shall transmit them to the Board Chair with his/her comments. The Board Chair will determine if such recommendations are to be placed on the agenda for Board review and action.

The Board of Trustees may delegate to college groups or individuals certain appropriate operating responsibilities, provided that such delegation shall in no way set aside the authority or final responsibility of the President of the college, nor the policies or authority of the Board of Trustees itself. All such delegated responsibility may be revoked by the Board of Trustees by action in regular meeting.

[207]

#### VII. COLLEGE FOUNDATION

The Board of Trustees authorizes the use of the Bates Technical College name in the establishment and operation of a college foundation and directs the administration to support its operation.

[208]

#### VIII. RECOGNITION OF COMMUNITY CONTRIBUTORS

[208.1]

#### A. PURPOSE

The Board of Trustees of Bates Technical College realizes that contributions of community members and organizations greatly influence the on-going success of the college.

As a way of recognizing corporations, businesses, industries, associations, civic groups and individuals who support vocational-technical education and the growth of the college, the Board of Trustees shall establish a program to honor and recognize community contributions.

The Board directs the President to recommend an award process which can be utilized by the Board in recognizing those special contributions. The process shall differentiate levels of contribution, with appropriate honor and recognition for each category.

[208.2]

#### B. AWARDS

Awards may include, but are not limited to:

1. Proclamation For outstanding contributions to a specific job training program through the advisory committee.
2. Plaque For outstanding, continued program advisory committee leadership and contributions for program direction and growth.
3. Celebration Day With proclamation, plaque, luncheon and other appropriate activities, for outstanding, continued leadership and support of vocational-technical education through college and local community activities.
4. Room Naming For outstanding contributions and leadership at the local and regional level in support of Bates and vocational-technical education.
5. Building Naming For outstanding, continued leadership and contributions to further vocational-technical education and Bates Technical College at the state, regional, and national level.

[209]

#### IX. AWARDS PROCESS

[209.1]

#### A. PURPOSE

The purpose of this procedure is to establish a mechanism to honor and recognize support of vocational education and Bates Technical College.

Bates wishes to establish a means by which people are recognized for the prestige and pride they bring to the college and vocational-technical education training through their achievements or contributions.

[209.2]

#### B. SELECTION PROCESS

A Recognition Committee shall be named and appointed by the college president with representatives from the following groups:

1. President's Office
2. Student Government
3. Student Services Office
4. Vocational Instruction Office
5. Public Affairs Office
6. Instructional Staff
7. Classified Staff
8. Others, as appropriate

The committee shall determine its meeting time and schedule in order to plan, develop, and implement annual recognition, nominations and activities.

[209.3]

#### C. NOMINATION CATEGORIES

There will be at least three categories of recognition considered each year for achievement or contribution:

1. Community members
2. Staff
3. Advisory Committee members

The committee may determine additional categories with a majority vote of its membership.

[209.4]

#### D. NOMINATION QUALIFICATION

To qualify for consideration this recognition process will be used. Nominees must have made a significant contribution that has had a positive impact upon the college.

Other qualifications will be determined by the Recognition Committee.

[209.5]

#### E. NOMINATION PROCEDURE

1. Nominations shall be presented in writing to the Recognition Committee using the nomination form developed which will indicate the person submitting the nomination.
2. The nomination deadline for each year will be determined and announced by the committee.
3. Requests for nominations shall be made each year by special notices, press releases, and items in regularly published newsletters.
4. A nomination form shall be completed for each nominee and entered into a master file of nominees. The form shall reflect the criteria to be considered in the selection of recipients.

[209.6]

#### F. SELECTION PROCEDURE

1. At least one meeting of the Recognition Committee will be specified for the nomination of annual recognition recipients. A simple majority of the Committee shall be required for a quorum at this meeting.
2. The Committee shall determine the number of recipients to be nominated in each of the nomination categories. It is not a requirement that a nominee be selected from each category each year.
3. Recipients shall be selected based upon established criteria and a point number system developed by the Committee prior to the selection process.
4. The names of those nominated for recognition by the Recognition Committee will be submitted to the Board of Trustees for their consideration and action.

[209.7]

#### G. RECOGNITION FOR AWARD RECIPIENTS

Depending on the level of contribution, award recipients will be honored in appropriate ways to include but not be limited to any of the following:

1. Proclamation
  - a. For significant contributions to a specific job training program.
2. Plaque
  - a. For outstanding, continued program leadership and contributions for program direction and growth.
3. Celebration Day
  - a. Proclamation, plaque, luncheon and other appropriate activities, for outstanding, continued leadership and support of vocational-technical education through college and local community activities.
4. Room and Building Naming
  - a. For outstanding contributions and leadership at the local and regional level in support of Bates Technical College and vocational-technical education.

[210]

#### X. POLICY DEVELOPMENT

The Board of Trustees has the responsibility for adopting policies governing the operation of the college, and therefore, establishes the following guidelines of the development and implementation of those policies.

[210.1]

- A. The President has the responsibility for developing and recommending policy to the Board, and implementing Board policy.
  1. In the process of developing and implementing policy, the President will ensure that all affected and interested parties of the college have had an opportunity for input and comment.
  2. In recommending new policies and revisions, the President will provide a summarization of the development and consultation process.

3. When the policy evolves from Federal Law, Washington Law, or Agency regulation, the policy will be reviewed by college legal counsel prior to Board action. (Section X - adopted 1/96; Revised 2/17/99)

[211]

## XI. CONSIDERATION AND ACTION FOR TENURE

The Board of Trustees for Bates Technical College reserves final authority under RCW 28B.50.851 to grant tenure to the faculty.

To assure that due consideration for tenure is given to those probationary candidates, the Board establishes the following procedure.

[211.1]

A. To be considered for tenure, the Board requires:

1. A written recommendation from the candidate's Tenure Review Committee and the college president, all supporting information utilized by the assigned Tenure Review Committee, and such other information as the Board may require, be made available to the Board thirty (30) days prior to the scheduled date for action on tenure.
2. Those candidates seeking tenure and the assigned review committee chair will attend the executive session to answer questions from the Board and provide any further information as requested by the Board.

[211.2]

B. To take action on tenure the Board will:

1. Consider tenure in February each year, unless special circumstances require action at a different time.
2. Review the recommendation of the Tenure Review Committee and the recommendation of the college president.
3. Not grant tenure until the third year of probation, as a general practice.
4. Consider extending the probationary period one, two or three quarters, excluding summer, beyond the end of the third year, upon formal recommendation of the assigned review committee and with written consent of the candidate.
5. Provide in writing to the candidate its final decision to grant tenure, deny tenure, or continue probation.

[212]

## XII. TECHNOLOGY

It shall be the policy of Bates Technical College to provide a comprehensive range of appropriate technologies to support a wide range of instruction and learning and to allow faculty and student to interact in learning environments independent of time or pace. Bates Technical College shall also make use o appropriate technologies for the efficient management and administration of College internal and external business and operations.

[212.1]

- A. The long-range technology plan of the college will reflect the Board's technological commitment.

[212.2]

- B. The college will budget annually to sustain the Board's technological commitment.

[212.3]

- C. The college will adopt safeguards to ensure technology security, privacy and compliance to applicable laws, and contractual agreements.

[212.4]

- D. The college will provide access to technology resources to its community, including but not limited to:

- students,
- staff,
- faculty,
- trustees, and the
- public in the form of electronic information

[212.5]

- E. For the purpose of insuring quality delivery of service, the college will provide training in the use of technology to staff, including the following categories:

- administration

- classified staff
- faculty
- trustees

[212.6]

F. The college will develop incentives for faculty and staff that further the use of technology within the internal structure of the college.

**Chapter 3: Personnel Policies [300] (Adopted 6/92 – Revised Section III.A.7 – 10/93; III.J 10/95; III.C 12/97. Revised 12/08).**

- I. Philosophy
- II. Purpose
- III. General Personnel Information
- IV. Recruitment and Selection
- V. Full-Time Faculty
- VI. Part-Time/Hourly Faculty
- VII. Administrators and Other Exempt Personnel
- VIII. Classified Employee

[301]

**I. PHILOSOPHY**

The Board of Trustees has determined that the establishment and implementation of an effective personnel management system is vital to the attainment of the mission of the College. The policies of personnel administration outlined in this section are guides to achieve that end. The Board of Trustees directs the President to develop policies to assure an effective personnel administrative system and the President will direct designated administrative personnel to develop regulations and procedures to implement these policies in accordance with tenure laws and other related Washington State codes and regulations; and will further direct all persons delegated the authority to direct and supervise personnel to adhere to the rules and procedures so that consistent personnel standards will be available to all without regard to sex, race, color, religion, age, national origin, physical handicap or any other protected class.

[302]

**II. PURPOSE**

The Board of Trustees, recognizing the mission of the College, directs the President to develop and maintain a productive supportive environment for all staff to function within the established College guidelines. In order to meet this challenge the following needs will be met:

[302.1]

- A. Fair, sensitive, and non-bias hiring practices will be developed to establish a diverse workforce in which all can function successfully.

[302.2]

- B. Establish and maintain an effective staff development program for staff, constantly re-evaluating and upgrading for the changing needs of the workplace.

[302.3]

C. Provide opportunities for all to work toward advancement in the workplace.

[302.4]

D. Provide an atmosphere of working together as a team to the fulfillment of the college mission.

[303]

### III. GENERAL PERSONNEL INFORMATION

[303.1]

#### A. Equal Opportunity

In order to further the principles of equal opportunity, which is fundamental to the goals and objectives of the College, the Board of Trustees adopts the following general personnel policies.

##### 1. Affirmative Action Plan

The College is firmly committed to prohibiting employment discrimination on the basis of gender, race, color, national origin, sexual orientation or handicapped status throughout the employment process. The College is also firmly committed to an Affirmative Action Plan which will ensure adequate employment opportunities for members of protected groups including but not limited to employee selection, promotion, training and development, compensation, termination, and disciplinary action.

##### 2. Non-Discrimination

The College prohibits discrimination on the basis of race, color, religion, marital status, age, handicap/disability, national origin, sex (gender), sexual orientation, veteran status, or any other prohibited basis in accordance with Title VII, Civil Rights Act of 1964 as amended, Title IX, Federal Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act (ADA) of 1990, and any other applicable federal and state laws.

##### 3. Equal Pay

In accordance with the Federal Equal Pay Act of 1963, the College requires equal pay for equal work regardless of sex.

##### 4. Title IX

The College endorses equal opportunity on the basis of sex in its education

programs and activities, employment therein, or admission thereto, in accordance with Title IX of the Educational Amendments of 1972. The College does not discriminate on the basis of sex in its personnel practices in accordance with Title IX and the Office of Federal Contract Compliance Sex Discrimination Guideline, 41 CFR 60-20.

#### 5. Nepotism

The informal practice which results in the refusal to employ more than one member of a family on the basis of family relationships is not a policy of the College. Qualified persons are actively recruited for all positions and consideration is based solely on merit. Family relationships shall not be used as basis for denying right, privileges or benefits of regular appointment of regular job status. However, when employing a family member, to avoid a conflict of interest, no family member will not be in a position to evaluate, audit the work of, or discipline another family member.

#### 6. Disabled and Vietnam Era Veterans

The College employs, advances in employment, and otherwise treats qualified disabled veterans and veterans of Vietnam era without discrimination based upon their disability or veteran status in all employment practices such as hiring, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay, or other forms of compensation, and selection or training including apprenticeship.

#### 7. Reasonable Accommodation

In accordance with the Americans with Disabilities Act (ADA) of 1990, the College is committed to providing reasonable accommodation to the known disability of an otherwise qualified applicant or employee in all employment-related matters. Persons with disabilities have the right to request reasonable accommodations, providing equal access to job opportunities in employment.

#### 8. Age

In accordance with the Federal Age Discrimination Act of 1975, Age Discrimination in Employment Act of 1967 and Amendment of 1978; and State of Washington, Chapter 49.60 RCW, the College does not discriminate on the basis of age in employment practices.

[303.2]

### B. Sexual Harassment

Sexual harassment includes unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature carried out by someone in the workplace or educational setting. Such behavior may offend the recipient, cause discomfort or humiliation, or interfere with job or school performance.

Administrators and associate directors must make it clear to their staff and students that sexual harassment is prohibited and is grounds for disciplinary action. All areas and activities of Bates Technical College shall be free from sexual harassment. Anyone who experiences sexual harassment should let the offender know immediately and firmly that you do not appreciate the behavior, or you should immediately contact the area associate director. If additional help or advice is needed, you can speak to the Vice President of Human Resources confidentially without filing a complaint. In some cases suggestions may be given which will enable you to effectively discourage the offender yourself. Other cases may require intervention; if you both agree, the Vice President of Human Resources, or designee, will speak informally with the alleged harasser in an effort to correct the offending behavior and prevent retaliatory behavior.

Students or staff may file a formal grievance of sexual harassment in accordance with College Procedures available in the Human Resources Office. A thorough investigation will be conducted and will protect the rights of both the person making the complaint and the alleged harasser. Findings of discrimination in the form of sexual harassment will result in appropriate disciplinary action.

[303.3]

## C. Ethical Conduct

### Purpose

Bates Technical College Board of Trustees is committed to insuring that all employees of the college adhere to ethical conduct as outlined in chapter 42.52 RCW. No state employee may have an interest, financial or otherwise, direct or indirect or engage in a business or transaction or professional activity, or incur an obligation of any nature that is in conflict with the proper discharge of the state employee's duties.

#### 1. Definition of Employee

The 1996 Code of Ethics Law makes all state officers and state employees subject to its rules. It includes Board of Trustee members and all Bates Technical College employees. Therefore, for purposes of this policy, when the term "state employee" is used, it shall also include "state officers" (chapter 42.52 RCW).

#### 2. Financial Interest in Transactions

No state employee may participate directly or indirectly or be beneficially interested in an activity or transaction that may be made by, through, or under the supervision of the employee.

No state employee may participate in a transaction involving the state in his or her official capacity with any organization or person of which the state employee is an officer, agent, employee or member, or owns a beneficial interest (chapter 42.52 RCW).

### 3. Special Privileges

A state employee may not use his or her official position to secure special privileges for himself or herself or any other person (chapter 42.52.070 RCW).

### 4. Compensation for Official Duties

A state employee may not ask for or receive any compensation from any sources, except the State of Washington, for performing, not performing or delaying his or her official state duties (chapter 42.52.110 RCW).

State employees may seek additional compensation if authorized by:

- a. the laws of the state of Washington
- b. certain entities for the benefit and support of the state employee's agency or state agencies pursuant to an agreement with the state employee's agency

### 5. Gifts –General

A state employee may not take, seek, or solicit, directly or indirectly anything of economic value as a gift, if it could be reasonably expected that the gift, gratuity or favor would influence the vote, action or judgment of the officer or employee, or be considered as part of a reward for action or inaction.

### 6. Gifts -Rule, Exceptions and Limitations

The following items are presumed not to influence a state employee, and may be accepted (chapter 42.52.150 RCW).

- a. Unsolicited flowers, plants and floral arrangements;
- b. Unsolicited advertising or promotional items of nominal value, such as pens and note pads;
- c. Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento or similar item;
- d. Unsolicited items received for the purpose of evaluation or review, if

the employee has no personal beneficial interest in the eventual use or acquisition of the item by the employee's agency;

- e. Information material, publications or subscriptions related to the employee's performance of official duties;
- f. Food and beverage consumed at hosted receptions where attendance is related to the state employee's official duties;
- g. Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization;
- h. Unsolicited gifts from dignitaries from another state or foreign country that are intended to be personal in nature.

The presumption that all items above are presumed not to influence an employee may be overcome based upon the circumstances surrounding the giving and acceptance of the particular item.

7. The term "Gift" as contained in Bates Technical College Policies, Chapter 3, Section III.C.5 above, does not include the following (chapter 42.52.010 (10):

- a. Items received from family and friends if the clear purpose was not to influence the employee;
- b. Items related to an employee's outside business that are customary as long as those items are not related to the recipient's performance of official duties;
- c. Items exchanged at social events by co-workers;
- d. Reasonable expenses for speech(es) or seminar(s) which are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event.
- e. Items that would be returned to the donator or donated to charity within 30 days;
- f. Campaign contributions reported under chapter 42.17 RCW;
- g. Discounts available to employees as members of a broad base group;
- h. Other items specifically permitted by law.

8. Honoraria (Chapter 42-52-130 RCW)

Bates Technical College employees may accept an honorarium except as provided in subsections a) and b) and only with the authorization of the President of Bates Technical College (or designee) prior to undertaking the activity for which the honorarium is paid. For the purposes of this policy, "honorarium" means money or items of monetary value offered for a speech, appearance, article or similar item or activity in connection with the employee's official role.

Permission to receive honoraria may not be granted under any of the following circumstances:

- a. The person offering the honorarium is seeking or expecting to seek a contractual relationship with Bates Technical College, and the employee is in a position to participate in the terms or awarding of the contract;
- b. The person offering the honorarium is supporting or opposing a Bates Technical College regulation or action, and the employee may participate in the enactment or adoption of the regulation or action.

9. Use of State Resources For Personal Benefit College resources shall be used for legitimate college business and for the purpose of promoting organizational effectiveness by enhancing the collegial work environment and supporting the college's mission. This includes furthering the college's educational, research, administrative, and community service purposes. An employee may not use state resources (the office, money, property or personnel) for personal benefit or to benefit another person/organization except where the use of state resources to benefit others is a part of the employee's official state duties (Chapter 42.52.160 RCW). Reasonable exceptions to this section may include occasional de minimus use such as using a state telephone to check on a child or to advise a family member of a late arrival home.

Using resources for personal e-mail or personal web browsing either during or outside of working hours is prohibited, except de minimus use is allowed provided:

- a. There is no cost to the state, or the cost is insignificant or negligible;
- b. It is brief in duration, incidental or infrequent;
- c. It does not create the appearance of impropriety;
- d. It does not distract from or interfere with the conduct of college business or the performance of an employee's duties and responsibilities;

- e. There is no private or personal gain;
- f. It does not undermine public confidence or reflect negatively on state employees generally;
- g. There is no disruption to other state employees and does not obligate anyone to make personal use of state resources;
- h. It does not compromise or present any risk to the security or integrity of college information or software;
- i. It is not offensive, inappropriate, or discriminatory; or religious or political in nature;
- j. It does not violate any college policy or procedure.

Employees may utilize a college computer to take on-line courses for the purpose of self-development or skill enhancement, provided it has been approved by the employee's immediate supervisor and is accomplished during off-duty hours.

#### 10. Confidential Information (Chapter 42.5.050 RCW)

- a. No state employee may accept employment or engage in any business or professional activity that the employee might reasonably expect would require or induce him or her to disclose confidential information acquired by the employee by reason of the employee's official position.
- b. No state employee may disclose confidential information gained by reason of the employee's official position or otherwise use the information for his or her personal gain or benefit or the gain or benefit of another.
- c. No state employee may disclose confidential information to any person not entitled or authorized to receive the information.

#### 11. Employment After Public Service (Chapter 42.52.080 RCW)

- a. A former state employee may not accept employment or compensation from an employer within one year of leaving state employment, if all three of the following conditions are present:
  - 1) The employee during the two years immediately preceding termination of state employment, negotiated or administered a contract with the new employer; and
  - 2) The contract(s) had a total value in excess of \$10,000; and

- 3) The former employee's duties with the new employer would include fulfilling or implementing that contract.
- b. No former state employee may accept an offer of employment or receive compensation from an employer if the employee knows or has reason to believe that the offer of employment or compensation was intended, in whole or in part, directly or indirectly, to influence the employee or as compensation or reward for the performance or nonperformance of a duty by the employee during the course of state employment.
  - c. No former state employee may accept an offer of employment or receive compensation from an employer if the circumstances would lead a reasonable person to believe the offer has been made, or compensation given, for the purpose of influencing the performance or nonperformance of duties by the employee during the course of state employment.
  - d. No former state employee may at any time subsequent to his or her state employment assist another person, whether or not for compensation, in transaction involving the state in which the state employee at any time participated during state employment.
  - e. No former state employee may, within a period of two years following the termination of state employment, have a direct or indirect beneficial interest in a contract that was expressly authorized or funded by specific legislative or executive action in which the former state officer or state employee participated.

## 12. Location of Ethics in Public Service Law

The specific state law regarding this policy is contained in the referenced statutes which are located the Human Resources Department.

## 13. Outcomes Assessment

All new employees of Bates Technical College will be required to complete an orientation ethics program within 90-days of initial employment. Ethics policies and procedures will also be distributed annually to all employees to reaffirm their understanding and compliance. Complaints and or violations will be reviewed and assessed on a quarterly basis to determine if changes in procedures need to be initiated by the Administration Office. (Adopted 12/97)

## 14. Relationships with Students

College faculty employees and staff hold a public trust that obligates them to model the highest standards of integrity and ethical conduct. Their role is to foster public confidence by protecting the health, safety and general welfare of students.

The College's educational mission is promoted by professionalism in faculty, staff and student relationships. An atmosphere of mutual trust and respect must be maintained at all times.

The mission of the College is seriously compromised when those in positions of power or influence over students abuse or appear to abuse their authority. Therefore, establishing and maintaining professional boundaries with students is critical to avoid even the appearance of impropriety.

"Personal relationships" with students are prohibited when faculty or staff:

- a. Have financial, legal, educational or other authoritative influence and/or control over students;
- b. Are involved in the assessment, testing, instruction or supervision of students;
- c. Make decisions on the employment or evaluation of students;
- d. Manage money or property belonging to a student; or
- e. Influence students to purchase equipment, supplies or services from the employee for personal gain. A "personal relationship" is defined as an unofficial, unapproved association established outside the boundaries of an employee's official duties and responsibilities for social, romantic, and/or sexual purpose(s). A pre-existing personal relationship, spousal or other legally binding union may be exempted from this policy with supervisory approval.

This policy is not intended to preclude the personal rights of association and freedom. However, these rights may not conflict with the need for impartiality in College-related decisions. In order to avoid the possibility of an unwelcome, hostile or offensive College environment, employees are prohibited from engaging in a planned, deliberate and/or exclusive interaction with a student, that

- 1) establishes companionship of significant impact on the parties involved; or

- 2) that may give the appearance of a close, personal relationship that is inconsistent with the employee's professional responsibilities to the College; and
- 3) meets one or more of the five conditions listed above. Potential or existing conflicts must be reported to and resolved by the employee's appropriate supervisor.

[303.4]

#### D. Conflict of Interest

Pursuant to the Conflict of Interest Act (RCW 42.18.250) the Board 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 Conflict of Interest 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. Use the power or authority of his/her position to secure anything of direct and substantial economic value; special privileges; or exemptions for himself/herself or others. This includes faculty members requiring students to purchase books, tests, or supplies in which the faculty member has a personal economic interest.
2. 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 college duties or is in conflict with the public interest in his/her capacity as an administrator, faculty member, employee or agent of the College.
3. 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 students to purchase books, tests, or supplies in which the faculty member has a personal economic interest.
4. Engage in any business ventures that parallel his/her assigned functions and make use of "intellectual property" created at public expense. 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 secure a waiver from 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 Conflict of Interest Act (Ch. 42.18 RCW) and/or this policy.

[303.5]

#### E. Political Activity

Employees may participate in partisan political activities. However, such activity cannot be conducted at the College. Employees must refrain from promoting their personal partisan views in the classroom or in the course of their duties. Political activity cannot reduce the number of hours an employee is expected to be on campus, in contact with students or posted office hours.

[303.6]

#### F. Complaints

Complaints or questions about affirmative action, sexual harassment or political activities should be referred to the Human Resources Office.

[303.7]

#### G. Shared Leaves

The College participates in the Washington State Shared Leave Program. This program allows, under certain conditions, employees to receive donated leave hours from another college employee. To qualify, an employee must meet one of the following conditions, which must have caused or is likely to cause the employee to take a leave without pay or terminate his/her employment:

1. The employee suffers from, or has a relative or household member suffering from, an extraordinary or severe illness, injury, impairment or physical or mental condition which is of an extra ordinary or severe nature;
2. The employee has been called to service in the uniformed services;
3. The employee is serving as an emergency volunteer during a declared state of emergency;
4. The employee is a victim of domestic violence, sexual assault, or stalking.

Key elements of the program, procedures describing eligibility, exceptions and the process and forms to either donate or receive shared leave can be obtained from the Human Resources Office.

[303.8]

#### H. Leave Incentive Buyback

Full-time eligible employees may receive remuneration for unused sick leave accumulated in the previous year above an accumulation of sixty (60) compensable days. Remuneration will be at a rate of one (1) full day's pay for each four (4) full accumulated sick leave days during the leave incentive buyback which occurs only in January of each year pursuant to RCW 41.04.340.

Upon retirement or death, an employee or estate (in the event of a death) may elect to convert unused, accumulated sick leave to monetary compensation pursuant to RCW 41.340. Said employee must verify that he or she is eligible, applied for and received State retirement benefits in order to receive the attendance incentive program benefits from the College. An employee is not eligible for the attendance incentive program benefits if said employee withdraws his or her personal contributions to the State Retirement System unless the specific retirement plan allows this option while providing retirement benefits to the employee.

The College reserves the right in each and every instance to change, modify, or revoke any benefits if applicable statutes and rules are amended or repealed, or should the State fail to provide funding for the program as required by RCW 43.135.060. No employee shall receive the benefits provided for by the attendance incentive program except for those which are provided by statute and rule then in effect.

[303.9]

#### I. Closures

Due to unforeseen circumstances, it may become necessary to close the College. The President may suspend (close down) the operation of the College if, in his/her opinion, an

emergency condition beyond his/her control makes this closure advisable, and the public health, property or safety are jeopardized. Examples of emergency conditions are heavy snowfall, volcanic eruption, dangerous road conditions, bomb threat, or fire.

[303.10]

#### J. Use of College Employees, Equipment, and Supplies

No employee of the College shall use any equipment and supplies of the College or any personnel of the College for any purpose other than the business of the College.

[303.11]

#### K. Drug Free Environment

It is the intent of the College to provide a drug free, healthful, safe and secure environment and to comply with the Federal Drug Free Workplace Act of 1988, and the Drug Free Schools and Communities Act of 1986 (Public Law 99-570, Title IV, Sub-Title B) and its amendment of 1989 (Public Law 101-226). The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in and on college owned or controlled property. The use of alcohol while on college owned or controlled property is also prohibited, except when authorized in writing by the President. No employee will report to work while under the influence of alcohol or any unlawful controlled substance. Violation of this policy by any employee may result in referral for mandatory evaluation/treatment for a substance abuse disorder or disciplinary action up to and including dismissal in accordance with the bargaining unit agreements, tenure laws, or other college employee policies and procedures. In addition, Washington State statutes and federal laws make the possession or distribution of illicit drugs and alcohol a crime subject to imprisonment, fine, or both. The college will engage in an on-going drug free awareness program to inform employees about:

1. the dangers of drug abuse;
2. the college's policy of maintaining a drug free environment;
3. any available drug counseling, rehabilitation, and employee assistance programs; and
4. the penalties that may be imposed upon the employees for drug abuse violations occurring in the college environment. The college also requires that each employee who will be engaged in the performance of any federal grant be given a copy of this policy. The employee will be notified that as a condition of employment under the grant, the employee will:
  - a. abide by the terms of the policy; and,

- b. notify the college in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five calendar days after such conviction;
- c. the college will notify the granting agency in writing within ten calendar days after receiving notice from an employee or otherwise receiving actual notice of such conviction;
- d. within 30 calendar days of receiving notice with respect to any employee who is so convicted, the college will;
  - 1) take appropriate personnel action against such employee, up to and including termination; or
  - 2) require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency.

Further procedures, forms and information may be obtained in the Human Resources Office.

[303.12]

#### L. Tobacco Free Environment

The College recognizes that tobacco may create a health hazard for nonusers as well as users. In order to protect the health of students, staff and the general public, provide a healthy working environment and promote good health for students, tobacco use shall be prohibited in all college buildings and in college owned vehicles.

Tobacco use is defined as the carrying or smoking of any kind of lighted pipe, cigar, cigarette, or any other lighted smoking equipment or material, or the chewing or sniffing of a tobacco product.

"Tobacco use prohibited" signs will be posted in appropriate locations in all buildings.

[303.13]

#### M. Evaluation of Personnel

The primary purpose of personnel evaluation shall be to encourage improvement in the performance of duties. The employee shall be evaluated on a regular basis through procedures established by the College consistent with collective bargaining agreements.

[303.14]

## N. Personnel Files

The College shall establish, maintain and safeguard personnel records of employees as required by law and deemed essential for efficient operation of the College.

The President is responsible for establishing regulations governing the management of College personnel files and ensuring that each employee is informed of materials placed in his/her personnel file.

[303.15]

## O. Workplace Violence

1. Bates Technical College endeavors to provide a safe and secure campus. The college is committed to providing a safe, healthy workplace, free from violence or threats of violence. The college will not tolerate any form of workplace violence committed by, or against members of the college community. Examples of prohibited violent or threatening behaviors include, but are not limited to the following:

Physical acts that are violent;

Written or oral statements that threaten and/or cause assault;

Aggressive or hostile behavior that harms, threatens or injures others by instilling fear or causing physical harm;

Acts that illegally interfere with an individual's rights of movement or expression;

Violent acts that disrupt the workplace, the academic environment, or the college's ability to provide service to the public;

Intentionally damaging college property or the property of another person.

### 2. Scope

This policy applies to all members of the Bates Technical College community, including staff, students, faculty, vendors, and visitors.

### 3. Reporting

Members of the college community who either witness or believe that they are the victims of violent or threatening behavior have a responsibility to report the situation to any supervisor or to the Vice President of Human Resources. Any reports of violent or threatening conduct involving students should be reported

directly to the Vice President of Student Services. Failure to properly report an incident or situation may result in corrective and/or disciplinary action.

#### 4. Investigation

The College is responsible to assure that reported incidents are promptly, appropriately and thoroughly investigated. If it is determined that violent or threatening behavior occurred, prompt and appropriate remedial action shall be taken.

#### 5. Penalties

Individuals who engage in violent or threatening behavior may be immediately removed from the premises and may be subject to dismissal, disciplinary action, arrest, and/or criminal prosecution.

[303.16]

### P. Internal Investigations

#### Purpose

The purpose of internal investigation is to protect the interests of the college by recording and reviewing allegations of misconduct, and gathering information as to what happened in a given situation to provide those responsible with the facts needed to make informed decisions.

1. It is the policy of Bates Technical College that college staff, or contracted consultants, will conduct investigations of employee or student misconduct in a professional and responsible manner that protects employee and student rights and the interests of the College.

Internal investigations shall be conducted in a manner providing employees and students with an appropriate opportunity to respond to allegations of misconduct. College employees are expected to cooperate with internal investigations by providing information requested. Failure to cooperate with internal investigations may subject the employee to discipline, up to and including dismissal. Applicable collective bargaining agreement provisions shall be applied before any materials related to complaints against bargaining unit members are made part of the employee's personnel files, or used in a disciplinary proceeding. Internal investigations shall be conducted in accordance with applicable laws, rules and procedures. In addition to internal investigations, the College may have a duty, and reserves the right to involve law enforcement and/or other appropriate agencies for investigation and possible prosecution, should issues, allegations, or

circumstances involve possible criminal conduct. Depending on circumstances, external investigations may occur in lieu of, or in addition to an internal investigation conducted in accordance with these guidelines.

## 2. Scope of Authority

Bates Technical College has great discretion in searching college-owned property when there is reasonable suspicion that the search will uncover misconduct. Internal investigators shall have the authority to demand unannounced access to any college owned premises, property, data or information, including but not limited to buildings, offices, desks, lockers, records, databases, software, computer records, curriculum and files at any time. Internal investigators are authorized to interview staff and students and request information. Investigators do not have authority to subpoena non-college owned records, compel or force testimony, or to compel entry into noncollege owned property. Internal investigators do not have the authority to detain, confine or arrest individuals. This policy does not create or imply any duty or obligation by the College to undertake an internal investigation for every instance of reported alleged employee misconduct; nor does it create or imply any duty or obligation of the College to undertake an internal investigation as a condition precedent to immediate dismissal or suspension, where that action is deemed warranted, as determined by the College.

[303.17]

### Q. Teleworking

The Board of Trustees authorizes the President to establish the teleworking program at Bates Technical College. Teleworking decentralizes the traditional office environment through technology.

Teleworking is not suitable for all positions or individuals within the college. A selection process for teleworking will be based on criteria set forth by the procedures adopted by the college and administered by the Human Resources Department.

[303.18]

### R. Harassment Free Environment

#### Policy Statement

It is the College's intent to provide a working and learning environment free from all unlawful or inappropriate verbal, physical, and visual forms of harassment, discrimination and retaliation. The College expects its employees to accomplish their work in a respectful, professional manner at all times. The College also expects its

students to participate in the learning process in a respectful, professional manner at all times. Offensive or inappropriate behavior will not be condoned. Employees and students must, therefore, avoid any action(s) or conduct that could be viewed as harassment, discrimination, and/or retaliation. Every employee and student is responsible for supporting this commitment.

### Zero Tolerance

The College supports a zero tolerance approach to any form of harassment, retaliation and/or discrimination of employees or students by other employees, students, vendors, volunteers, visitors, interns, work study students, or other persons, who for any reason, are on the premises of Bates Technical College. Harassment or discrimination based on gender, sexual orientation, religion, age, race, ethnicity, disability or any other protected class established by law is unlawful and subject to immediate corrective action up to and including termination. Further violation of Personnel Policy 303.1.A, Affirmative Action, the principles of affirmative action and equal opportunity employment and B., Sexual Harassment will not be tolerated and consequences may include disciplinary action, including termination.

This policy includes affirmative action plan, non-discrimination, equal pay, Title IX, Nepotism, Disabled and Vietnam Era Veterans, Non-Discrimination of Persons of Disability; and Age. Reporting Employees and/or students are encouraged to report all incidents of harassment, discrimination or retaliation as promptly as possible. Violations of this policy may be reported to an employee's immediate supervisor, anyone in the supervisor's chain of support, or to Human Resources. Anyone may speak to the Vice President of Human Resources confidentially without filing a complaint. Students may file complaints with their instructor, anyone in their instructor's chain of support, or through the Vice President of Student Services. Procedures for reporting/filing a complaint are available in the Human Resources Office and further define/clarify harassment, discrimination, and retaliation.

[303.19]

### S. Background Check-Criminal History

Criminal history background information is used in the hiring process in order to make the most informed hiring decisions, and is necessary to safeguard children, students, employees, the public, and the assets of the College.

### Definitions

1. Applicant means an individual under final consideration for appointment to a position. This includes a current employee who is moving from one position to another position within the College.

2. Child or children means any person under sixteen years of age.
3. Employee (including substitutes) includes any regular or nonregular employee in a position.
4. Regularly, scheduled unsupervised access means unsupervised access to a child or children for more than a nominal amount of time that is the result of the employee's regularly scheduled activities or work duties. This does not include chance encounters (i.e. in hallways).
5. Supervised access means a person is in the on-going presence of an appropriate person who has been cleared through the designated background check process or the relative or guardian of any of the persons with whom the employee has access.
6. WATCH Background Check means a check that is performed on-line by the College through the Washington State Patrol system to obtain criminal history information using a person's name, date of birth, and social security number.
7. Washington State Patrol (WSP) Background Check means a check that includes the WATCH check in addition to submitting a person's fingerprints to the Washington State Patrol who performs a more inclusive criminal history check in the State of Washington.
8. Federal Bureau of Investigation (FBI) Background Check means a check that includes information that is processed through a national database.

#### General Requirements

1. The College will use background check findings solely to determine the suitability of a person for a covered position. Background check information considered includes conviction records, pending charges and arrests. The type of check required is determined by the position. Employment is conditional pending results of the background check. When necessary, applicants may be employed on a conditional basis pending completion of the investigation. Applicants are required to provide written authorization to conduct a background check and disclose, in advance of an offer of employment, felony and/or conviction. Failure to timely complete and/or return appropriate authorization, or properly provide or disclose any felony or conviction will disqualify an applicant from consideration.
2. All cost(s) for background checks will be borne by the college.
3. The College will conduct a criminal history background check in accordance with 28A.400.303 on potential employees who:

- a. perform a facilities, maintenance, security or information technology function and/or otherwise have wide, unsecured access to areas of the College; or
  - b. work in a position that handles cash in any capacity; or
  - c. work in the Instruction Department in any capacity; or
  - d. work in a childcare setting; or
  - e. volunteers in any of the above departments.
4. Background checks, which may include fingerprinting, will be conducted on employees who will have regularly, scheduled unsupervised access to persons under sixteen years of age during the course of his/her employment or involvement with the college.
  5. The college shall conduct background checks on an individual (either an applicant or an existing employee) prior to an offer of employment into a position. The college may decide not to employ an individual based on the results of his/her background check.
  6. An individual may be denied initial appointment or a subsequent appointment by the College due to:
    - a. prior conviction of a felony if the felony for which he/she was convicted is relevant to the position sought or to the specific occupation, trade, vocation or business for which the license, permit, certificate or registration is sought, and the time elapsed since the conviction is less than ten (10) years old; or conviction of a crime. (RCW 43.43.830)
  7. The college will include notification of the background check requirement on all recruitment announcements that advertise open positions.
  8. Any College employee involved in the background check process must maintain confidentiality of the information. Records checks will be maintained separate from employee personnel files.
  9. At the discretion of the College, evidence that mitigates convictions includes, without exclusion, the:
    - a. employee or applicant's age at the time of conviction, charge or decision; or
    - b. nature and severity of the conviction or charge; or

c. nature and number of previous offenses.

10. An employee must report to the immediate supervisor within seven (7) calendar days any arrest, charge, or conviction. Reporting an arrest or charge of a crime will not result in disciplinary action. However, if the employee is convicted of a crime which is relevant to his/her position, specific occupation, trade, vocation or business for which a license, permit, certificate or registration is required, the employee may no longer be eligible for employment. (RCW 43.43.830) The Human Resources Department will develop and maintain the procedures that are required to request and/or complete a background check regarding current or potential employees.

[304]

#### IV. RECRUITMENT AND SELECTION

Applicants for any position must submit an on-line application with the Vice President of Human Resources.

Accommodations may be made for those applicants who need accommodations in making an on-line application.

[304.1]

##### A. Processing Applications

The Human Resources Department, headed by the Vice President of Human Resources, has been delegated the responsibility for evaluating the qualifications of all applicants and ensuring that all applicants submitted for consideration meet the minimum qualifications. Evaluating the qualifications of an applicant will be conducted jointly with an appointed screening committee consisting of the administrative head of the department in which the applicant has applied for and any other appropriate staff members, advisory committee members or community members requested by the Vice President of Human Resources or the President.

After thorough evaluation of the candidates, the screening committee members may present their recommendations to the Vice President of Human Resources. These selected candidates may interview with the members of the department in which they applied to work in, may participate in a public forum, and/or make a presentation to a selected committee.

These selected candidates may interview with the Executive Cabinet. The Executive Cabinet will then make recommendations to the President who will make the final decision regarding the candidates. All candidates will be notified in writing of the results of the selection process.

[304.2]

B. Keeping Application Up to Date

[305]

V. FULL-TIME FACULTY

[305.1]

A. Terms and conditions for full-time faculty at Bates Technical College are covered under the Collective Bargaining Agreement between Bates Technical College District No. 28, and L.H. Bates Vocational-Technical Local 4184, WFT-AFT/AFL-CIO. The Collective Bargaining Agreement spells out the terms and conditions of faculty employment including, but not limited to, such item as leaves, probationary employment, tenure, dismissal, discipline, reductions-in-force, and salary schedules. The negotiated agreement should be consulted for specific information on the above items. Copies of the negotiated agreement are available from the Local 4184 President or from the Human Resources department.

[305.2]

B. Tenure

State law provides that a technical college shall grant or deny tenure within three years after initial full-time employment. The College tenure process is governed by RCW 28B.50 and is part of the negotiated agreement between the College and the faculty bargaining unit and should be consulted for specific and detailed policies.

[305.3]

C. Employment Outside the College

Faculty members are considered full-time employees whose primary obligation is to the College. The College recognizes that some faculty members have sufficient time and interest which can be used in pursuit of other activities, including paid employment.

Faculty who engage in outside employment are expected to ensure that the outside job does not interfere with or detract from performance in the full-time position. Outside employment/ business shall not be conducted during assigned college work days or by using college phone and/or equipment.

Should outside employment interfere with a faculty member's performance, the College may request the abandonment of the outside employment. Refusal to comply can be considered as

"sufficient cause" as defined in the negotiated agreement not to renew a contract.

[305.4]

#### D. Resignation

In the event career goals require resignation from employment, it is required that a letter of resignation be given to the President with a copy to the Human Resources Office. The letter given to the President must be the original and signed by the employee.

If resignation is necessary before the term of the contract expires, the College reserves the right to refuse to accept the resignation until an appropriate replacement is on the job.

[305.5]

#### E. Certification of College Faculty

The State Board for CTC Education has charged the College with the adoption and publication of college personnel standards WAC 131.16.

These standards are available through the Human Resources department.

[306]

### VI. PART-TIME/HOURLY FACULTY

The following information applies to all part-time faculty.

[306.1]

#### A. Conditions of Employment

Part-time faculty are appointed for the specific term of the contract and are not eligible for the award of tenure. Part-time faculty must be eligible to certify according to college adopted standards (Section V, paragraph E).

[306.2]

#### B. Part-time Contracts

Contracts issued to part-time faculty are usually based on the total anticipated hours to be worked with no expectation of future employment. The contracts are not issued until the registration for the class is completed and enough students have enrolled to ensure the class offering. There are times when enough students enroll initially, but some drop out within the first few weeks and the class cancels. In this case, part-time faculty will receive compensation for the amount of time the class was in session.

[306.3]

#### C. Termination

Authority has been delegated to the President to terminate the appointment of part-time faculty. While part-time faculty terminations are rare, a termination may occur prior to the end of the term of the contract for cause. Part-time faculty may also be temporarily suspended when the President believes such action is necessary to protect the interests of the College, safeguard college property or protect students' interests.

[306.4]

#### D. Retirement

Retirement contributions are not normally required by part-time faculty. When determining TIAA-CREF retirement eligibility for part-time faculty, the same criteria is used as for insurance eligibility.

An employee may apply for coverage at the beginning of the second consecutive quarter of employment at half-time or more. Half-time is 15 or more hours per week.

[307]

### VII. ADMINISTRATORS AND OTHER EXEMPT PERSONNEL

The following applies to administrators and other exempt personnel only.

[307.1]

#### A. Selection of Administrative and Exempt Staff

Administrative vacancies are determined by the President. The decision to fill a vacant administrative or exempt position or to create a new one are based on enrollment trends, budgetary considerations and the overall administrative needs of the College.

The President may choose either to conduct an internal administrative search or to solicit applications from both internal and external candidates. Permanent college employees who meet or exceed the stated minimum qualifications and who make application for the position shall be given an interview by the interview committee.

[307.2]

#### B. Administrative and Exempt Personnel Files

Copies of material in official personnel files shall be confidential and shall be restricted for use to administrative requirements or when otherwise required by law. Excluding

confidential college placement files and confidential recommendations from previous employers, administrators, or their designee, shall have access to all materials in their personnel files during normal business hours. An administrator shall be notified of any request either oral or written for access to their personnel file except for administrative use as described above. Copies of materials in personnel files may be requested, provided forty-eight (48) hours notice is given. To request a copy of your file, please see the Human Resources department. Material which might adversely affect employment may be placed in the personnel file only after allowing the administrator to read the material and append to it answers to any charges, complaints, or statements involved. The administrator shall then sign the material, but such signature shall not necessarily imply agreement with the statements contained therein. Each administrator will have only one official personnel file, this being the one kept in the Human Resources department.

[307.3]

#### C. Administrative and Exempt Evaluation

The Board of Trustees recognizes the need to develop and maintain a highly effective administrative and exempt staff. As part of the development of the administrative and exempt staff, a yearly evaluation shall be conducted which provides timely, effective, and written feedback on performance, and shall address the attainment of specific and measurable goals established early in the academic year.

[307.4]

#### D. Administrative and Exempt Compensation

It shall be the policy of the Board of Trustees that administrators and exempt staff be compensated commensurate with their job responsibilities as determined by the President

[307.5]

#### E. Administrative and Exempt Professional Development and Training

It shall be the policy of the Board of Trustees to provide a professional development and training program for administrators and exempt staff. The program will be supported by budget allocation on an annual basis. The program will be designed to:

1. Enhance knowledge and skills;
2. Provide opportunities to gain the skills necessary for successful performance of job descriptions;
3. Provide training which will result in the most effective and economic assignment for accomplishing institutional goals; and

4. Provide opportunities to gain the skills necessary for upward mobility.

[307.6]

#### F. Administrative and Exempt Termination

On or before July 1 of each year individual administrative and exempt staff will be notified of their continued employment for the following college year.

### GENERAL LEAVES

[307.7]

#### G. Administrative and Exempt Annual Leave

Administrators and exempt staff on twelve month contracts will accrue annual leave at the rate of twenty-four (24) days per year. The manner of accrual shall be two days per month.

##### 1. Accumulation

Administrators and exempt staff are encouraged to take at least fifteen days of annual leave each year.

- a. Unused annual leave may be accumulated up to forty (40) days.
- b. An employee may accumulate vacation in excess of the maximum between July 1 and December 31 of each fiscal year. If the leave is not used prior to December 31 of each year, the excess leave will be automatically extinguished and considered to have never existed.

##### 2. Usage

All requests for annual leave must be approved or disapproved by the employing designee in advance of the effective date. Leave, whenever possible, should be requested at least two weeks in advance.

- a. Annual leave shall be scheduled at a time convenient to the College, the determination of which shall rest with the employing official or his/her designee. As far as possible, leave will be scheduled in accordance with the wishes of the employee in any amount up to his/her earned leave credits.

##### 3. Annual Leave Cash Out

Cash payment in lieu of accumulated annual leave may be made up to a maximum of forty (40) days under the following conditions:

- a. Upon resignation, except in cases where an administrator transfers to another Washington State agency that will accept annual leave, in which case his/her leave balance will also be transferred to the receiving agency;
- b. Upon layoff or dismissal;
- c. Upon retirement; and
- d. At death.
- e. The administrator or exempt employee must be a member of the PERS I, WSTRS I, or TIAA/CREF retirement system and was employed by the College (or its successor district) prior to October 1, 1984; in which case the maximum cash payment for accumulated annual leave shall be the maximum allowed by the retirement system in computing pension benefits. Currently, this amount is two years of vacation benefits or a maximum of fortyeight (48) days.

#### 4. Transfer of Annual Leave

Administrators or exempt staff transferring to the College from another state agency or state community college shall be eligible to bring with them up to forty (40) days of annual leave.

[307.8]

#### H. Sick Leave (Illness and Injury)

##### 1. Accrual

Full-time administrators or exempt staff shall earn sick leave commencing with the first day work is to be performed, at the rate of one day per month. Beginning July 1 of each year, full-time administrators or exempt staff shall accrue sick leave at the rate of 12 days per year, or at the rate of one day for each calendar month they are employed if less than one full year.

All other contracted administrators or exempt staff shall earn one day of sick leave per month.

## 2. Accumulation

Each administrator's or exempt employee's unused sick leave shall accumulate from year to year without limit so long as they are continuously employed by the College.

## 3. Usage

- a. The employer reserves the right to request reasonable proof in the event of leaves for illness or injury.
- b. Sick leave shall be allowed up to the amount of the earned balance under the following conditions:
  - 1) Because of, and during, illness, disability or injury which has incapacitated the administrator or exempt employee from performing required duties.
  - 2) By reason of exposure to a contagious disease during such period as attendance on duty would jeopardize the health of fellow employees or the public, and the condition is verified by appropriate health officials.
  - 3) For the purpose of medical, dental or optical appointments if arranged in advance with the employing official or his designee.
- c. In the event the spouse, child or immediate family of an administrator or exempt employee is seriously ill or injured and the presence of the employee is required at the place of emergency, the employee may be granted leave with full pay for not more than five days per contract year.

## 4. Reporting

The administrator shall notify the Vice President of Human Resources at the earliest appropriate time after determining the necessity of sick leave usage. If unable to contact the Vice President of Human Resources at that time, arrangements shall be made for the next best appropriate means of communicating to the Vice President of Human Resources the reason sick leave is necessary and any information relating to coverage of assigned duties, the estimated leave time, where and when contact may be made during such leave, and any other information necessary. Attempts shall be made to minimize the disruption or inconvenience to the institution that might result from the leave.

[307.9]

## I. Bereavement Leave

1. Leave up to a maximum of five (5) days per bereavement shall be granted in the event of a death in the immediate family.
2. Leave time to pay last respects to very close deceased friends may be granted for a partial day.

[307.10]

## J. Child Care Emergency Leave

Child care emergency is defined as a situation causing an administrator or exempt employee's inability to report for or continue scheduled work because of emergency child care requirements, not a sick child. Emergency child care is limited to three days sick leave, vacation leave and leave without pay each per calendar year.

[307.11]

## K. Disability Leave

Disability leave shall be granted for a reasonable period to a permanent administrator or exempt employee who is precluded from performing his/her duties because of a disability (including those related to pregnancy or childbirth). The disability and recovery period shall be as defined and certified by a licensed health care provider, subject to a second opinion at the employer's expense.

Disability leave may be a combination of sick leave, vacation leave, personal holiday and leave of absence without pay and shall be granted at the written request of the employee. The employee shall be allowed to use eight hours of accrued paid leave per month for up to four months during a disability leave of absence without pay to provide for continuation of State Employees Benefits Board benefits. The employer shall designate on which day of each month the eight hours paid leave will be used.

[307.12]

## L. Parental Leave

In accordance with the Pregnancy Act of 1978 and WAC 162-30-020, the College has the following parental leave policy: An administrator or exempt employee who temporarily vacates a position due to disability or parental leave is on official leave status. The vacated position can be filled temporarily, but cannot be filled permanently unless the leave exceeds six months. An administrator or exempt employee on parental leave or disability should not be placed in any other status other than that required prior to disability or adoption. An administrator or exempt employee will be returned to the

original position or a like position with like pay, and will be entitled to all previously earned service credits and other benefits upon return from parental or disability leave.

#### NONACCRUAL TYPE LEAVE WITH PAY

[307.13]

##### M. Civil Duty Leave

1. Leave of absence with pay shall be granted to administrators and exempt staff to serve jury duty, as trial witnesses, or to exercise other subpoenaed civil duties.
2. Administrators and exempt staff shall reimburse the institution for all compensation received for such civil duty, exclusive of expenses incurred.

[307.14]

##### N. Professional Meetings and Conferences

1. Administrators and exempt staff may be granted leave for attendance at official institutes, conferences, and/or professional meetings.
2. The purpose of such leave must be to add to the professional capabilities in the employee's field.
3. The administrator's or exempt employee's regular duties shall not suffer unduly or disproportionately to the benefits anticipated from the leave activity.

[307.15]

##### O. Personal Leave

Upon the approval of the Board of Trustees, administrators and exempt staff may be granted limited personal leave. Terms and conditions of such leave will be specified in the individual contract of employment as determined by the Board of Trustees, and such leave is non-compensable upon separation from the College.

#### NONACCRUAL TYPE LEAVE WITHOUT PAY

[307.16]

##### P. Educational Leave

1. Upon approval by the Board of Trustees, leave of absence without pay may be

granted any full-time administrator or exempt staff for the purpose of attending an institution of higher learning for not longer than one year.

2. The application for such leave shall contain a statement of the plan of study and name of the institution the applicant plans to attend
3. Such applications should be filed by April 1 for leave scheduled to start the next school year.
4. Upon being granted such leave, the administrator or exempt employee shall be eligible to maintain State Employees Benefits Board approved insurance programs at the administrator's or exempt employee's own expense throughout the leave period.

[307.17]

#### Q. Personal Leave

A leave without pay for compelling personal reasons may be granted to a full-time administrator or exempt employee for up to one year upon approval of the President and the Board of Trustees.

[307.18]

#### R. Other Leave Without Pay

Leave of absence without pay may be allowed for any of the following reasons:

1. Conditions applicable for leave without pay;
2. Parental leave; and
3. Leave for government service in the public interest except that administrators and exempt staff shall receive normal pay for military leave of absence taken pursuant to RCW 38.40.060.

[307.19]

#### S. Administrative and Exempt Sabbatical Leave

Administrative sabbatical leave is designed to benefit the College and its students by providing administrative and exempt employees with the opportunity to engage in activities leading to professional growth and revitalization. Such leave would allow eligible employees an extended period of time free from normal contractual obligations in order to pursue legitimate professional goals. This purpose is consistent with the provisions of RCW 28B.10.650 as they now exist (or hereafter amended) and with this

college's commitment to the professional development of its employees. Appropriate uses of sabbatical leave would include formal study, travel, work experience in one's administrative area, or any other activity which would contribute substantially to the improvement of administrative abilities.

### 1. Eligibility

Sabbatical leave may be granted for one full or one-half of the contracted year, after completion of seven (7) years of full-time contractual services as an employee of the College. Employees awarded sabbatical leave will be eligible for additional award after a second seven (7) year period of full-time employment, inclusive of time on sabbatical leave. It is not intended that sabbatical leave be accrued. Without regard to level of use, the individual's eligibility will be reset one contractual year on each seven year anniversary.

### 2. Approval

All sabbatical leaves require the approval of the President. The number of sabbatical leaves approved by the President shall not exceed one full-time administrative or exempt employee at any one time.

### 3. Compensation

- a. Administrators and exempt staff are encouraged to seek outside funding support for their sabbaticals. Compensation from the College during leave shall be up to 1/2 of the recipient's daily contractual salary for the year in which the leave is taken.
- b. Total sabbatical cost, including the cost of replacement personnel, shall not exceed 150% of employee's salary with benefits.
- c. Sabbatical leave salary from the College may be negotiated if outside funding plus sabbatical leave pay from the College exceeds 115% of the recipient's full-time contractual salary for the period of the leave. In all cases, remuneration will be in compliance with RCW 28B.10.650.

[307.20]

### T. Procedure

1. An application for sabbatical leave will include reasons for requesting the leave and a detailed sabbatical leave plan which must be submitted to the President. Sabbatical leave request shall be submitted no fewer than 90 days prior to the beginning of requested leave.
2. Sabbatical leave shall be awarded according to the following criteria:

- a. The value of the proposed activity to the enhancement of the administrative program of the College.
  - b. The value of the proposed activity to the professional growth and development of the applicant.
  - c. The past contribution of the applicant (years of service, range of service) to the College.
  - d. The applicant's demonstrated resources and ability to carry out his/her sabbatical leave grant.
3. In the event that the number of qualified applications exceeds the number one, the President shall name a first and second alternate to replace a leave recipient should an employee not accept a sabbatical grant.

[307.21]

#### U. Leave Contract

1. When the President grants a sabbatical leave, the recipient shall sign a contract with the College specifying:
  - a. The length of sabbatical leave.
  - b. The amount of sabbatical payment.
  - c. A commitment to perform according to the approved sabbatical leave plan.
  - d. That the recipient will return to employment at the College for a period at least commensurate with the amount of leave granted. Failure to comply with this provision shall constitute an obligation of the recipient to repay to the College any remuneration received from the College during leave.
  - e. That the recipient will submit a written report to the President within 60 days upon returning from leave, summarizing the work completed during the sabbatical leave and describing how the new knowledge will be used.
2. Non-compliance with the above terms of the leave contract will be dealt with according to RCW 28B.10.650.

[307.22]

#### V. Employee Rights

1. The time spent on sabbatical leave shall be recognized as equivalent to time spent as a full-time employee of the College.
2. With the exception of annual vacation leave, all other benefits shall accrue to the employee on sabbatical leave.

[308]

#### VIII. CLASSIFIED EMPLOYEES

A. Classified employees employed at Bates Technical College have Collective Bargaining Agreements with their respective bargaining agents, the Board and the College. Terms and conditions of employment, salary, hours, benefits, grievance procedures, staff development plans, insurance benefits, leaves and evaluations procedures are described in the respective agreements which are located in the Human Resources Office.

The various bargaining units are:

1. Professional and Technical Employees as described in the Collective Bargaining Agreement between Bates Technical College District No. 28 and the Tacoma Education Association - TAPSPTA. C
2. Facilities and Operations as described in the Agreement between Bates Technical College District No. 28 and the International Union of Operating Engineers, Local 286.
3. Campus Public Safety as described in the Agreement between Bates Technical College District No. 28 and the International Union of Operating Engineers, Local 286.

## **Chapter 4: Students Personnel Policies [400]**

- I. Philosophy
- II. Purpose
- III. Student Services
- IV. Student Admissions
- V. Tuition And Fees
- VI. Student Records/Transcripts
- VII. Student Financial Aid
- VIII. Student Advising
- IX. Student Programs And Activities
- X. Placement Services
- XI. Program And Course Repeats
- XII. Student Outstanding Debts
- XIII. Drug And Alcohol Free Environment
- XIV. Attendance
- XV. Evaluation Of Student Progress
- XVI. High School Programs
- XVII. Equitable Treatment
- XVIII. Reasonable Accommodations For Students With Disabilities
- XIX. Hazing
- XX. Non-Discrimination
- XXI. Harassment Free Environment
- XXII. Sexual Offender Notification

[401]

### **I. PHILOSOPHY**

The Board of Trustees has determined that the establishment and implementation of effective services and support for students is vital to the attainment of the mission of the College. The Board Policies for Student Services policies outlined in this section are guides to achieve that end.

The Board of Trustees directs the President and/or designated administrative personnel to develop regulations and procedures to implement these policies in accordance with related Washington State codes and regulations.

[402]

### **II. PURPOSE**

The Board of Trustees, recognizing the mission of the College, directs the President to develop and maintain an effective Student Services department that provides an environment that facilitates student access to support services, enables students to reach their educational goals, and encourages success of the student as a whole.

[403]

### III. STUDENT SERVICES

The Board of Trustees subscribes to the open door philosophy essential to achieving the goals of a comprehensive technical college, and recognizes that such a philosophy requires compliance with legal statutes, including Title IX of the Education Amendment of 1972. The College further recognizes its responsibility to establish, within the limits of its resources, those student services and programs which will enhance the development of all students at the College. Therefore, the Board of Trustees directs the president to develop regulations and procedures designed to implement the open door policy so that those student services which support the educational goals of students will be available to all without regard to race, color, creed, religion, national origin, gender, sexual orientation, age, marital status, disability or veteran's status.

[404]

### IV. STUDENT ADMISSIONS

The Board of Trustees subscribes to the open door admission philosophy and, consequently, will provide within the resources available to the college, full educational opportunities for the adult population of the community and the high school student (16 years old or older). Therefore, an applicant may be admitted to the College when such applicant:

- A. is deemed able to profit from the curricular offerings of the college; and/or
- B. complies with the rules and procedures established for enrollment into College programs or educational offerings; and/or See Student Handbook
- C. would not, by his/her presence or conduct, create a disrupting atmosphere within the College inconsistent with the purpose and goals of the institution; and/or See Student Handbook
- D. is an international student who is in compliance with immigration regulations.

[405]

### V. TUITION AND FEES

The Board of Trustees adopts policies pertaining to tuition and fees consistent with state statutes. A schedule of current tuition and fees is available at the Admissions Office. All tuition and fees are due and payable subject to the laws of the State of Washington.

Procedures for refund of tuition and fees shall be determined by the President or designee, in accordance with all applicable federal and state rules, regulations, and laws.

Students receiving federal and state financial aid who withdraw from class before the time of completion of their awarded block of hours may be required to repay aid back to the College according to Federal Financial Aid Title IV rules and regulations.

Refund procedures are printed in the College Catalog and the Student Handbook and are available in Student Services.

[406]\*

## VI. STUDENT RECORDS/TRANSCRIPTS

The Bates Technical College Board of Trustees delegates to the President the responsibility for protecting student privacy and of providing for the confidential safekeeping, maintenance and dissemination of student records, according to all laws and accreditation standards.

Release of student information is subject to the Family Education Rights and Privacy Act of 1974 (FERPA), Public Law 93-380. Use of student social security numbers is subject to the Privacy Act of 1974, Public Law 93-570. Should any student elect not to disclose their social security number, the College will not deny that student any right, benefit, or privilege afforded all other students at the college.

Official transcripts of training will be issued at the individual's written request and sent to other educational institutions, prospective employers, or any other recipient as requested by the student, according to College procedures.

[407]

## VII. STUDENT FINANCIAL AID

The College participates in state and federal financial aid programs for eligible students who find it difficult or impossible to attend the College without this supplemental financial assistance. These programs include grants, loans, scholarships, work study, and other assistance as may be available.

[408]

## VIII. STUDENT ADVISING

The President shall implement and maintain a program which assists students in identifying and achieving realistic educational, vocational, and personal goals. Services provided include orientation for new students, educational planning, advising, problem solving, testing, and information on certificate and degree programs, career planning, and other educational opportunities.

[409]

## IX. STUDENT PROGRAMS AND ACTIVITIES

The Board of Trustees directs the President to implement and maintain programs, services, and activities designed to enhance the educational experiences of students. These programs, services, and activities may include, but not be limited to:

- A. Extra-curricular activities such as social, cultural, and recreational projects;
- B. Direct services such as leadership development, tutorial assistance, scholarships, student employment support; and
- C. Projects which contribute to intellectual and personal development.

The Board considers the Associated Student Government (ASG) to be an integral part of this effort. The Board directs the President to involve students in the student budget development process and to develop a constitution, regulations, and procedures that comply with state statutes.

[410]

## X. PLACEMENT SERVICES

The President/designee will provide a program to place graduates in suitable employment in accordance with the resources of the College.

[411]

## XI. PROGRAM AND COURSE REPEATS

Students may have the opportunity to repeat a program and/or course after having been removed from the College for not maintaining Satisfactory Progress, if they have the ability to benefit from the repetition, according to procedures developed by the President or designee.

In accordance with State Board for Community and Technical College policy, students may not enroll for a course in which they have already earned credit except when such a repeat is necessary to satisfy a requirement for improving academic or skill progress (grades). In no circumstance will a student be enrolled more than three times for the same course—this is defined as two repeats in addition to the original enrollment.

Students removed from the college for disciplinary reasons may be readmitted and may repeat courses according to College procedures WAC 495A-121-048 and 049.

[412]

## XII. STUDENT OUTSTANDING DEBTS

The College may deny a student the opportunity to register for classes, receive an educational credential, or receive an official transcript if he/she has an outstanding debt to the College.

[413]\*

## XIII. DRUG FREE ENVIRONMENT

It is the intent of Bates Technical College to provide a drug and alcohol free, healthful, safe and secure environment and to comply with the Section 5301 (a) (1) of the Anti-Drug Abuse Act of 1988, and the Drug Free Schools and Communities Act of 1986 (Public Law 99-570, title IV, Sub-Title B) and its amendment of 1989 (Public Law 101-226).

The Board of Trustees directs the President and/or designee to develop and disseminate an awareness program to inform students of the many health risks, the community resources available for information and treatment, and subsequent sanctions associated with the use of illicit drugs and the use and abuse of alcohol, in accordance with WAC 495A-121-041 (2). (3).

[414] \*

## XIV. ATTENDANCE

Students enrolled at the College are expected to attend classes every day when college is in session. The primary responsibility for school attendance rests with the student. Students will develop constructive attendance habits and behaviors consistent with industry standards through the continued effort of students and college staff.

All students are required to be punctual and maintain the minimum attendance standards as described in the College Catalog and the Student Handbook.

Responsibility and authority for developing and implementing procedures for Attendance standards, Satisfactory Progress, Probation: Duration and Removal shall be assigned to the President/or designee.

[415]\*

## XV. EVALUATION OF STUDENT PROGRESS

The College provides Career Training Programs that provide students with the opportunity to learn, as much as possible, in a comparable environment, with comparable equipment, using the performance standards required in industry. Each student is advised and guided into a program of study in which the student can expect a reasonable chance of succeeding, and subsequently assessed on their progress. It is recognized, however, that for various reasons some students will not be successful in their course work.

All students are expected to maintain the minimum standards for Satisfactory Progress. Each instructor will notify new students about the required performance standards and the evaluation procedures.

Responsibility and authority for developing and implementing Rating Student Competence; Rating Academic Courses; Rating Progress; Probation: Duration and Removal; Honors Criteria; and Rating Extended Learning Coursework procedures are assigned to the President/or designee.

[416]

## XVI. HIGH SCHOOL PROGRAMS

### A. Bates Technical High School

The College will offer a broad range of diverse technical programs and academic courses, identified by the President or designee, to students, 16-21 years of age to complete their secondary education and earn a high school diploma through enrollment in the Bates Technical High School, in accordance with RCW 28B.50.533.

### B. Running Start

The College will offer a broad range of diverse technical programs and academic courses, identified by the President or designee, to secondary students of high school districts through the Running Start Program, in accordance with WAC 392-169-020.

### C. Adult High School Completion

The College will offer a broad range of diverse technical programs and academic courses, identified by the President or designee, to adults, 18 years of age and older, whose cohort class has graduated, to complete their secondary education and earn a high school diploma, in accordance with RCW 28B.50.030 (12).

### D. High School Credit Retrieval

The College will offer high school academic courses, identified by the President or designee, to students, 16 years of age or older, of high school districts in the community for the purpose of credit towards secondary education completion. The College and the school districts will enter into agreements to make credit retrieval of high school credits at Bates Technical College available to their secondary students, in accordance with RCW 28B.50.535.

[417]\*

## XVII. EQUITABLE TREATMENT

Bates Technical College policies, procedures and rules will be uniformly applied to all students, and all students will receive equitable treatment by faculty and staff. Any student who has reason to believe that he/she has not been treated equitably may use the College Grievance Procedures to address the asserted inequitable treatment. Grievances will be adjudicated according to grievance procedures developed and implemented by the President/or designee. (WAC 495A-121-091)

[418]

## XVIII. REASONABLE ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES

Bates Technical College does not discriminate in any of its programs or activities. The College is committed to providing qualified students with a disability an equal opportunity and non-discriminatory access to admission, treatment and to the benefits, rights, and privileges of college services, programs and activities, in the most integrated setting appropriate to the student's needs, in compliance with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and State of Washington Laws of 1994, Chapter 105. No student, on the basis of his or her disability, shall be excluded from participation in, denied the benefits of, or otherwise be subject to discrimination under any college program or activity.

Reasonable accommodations for qualified students with a disability are established according to College procedures.

Questions, requests for more information, or concerns about the implementation of this policy should be addressed to the College Vice President for Student Services, 1101 S. Yakima Ave. , Tacoma , WA 98405 , 253-680-7005.

[419]

## XIX. HAZING

Hazing, as defined by state law, is prohibited at Bates Technical College , in accordance with RCW 28B.10.900, RCW 28B.10.901, RCW 28B.10.902, RCW 9A.20.021, WAC 495A-121-011 (14), and WAC 495A-121-041 (20).

The Board of Trustees directs the President and/or designee to develop, publish, and disseminate procedures and sanctions for any student who conspires, knowingly permits, participates and/or engages in hazing.

[420]\*

## XX. NON-DISCRIMINATION

The College is dedicated to promoting an environment wherein all students may progress in accordance with their capability and intensity of interest.

In accordance with Title IX of the Education Amendments of 1972, Americans with Disabilities Act, Section 504 of the Vocational Rehabilitation Act of 1972, Title VI and VII of the Civil Rights Act, WAC 495A-121-022 Non-Discrimination, and any other applicable federal or state law, the college prohibits discrimination on the basis of age, color, creed, disability, gender, marital status, national origin or ancestry, race, religion, sexual orientation, or status as a disabled veteran or other veteran. This policy extends to all areas of College education programs, activities, and admission procedures.

Any student who has reason to believe that they have been subject to such discrimination may file a complaint with the Vice President for Student Services, according to College procedures.

[421]\*

## XXI. HARASSMENT FREE ENVIRONMENT

The College is committed to promoting an environment where students can work and study free from sexual harassment, racial harassment or any form of harassment, intimidation, exploitation, or any other behavior that significantly offends, causes significant discomfort or humiliation, and interferes with student performance in any educational class or program at the College.

The College simultaneously recognizes student Freedom of Expression as set for in the WAC 495A-121-021 (1), (3) and WAC 495A-121-041 (23).

Any student who has reason to believe that they have been subject to such harassment, intimidation, exploitation, or other significantly offending behavior which interferes with their performance may file a complaint with the Vice President for Student Services, according to College procedures in accordance with RCW 9A.36.080, WAC 495A-121-022, and WAC 495A-121-041 (17), (18).

[422]\*

## XXII. SEXUAL OFFENDER NOTIFICATION

The Board of Trustees authorizes the President to develop procedures for making appropriate notifications to the College community concerning known registered sex offenders whose presence may be reasonably expected on or near the College campus, according to RCW 9A.44.130 and RCW 4.24.550.

The extent of the disclosure of relevant and necessary information will be related to:

- A. The level of risk posed by the offender to the college community;

- B. The course/program locations of the College where the offender is regularly expected to be found.
- C. The needs of the affected college community members for information to enhance their individual and collective safety.

**Chapter 5: Instructional Policies [500] (Adopted 3/92 – Revised Related Instruction 6/93. Revised 11/94. Revised 4/96)**

- I. Definitions
- II. Philosophy
- III. Purpose
- IV. Instruction
- V. Initiating Career Training Program
- VI. Advisory Committees for Career Training Programs
- VII. Academic Requirements: Related Instruction
- VIII. Educational Credentials
- IX. Guarantee of Training

[501]

I. DEFINITIONS

For the purposes of this chapter, the following definitions apply:

- A. “Career Training Programs” refers to full time programs, presented in a competency-based format. Career Training Programs include competency-based applied learning which contributes to an individual's “academic knowledge, higher-order reasoning, and problem solving skills, work attitudes, general employability skills, and the occupational-specific skills necessary for economic independence as a productive and contributing member of society. “Career Training Programs” contain elements of human relations, communication, and computation.
- B. “Core Academics” are college-level courses in human relations, communications, and mathematics /computations
- C. “Degree” means any designation, appellation, letters, or words including “associate” which signify or purport to signify satisfactory completion of an academic program of study beyond the secondary school level.
- D. “Education” includes, but is not limited to, any class, course, or program of training, instruction, or study.
- E. “Educational credentials” means degrees, diplomas, certificates, transcripts, reports, documents, or letters of designation, marks, appellations, series of letters, numbers, or words which signify or appear to signify enrollment, attendance, progress, or satisfactory completion of the requirements or prerequisites for any educational program.
- F. “Occupational education” shall mean that education or training that will prepare a student for employment that does not require a baccalaureate degree.

- G. “Related Instruction” refers to education in program-related areas of communication, computation, human relations, and other program-appropriate areas such as safety, industrial safety, and environmental awareness.
- H. “Work force skills” means skills developed through applied learning that strengthen and reinforce an individual's academic knowledge, critical thinking, problem solving, and work ethic and, thereby, develop the employability, occupational skills, and management of home and work responsibilities necessary for economic independence.

[502]

## II. PHILOSOPHY

The Board of Trustees is committed to the value of a strong foundation in occupational education and career training programs appropriate to the training of students in workforce skills.

It is the Board's belief that the overriding mission of Bates Technical College shall be the development of the education and advancement of people in career, academic, and life skills while meeting the changing needs of individuals, families, organizations, and the community. The setting for such training shall be as near as possible to conditions found in industry. In order to accomplish this goal, the College will, in certain cases, accept projects from the public, students, the College and staff in accordance with written guidelines established by the various representative advisory committees.

[503]

## III. PURPOSE

Recognizing the unique mission of Bates Technical College, the Board directs the President to develop and maintain educational programs which meet the needs of students and industry by providing:

- A. Practical experiences that may include projects, shop job applications and/or intern/extern/co-op contracts with industry.
- B. Experiences that will meet the standards for a certificate or degree in selected program areas.
- C. Retraining and continuing education for re-employment or advancement in the work place.
- D. Adult high school completion opportunities which are built into the career training program offerings.

- E. Effective counseling, guidance and learning assistance services which extend resources to each student.

[504]

#### IV. INSTRUCTION

The College will provide training that is competency based. Curriculum will be developed and validated by each program representative advisory committee and approved by the Vice President of Instruction or a delegated representative. Students will be tracked by the instructor on competency accomplishment.

[505]

#### V. INITIATING CAREER TRAINING PROGRAMS

In proposing the initiation of any new career training program by the College, approval must be granted by the Board of Trustees or their delegated representative prior to the "program approval alert" being submitted to the State Board of Community College Education.

[506]

#### VI. ADVISORY COMMITTEES FOR CAREER TRAINING PROGRAMS

The College shall maintain program advisory committees for approved career training programs.

[507]

#### VII. ACADEMIC REQUIREMENTS: RELATED INSTRUCTION

In keeping with the college mission to commit to the education and advancement of people in career, academic, and life skills while meeting the changing needs of individuals, families, organizations, and the community, the College will provide and require training in Related Instruction. Related Instruction must include studies in human relations, communications, and computations. So as to be a visible element of the educational offerings, college-level courses offered in these areas will be referred to as Core Academics.

[508]

#### VIII. EDUCATIONAL CREDENTIALS

The College will offer a variety of educational credentials, to accurately reflect educational programs and student achievement. Appropriate completion requirements will be determined by the College's Curriculum Committee and Instruction Council. The highest educational credential for Bates Technical College shall be designated Associate of Technology Degree.

[509]

## IX. GUARANTEE OF TRAINING

### A. Purpose

Bates Technical College, like many businesses, manufacturers and service providers, believes in standing behind the products and services it provides.

Employers can be certain that graduates hired from Bates Technical College have mastered the competencies indicated on the competency attainment list to successfully do their jobs.

By providing a guarantee in writing, Bates Technical College assures that the education and training it provides is career focused and relevant to the demands of the businesses and industries it serves.

### B. Standards Applicable to the Guarantee

1. The graduate enrolls in an approved Award of Completion, Certificate, or Technical Degree program after July 1, 1995.
2. The graduate is employed full time within one year of graduation in a job related to his or her program of study (as determined by the definition of related placement).
3. To activate the guarantee the employer will verify the specific technical skills in which the graduate lacks competence. These skills must match those identified on the student's competency task/attainment list at the time of the student's graduation. The guarantee must be activated by the employer within 90 days of the student's initial employment.
4. A written plan for retraining will be agreed upon by appropriate college personnel, the employer, and the graduate.
5. Retraining will be limited to a maximum of one quarter (360 hours) of instruction related to the identified skill deficiencies. Failure or withdrawal of a "retraining" course(s) will be applied to the one quarter (360 hour) limit. Retraining shall be provided through regularly scheduled classes or by other arrangements identified in the retraining plan.
6. The graduate or the employer will bear the cost of books, supplies, uniforms, transportation, insurance and other related costs.
7. All retraining will be completed within one calendar year after the plan is approved.

8. The guarantee does not imply that the graduate will pass any licensing or qualifying examination for a particular occupation.

## **Chapter 6: College Operations [600] (Adopted 5/92)**

- I. Safety
- II. Emergency Closures
- III. Safety Committee
- IV. Security
- V. Fire, Disasters, Arson & Bomb Threats
- VI. Trespassing
- VII. Firearms
- VIII. Substance Abuse
- IX. Smoking
- X. Alcoholic Beverages
- XI. Facilities Usage/Fee Schedule
- XII. State Environmental Policy Act (SEPA)
- XIII. Chronic Communicable Disease

[601]

### **I. SAFETY**

The College is to take every reasonable precaution for the safety of the students, employees and visitors. The Board of Trustees directs the President to develop regulations and procedures relating to college facility use, to safety and security measures for the operated facilities, and individuals utilizing operated facilities.

[602]

### **II. EMERGENCY CLOSURES**

The President is authorized to close classes or offices in emergencies to maintain safety and security of students, employees, the public and property. Emergencies include but are not restricted to:

- A. Conditions which may cause personal injuries and/or damage to college property;
- B. Weather conditions which may cause undue hardships on students and/or employees of the College;
- C. Building conditions in any facility which may render it unsafe or unfit for occupancy; and
- D. Other conditions which the President may deem as appropriate.

[603]

### III. SAFETY COMMITTEE

The President shall establish a college safety committee; representative of the college population, to review college safety/security requirements and to make recommendations for changes or improvements to ensure compliance with state health and safety regulations and for continued maintenance of a safe environment.

[604]

### IV. SECURITY

The President shall maintain the educational functions and services of the College and take those measures necessary to prevent injury to persons or property by terminating any campus disruption through legal and expeditious use of college security and, if necessary, local law enforcement agencies.

[605]

### V. FIRE, DISASTERS, ARSON AND BOMB THREATS

The President shall establish procedures which protect students, employees, and the public in the event of fire, disaster or other emergencies; or arson and bomb threats which produce injury. These procedures will be published and distributed to the college community.

[606]

### VI. TRESPASSING

To preclude and/or terminate adverse activities, the President may invoke the provisions of the Criminal Trespass Law R.C.W. 9A.52.070 AND 9A.52.080.

[607]

### VII. FIREARMS

Carrying, exhibiting, displaying or drawing any firearm, dagger, sword, knife, or any other cutting device, or explosive, or any facsimile weapons, or any other weapon apparently capable of producing bodily harm and/or property damage in a manner, and at a time and place that either manifest an intent to intimidate another or that warrants alarm for the safety of other persons, is prohibited on college property; provided, however, that this regulation shall not apply to law enforcement personnel required by their office to carry such weapons or devices.

The President will establish procedure for enforcement of this policy in accordance with state regulations and law.

[608]

#### VIII. 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 program. The program shall be developed by the college, consistent with existing law and the best interests of all concerned.

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

[609]

#### IX. SMOKING

The Board of Trustees intends to create a working and learning environment on campus that promotes the health and well-being of both college staff and students. Smoking shall not be permitted in the interior of any building owned or operated by the college.

[610]

#### X. ALCOHOLIC BEVERAGES

Indiscriminate use of alcoholic beverages on or in any property owned or operated by the college is prohibited. The college reserves the right to permit use of alcoholic beverages on college property, as deemed appropriate. The President shall establish procedures for enforcement and implementation of this policy.

[611]

#### XI. FACILITIES USAGE/FEE SCHEDULE

The President has the authority to permit the use college facilities and to set usage fees in accordance with Chapter 495-140 W.A.C.

[612]

#### XII. STATE ENVIRONMENTAL POLICY ACT (SEPA)

All capital projects proposed and developed by the college shall comply with the provisions of Chapter 43.21C RCW, the State Environmental Policy Act (SEPA) Chapter 197010 WAC, WAC

guidelines for SEPA implementation; and WAC 131-24-030, SEPA implementation rules of the State Board for Community College Education.

[613]

### XIII. 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 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.

## **Chapter 7: Business and Finance [700] (Adopted 4/06)**

- I. Budgeting of Funds
- II. Accounting and Controlling of Funds
- III. Purchasing
- IV. Capital Improvement Projects
- V. Financial Reports
- VI. Special Business Functions
- VII. College Vehicles
- VIII. Auxiliary Services
- IX. Collections
- X. Public Information and Public Records

### [ 701 ] I. BUDGETING OF FUNDS

#### [701.1]

##### A. Budgeting Philosophy

The College budget represents the approved educational plan of the College District stated in fiscal terms. It shall meet the stated philosophy, objectives, and goals of the College District within the available resources.

The President shall submit to the Board of Trustees for its review and approval annual budgets of funds to be utilized for the operation of College programs, services, and facilities and all revisions thereto, in accordance with the requirements of statute, State Board for Community and Technical Colleges, and the State of Washington Office of Financial Management.

#### [701.2]

##### B. Budget Development and Adoption

The President shall establish annual development and adoption processes for the following budgets:

1. General College Operations
2. Grants & Contracts and Financial Aid Funds
3. Associated Student Government of Bates Technical College
4. Auxiliary Services
5. Capital Projects

Further, the President shall provide an opportunity for all operational areas of the College to be involved in budget recommendations affecting their area.

[701.3]

C. Budget Administration

The Board of Trustees authorizes the President to delegate the administration of selected portions of the approved budget to appropriate operational staff members.

[701.4]

D. Biennial Operating Budget Request

The Board of Trustees direct the President or designee to develop the Community and Technical College System Biennial Operating Budget Request data and forward it to the State Board for Community and Technical colleges by the established submittal date, and present such data to the Board of Trustees for their information upon request.

[701.5]

E. Biennial Capital Budget Request

The Board of Trustees directs the President or designee to develop the College's Biennial Capital Budget Request and forwards it to the State Board for Community and Technical Colleges by the established submittal date, and presents the request to the Board of Trustees for their information upon request.

[701.6]

F. Grants Contracts, Special Projects and Financial Aid Funds

The President shall direct the development of budgets, as needed, for all grant, contracts, special projects and financial aid funds for the College

[701.7]

G. Resource Development

The Board of Trustees directs the President to establish procedures for the acquisition of additional resources to enhance college programs and activities. Additional resources will be sought primarily from the following sources: the College Foundation, the application for federal, state, and private grants and contracts, form self-supporting activities.

The Foundation is a not-for-profit corporation organized under Washington law and is fiscally, organizationally, and legally separate from the College. The Foundation is governed by its own Board of Directors, with the College President or designee serving as the Executive Director of the Foundation.

[702]

## II. ACCOUNTING AND CONTROLLING OF FUNDS

It shall be the policy of the Board of Trustees to require that accounts be established for any financial activity conducted on behalf of the College.

The President or designee shall ensure that the financial accounting system provides that all funds which are received and disbursed by the College are received and disbursed in accordance with Board Policies, State Laws, Policies and Regulations of the State of Washington Office of Financial Management, State Board for Community and Technical Colleges, and the State Budget and Accounting Act.

The Vice President, Administrative Services is designated as the College's internal control officer and shall maintain compliance with state regulations.

The internal control officer shall conduct an annual risk assessment of the College's internal control system. The annual risk assessment shall include an evaluation of areas considered to be high risk.

[702.1]

### A. Cash Collections

It shall be the policy of the Board of Trustees that any collection of College funds be administered by employees of the College. The President shall direct that the employees perform their duties in compliance with the regulations and procedures of the College, and state and federal law.

[702.2]

### B. State Board Allocations

The Board of Trustees directs the President or designee to ensure that all State regulations and procedures in the administration of those funds allocated to the College through the State Board for Community and Technical Colleges. Adjustments to the state allocations shall be included in the periodic financial reports.

[702.3]

### C. Tuition and Fees

Annually, the President or designee shall recommend to the Board of Trustees for their approval a schedule of tuition and operating fees for the fiscal year for the College and any changes to such fees and tuition schedule made necessary by legislative action. Within a fiscal year, the Board authorizes the President or designee to make changes to the fee schedule as may be necessary and allowed under state law without **prior** notification to the Board.

In addition to tuition and operating fees the schedule may include other incidental fees as deemed necessary.

[702.4]

#### D. Refunds of Tuition and Fees

The President shall recommend to the Board of Trustees for their approval a schedule for Refunds of Tuition and Fees as deemed necessary and to comply with State and Federal statutes.

[702.5]

#### E. Associated Student Government Funds

The Board of Trustees shall, in accordance with state laws and regulations, maintain budgetary control over all funds received and distributed by and for students and student activity purposes.

The annual tentative Associated Student Government budget shall be approved by the Board of Trustees no later than the June meeting.

In addition to the services and activities fees collected by the College, the Associated Student Government may generate other funds from student sponsored activities and programs during the course of a given year. In accordance with applicable rules, regulations, and requirements, the College Finance Office shall maintain a separate fund for Associated Student Government, in which to account for the revenues and expenditures of all monies generated by service and activities fees and their associated activities.

This fund will be maintained by the College Finance Office as an operating fund for the Associated Student Government. of Bates Technical College.

The President is directed to establish regulations and procedures related to the collection and expenditure of any revenues generated by associated student government activities.

[702.6]

#### F. Instructionally-related Ancillary Revenue Producing Activities

Some instructional programs involve both a learning activity, and a service that may produce revenue. The Board of Trustees directs the President or designee to review those activities associated with any of the instructional programs of the College and to establish appropriate procedures to provide for instructional purposes and meet state accounting and administrative requirements. The instructional/service activity shall be permitted to charge for its services and/or products. It is not the intent of the College to compete with or detract from merchants or business' offering similar services to the general community in accordance with state statute.

All expenditures and revenues shall be maintained and accounted for under the direction of the College's Finance Office.

[702.7]

#### G. Other Funds

In that the College receives funds from enterprise activities and for special programs and activities, the Board of Trustees directs the President to establish accounts for these resources. The President or designee shall ensure that all other funds are administered according to state regulations and in accordance with applicable terms of the respective contracts, grants, and awards.

[702.8]

#### H. Payroll

The Board of Trustees directs the President or designee to establish and maintain College procedures that ensure compliance with all State and Federal regulations and procedures governing payroll administration.

[702.9]

#### I. Signature Authority

The Board of Trustees directs the President to designate appropriate staff positions authorized to approve expenditures and manage specific budget accounts.

The Board of Trustees directs the President to designate and publish those positions authorized to issue checks drawn on College accounts. The Board of Trustees further directs the President to advise it of any changes in designated positions.

The following positions are authorized to act for the College with respect to banking and investment transactions for the deposit of checks and other negotiable instruments, issuance of checks, and authorizing the transferring of funds and wires of monies and other negotiable instruments.

1. President
2. Vice President of Instruction
3. Vice President, Administrative Services
4. Director of Fiscal Services

[702.10]

#### J. Petty Cash Accounts

In order to best and most efficiently serve the College and its programs, the Board of Trustees directs the President or designee to review and direct the authorization and use of petty cash accounts, and establish and maintain College procedures, in accordance with State Laws and Regulations. If approved by the President or designee, the appropriate department staff shall be designated as custodian of the funds, subject to state laws regulations and procedures for the use of petty cash accounts. All disbursements shall be under the supervision of the College Finance Office.

[702.11]

#### K. Travel Regulations

The Board of Trustees directs the President or designee to establish and maintain regulations and procedures related to travel on college business in accordance with laws and regulations of the State of Washington.

All travel related disbursements are under the supervision of the College Finance Office.

[702.12]

#### L. Meals/Light Refreshments

The Board of Trustees directs the President or designee to establish and maintain regulations and procedures for meals and light refreshments in accordance with laws and regulations of the State of Washington.

This policy is intended to permit such meals and light refreshments for volunteer advisory committees and other state agency attended meetings as allowed under state laws and regulations.

[702.13]

M. Deposits/Investments

The Board of Trustees directs the President or designee to establish and maintain regulations and procedures related to the deposit and investment of college funds in accordance with state law and regulations.

The Board of Trustees authorizes the President or designee to manage the deposit and investment of college funds.

In order to increase resources available to the College, excess cash should be invested in investment vehicles authorized under state law. Investments should be made in instruments which provide a market competitive rate of return and a minimal amount of risk.

[702.14]

N. Interfund Transactions

The Board of Trustees authorizes the President or designee to make necessary interfund transactions including the transfer of cash between funds to cover any deficit cash balances in accordance with state law and regulations.

[702.15]

O. Reserves

The Board of Trustees directs the President to establish and maintain adequate cash and fund balance reserves to safeguard against reductions to state allocations, enrollment declines, and to meet unanticipated costs. The President shall establish procedures for the maintenance and use of reserves.

[703]

III. PURCHASING

The Board of Trustees directs the President to establish such regulations and procedures essential to the acquisition of equipment, goods, and services.

These procedures shall utilize those purchasing practices which are in compliance with State and Federal statutes, regulations, and procedures, and which are most advantageous to the College.

The Board of Trustees further directs that College regulations and procedures require prior approval by authorized officers of the College before any encumbrance of College funds.

Whenever reasonable and in the best interests of the College, the College shall utilize the services of local vendors and contracts.

[703.1]

A. Receiving and Inventory Control

All material acquisitions shall be received by the College's Receiving Department. Non-expendable items shall be properly tagged and the serial number recorded in the official College inventory records.

The Board of Trustees directs the President or designee to maintain an inventory control system whereby obsolete and/or irreparable items of equipment are removed from the College inventory. When property of the College is no longer needed by any unit of the College, the President or designee is authorized to dispose of said property in compliance with guidelines and statutes of the State of Washington.

[703.2]

B. Vendors and Solicitation

The Board of Trustees directs the President to establish procedures for private vendors to be allowed on College campuses including financial institutions and credit card marketers. In accordance with state statutes regarding the use of College facilities for private gain, private vendors are prohibited from soliciting on College campuses. Subject to approval, private vendors may be allowed on the College campuses only for specific College sponsored activities and under specific conditions as outlined in procedures and in accordance with state statutes and regulations. The College assumes no liability for any private transaction conducted between a student or employee and a vendor.

[704]

IV. CAPITAL IMPROVEMENT FUNDS

The Board of Trustees directs the President or designee to develop plans for capital construction projects and present both plans and recommendations for financing such projects to the Board of Trustees on a biennial basis as required for the submission of the Capital Budget request.

The Board of Trustees further directs that all such capital improvements, including change orders, be in compliance with rules, regulations, and statutes governing such projects.

The acceptance of a completed project shall be in compliance with provisions of the contract, and with the applicable federal and state rules, regulations, and statutes.

[705]

## V. FINANCIAL REPORTS

The Board of Trustees directs the President or designee to ensure that appropriate financial reports are published in compliance with rules and regulations of the governing accounting practices and procedures as required by the State of Washington.

The President is directed to provide periodic (at least annually) financial reports to the Board of Trustees to include budget status, revenue and expenditures, and fund balances. Such reports shall include but not limited to the following funds and activities:

[705.1]

### A. College Operating Budget Report -

The President shall ensure that periodic College operating budget reports shall display all revenues, encumbrances, expenditures, and balances of the College's general operating funds including grants and contract funds.

[705.2]

### B. Capital Projects

The President shall ensure that the financial status of Capital Projects supported from State appropriated funds be periodically reported or upon request of the Board of Trustees.

[705.3]

### C. Local Capital Fund Report

The President shall ensure that those funds accrued for local capital projects, other than through State appropriations, are administered under priorities established by the Board of Trustees. A periodic report of the status of these funds shall be submitted to the Board of Trustees.

[705.4]

### D. Statue of Investments Report

The President shall ensure that the college invests those funds which accrue beyond the immediate operational needs of the institution. Upon request of the Board of Trustees, the President shall provide a report of investments. Investments shall be made within the guidelines established by the regulations for those funds invested.

[705.5]

E. Student Services & Activities Fees

The Board of Trustees directs the President to maintain any separate accounts as required by statutory regulations for those monies collected to support student programs and activities. The status of these accounts shall be reported periodically or upon request by the Board of Trustees.

[705.6]

F. Auxiliary Enterprises Report

The College operates a number of auxiliary enterprises. The President shall ensure that the status of the enterprises shall be reported periodically or upon request by the Board of Trustees.

[705.7]

G. Financial Aid Reports

The College Financial Aid Office administers both publicly and privately generated monies for the support of students. The status of financial activities related to financial aid programs shall be reported periodically or upon request by the Board of Trustees. Further, the President shall ensure compliance with all state and federal reporting requirements related to the administration of financial aid funds.

[705.8]

H. Community Services Report

The financial status of community services non-credit activities shall be reported periodically or upon request by the Board of Trustees.

[706]

VI. SPECIAL BUSINESS FUNCTIONS

The Board of Trustees authorizes the President to establish and administer those business functions necessary to the general welfare of the College.

[706.1]

A. Risk Management

All insurance, except group employee benefit insurance, shall be purchased through the State of Washington Office of Risk Management and with the approval of the President or designee.

[706.2]

#### B. Selection of Depositories

The President may recommend to the Board of Trustees depositories for the funds of the College. These recommendations shall normally be made at the first Board meeting of the new calendar year prior to anticipated change of depositories. Banking and/or other financial services shall be obtained in accordance with state regulations and statutes.

[706.3]

#### C. Internal Auditing Control System

The Board of Trustees recognizes that all College property is held in trust for the State of Washington, and that a part of its stewardship is an accounting to the public of both funds and real property, and, as such, the Board directs the President or designee to develop and implement an internal audit control system.

The Board of Trustees directs the President to report any inconsistencies in the conduct of College Business. The Board of Trustees directs the President, at the end of each fiscal year, to close the College's accounts and publish a report of the College's financial status.

[707]

### VII. COLLEGE VEHICLES

The Board of Trustees recognizes that it is necessary for the College to maintain a variety of vehicles with which to conduct the business of the College. Included among College vehicles shall be those necessary for transportation and for maintenance of the campus. The Board of Trustees directs the President or designee to establish College regulations and procedures for use and maintenance of all College vehicles. College-owned or leased vehicles shall not be utilized for personal use.

[707.1]

#### A. Vehicles

The Board of Trustees authorizes the President or designee to acquire and maintain, within the resources available to the College, those vehicles necessary to conduct training programs and the business of the College. The Board of Trustees directs that operators of College vehicles shall comply with all regulations and procedures established by State statutes.

In the event that a College vehicle is unavailable, properly insured privately owned vehicles may be used with competent, qualified, and properly licensed drivers. Reimbursement for such use is subject to regulations and procedures established by State law and the College.

[708]

### VIII. AUXILIARY SERVICES

The Board of Trustees directs the President or designee to provide auxiliary services such as a bookstore and other similar services. The auxiliary services shall be instituted and maintained on the College campus as a part of the continuing effort to provide facilities, services, and activities for the educational and personal development of students of the College. These auxiliary services shall, where appropriate, also be made available also to the staff of the college and shall be subject to internal and external audits.

It is the intention of the College to offer these services as an adjunct to the instructional program or as a service to students and staff. It is not the intent of the College to compete with or detract from merchants offering similar services to the general community.

The President shall recommend in the annual budget each year those auxiliary services deemed appropriate for the College.

[709]

### IX. COLLECTIONS

From time to time in the conduct of the College's financial affairs, failure to meet financial commitments made to the College must be anticipated. The Board of Trustees directs that all such obligations may be subject to recovery.

[709.1]

#### A. Financial Obligations to the College

For unmet financial obligations to the College, the Board of Trustees directs the President or designee to develop and implement regulations and procedures for the collection of those obligations.

The Board of Trustees further directs that if any student, former student, volunteer, employee, or member of the public owes money to the College for an outstanding overdue debt the College shall have the right to not provide any further services of any kind to such person, including but not limited to transmitting files, records, transcripts, or other services which have been requested by any such person. Further, if any student, former student, volunteer, employee, or member of the public owes money to the

institution for an outstanding overdue debt, the College shall have the right to collect any such funds in accordance with all applicable state rules, regulations and laws.

[709.2]

B. Personal Obligations of College Employees

Since employees of the College may fail to meet their personal financial commitments, the Board of Trustees declares that the College is not responsible for the debts of any of its employees. The Board of Trustees directs College compliance with all applicable state and federal laws and regulations pertaining to such cases.

[709.3]

C. Recovery of Funds

The Board of Trustees also directs the President or designee to establish regulations and procedures for the college to recover funds encumbered or expended not in compliance with published regulations and procedures or state or federal laws.

[710]

X. PUBLIC INFORMATION AND PUBLIC RECORDS

[710.1]

A. Availability of Public Records

In accordance with state statute, the Board of Trustees recognizes the public's right to know and full disclosure of official actions and directs the President or designee to establish and maintain procedures to make public records available for public inspection and copying, unless the record falls within the specific exemptions of RCW42.17 or other statute which exempts or prohibits disclosure of specific information. Further, the Board of Trustees directs the President to designate and publish the title of the College contact position responsible for public records and their disclosure.

[710.2]

B. Charges for Copying

The College may charge for providing copies of public records and for the use by any person of College equipment to copy public records. The College shall not charge for the inspection of public records nor for locating public documents and making them available for copying. The College may establish and publish a fee based on the actual per page cost. In the event, the College has not determined the actual per page cost, the College will charge the allowable amount as set forth in RCW 42.17.

[710.3]

### C. Records Management

The Board of Trustees directs the President to establish and maintain procedures for the management and retention of College records. Retention shall be based on the records retention schedules and requirements as set forth by the Office of the Secretary of State and the State Board for Community and Technical Colleges in accordance with state law.

#### Schedule to process:

Finance Council 9/21/05

Attorney General 2/10/06

Leadership Team 1/2006

Executive Cabinet 1/26/06

Bates Bulletin 2/13/06

Hearing Scheduled (within 14 days of above date) 2/23/06

President's Office for Board

Board 1st Reading 3/15/06

Board 2nd Reading and Adoption 4/19/06

## **Chapter 8: High School Policies [800] (Adopted 7/92)**

- I. Philosophy
- II. Mission
- III. Statutory Authority
- IV. Student Eligibility
- V. Enrollment
- VI. Tuition Waivers
- VII. Finance--Generation of Moneys
- VIII. Transportation
- IX. Awarding High School Credits
- X. Academic Standards & Student Discipline
- XI. Equal Access

[801]

### **I. PHILOSOPHY**

The Board of Trustees has determined that the philosophy of the College is to meet the economic and educational needs of students coupled with meeting the needs of our local economy by providing a well-trained, productive, and educated work force. The Board, recognizing this philosophy, directs the President and designated administrative personnel to develop and maintain an educational environment that serves the needs of secondary students, ages sixteen through twenty-one, as well as adult students. The policies outlined in this section are guides to achieve that end.

Specifically, high school age students are to be provided the opportunity to meet their graduation requirements through an individualized program built around a career choice. The program will use vocational/technical training as a body of knowledge as well as a meaningful method of instruction. The program will provide rigorous educational training for high school students who are mature enough to make a career decision.

The program shall be elective and based on the premise that it is not for all high school age students, but for those who are ready by their own admission and can demonstrate "the ability to benefit."

[802]

### **II. MISSION**

The mission of the secondary program is to provide high school students an early start on the future by enrolling in a vocational/technical training program at the College and working towards a high school diploma at the same time.

[803]

### III. STATUTORY AUTHORITY

The 1990 Learning by Choice amendments created the Running Start option for high school students providing that the "enrollment of an eligible student under this chapter simultaneously in school district and community college or vocational-technical institute courses, or both, for the purpose of earning high school credit to be awarded by a school district, and such additional college level academic and vocational or vocational-technical institute credit as may be awarded by a community college or vocational-technical institute." [RCW 28A.600.390. 91-03-129 (Order 1), 392-127-705, filed 1/23/91, effective 2/23/91.]

[804]

### IV. STUDENT ELIGIBILITY

Following the Running Start guidelines, an eligible student is any person, including a person who is otherwise attending a private school or receiving home-based instruction, who meets each of the following conditions:

[804.1]

- A. Between the ages of sixteen and twenty-one at the beginning of the school year (September 1 through August 31).

[804.2]

- B. Eligible by reason of his or her residence or admission under the law to enroll in the school district through which the person seeks to obtain the award of high school credit. [RCW 28A.175.090 ("at risk" students), 28A.225.160 (residents of a school district), 28A.225.170 (residents of United States and Indian reservations), 28A.225.210 (residents of "nonhigh" school districts, and 28A.225.220 ("choice" students).

[804.3]

- C. Meets the grade placement policies of the school district through which the person seeks to obtain high school credit.

[804.4]

- D. Has not as of the beginning of the school year received a high school diploma or its equivalent, excluding a general education development certificate.

[804.5]

- E. Has not as of the beginning of the school year earned the credits required for the award of a high school diploma by the school district through which the person seeks to obtain the award of high school credit.

[805]

## V. ENROLLMENT

An eligible student is entitled to enroll in one of the College's vocational programs subject to each of the following conditions and limitations:

[805.1]

- A. The eligible student is responsible for applying for and pursuing admission to the College.

[805.2]

- B. Acceptance to the College is subject to generally applicable admission standards and enrollment restrictions established by the College.

[805.3]

- C. Once an eligible student has been enrolled in a College program, the student shall not be displaced by another student, provided that the student's continued enrollment in a program shall be subject to generally applicable enrollment requirements and limitations established by the College.

[805.4]

- D. The combined enrollments of an eligible student in a high school and in the College, or both, shall not concurrently exceed one full-time equivalent student.

[805.5]

- E. To derive instructional benefit from the College program, the eligible student must enroll in a College program for a minimum of three hours per school day.

[806]

## VI. TUITION WAIVERS

An eligible student shall not be required by the College to pay tuition or other fees as a condition to the student's full participation in the College program, provided that requiring a student to pay for a program fee that covers consumable supplies and other materials to be retained by the student does not constitute the assessment of tuition.

[807]

## VII. FINANCE--GENERATION OF MONIES

The College shall report student enrollments to the resident school districts for generation of state and federal apportionment funds. The College will bill the resident school district for the portion of time in which each student is enrolled in a College program. The billing amount will be calculated based on ninety-five percent of the state apportionment monies paid to the resident district including the vocational enrichment apportionment monies.

[808]

## VIII. TRANSPORTATION

Transportation to and from the College is not the responsibility of the College.

[809]

## IX. AWARDING HIGH SCHOOL CREDITS

The Board of Trustees recognizes that providing increased enrollment options for high school students will help to keep them in school and allow them to complete their K-12 education. High school students need access to challenging programs or vocational instruction matched to their abilities and interests. Providing access to College programs allows parents and students the freedom to select the school of their choice for a K-12 education and the choice of including college level course work in their high school program.

The eligible student shall have confirmation from the resident school district of the amount of high school credit to be awarded. Academic credit may be earned through:

[809.1]

- A. Elective credits earned through satisfactory progress in the College vocational program.

[809.2]

- B. Cross crediting, i.e., giving academic credit for the applied subjects such as English, math, science, health, or art that are contained within the College vocational program.

[809.3]

- C. Academic courses completed through the College's High School Completion program, in accordance with WAC180-72-065, community college high school diploma programs.

[810]

#### X. ACADEMIC STANDARDS AND STUDENT DISCIPLINE

The College shall have and exercise exclusive jurisdiction over academic and discipline matters involving the student's participation in the College program.

[811]

#### XI. EQUAL ACCESS

Any student who satisfies the Student Eligibility (Section IV) and Enrollment (V) criteria shall have the right to participate in the high school program at the College.

For those special education qualified students who are completing the goals of an Individual Education Program, the school district is responsible for the qualifying assessments of the student, the maintenance of their Individual Education Program, and the provision of support/related services. If a student on an I.E.P. enrolls full-time at the College, the College shall communicate with the school district regarding the need for support services.

## **Chapter 9: Public Affairs / Communications and KBTC TV Policies [900] (Adopted 12/92)**

### I. Public Affairs and Communications

### II. KBTC TV

[901]

#### **I. PUBLIC AFFAIRS AND COMMUNICATIONS**

The purpose of the Public Affairs and Communication Office is to generate a climate of understanding of Bates Technical College to the community it serves and to maintain a positive image of the college. Toward these goals, the college actively supports on-going, two-way communication among college staff and between the college and the community it serves.

The Board of Trustees directs the President to develop and implement procedures that nurture and support positive relations within the college and between the college and its various publics.

[901.1]

#### **A. Public Affairs**

The college is a public institution and, as such, is an involved citizen in city, county, region, and state educational and public issues.

The Board of Trustees directs the president to establish procedures to provide for involvement in the issues and affairs affecting the public served by the college. Involvement will include, but is not limited to, accountability to the community about the programs, services, issues, and accomplishments of the college.

The college will develop cooperative and collaborative partnerships with other agencies, businesses, and organizations to benefit the public good and to maximize the public resources entrusted to Bates.

[901.2]

#### **B. Communications**

The college subscribes to an open communication concept that includes clear, concise, cost-conscious information to the public about the college's philosophy, mission, goals, training programs, services, issues, and accomplishments.

The Board of Trustees directs the president to establish procedures for cost-effective and results-oriented communication that includes research and analysis of needs, development and implementation of communication plans, and evaluation of plan effectiveness.

Communication plans will include standard and accepted practices for oral, written, person-to-person, group, and mass media relations. Publications, promotions, and other information vehicles will support the established communication goals of the college.

[901.3]

#### C. Legislative Support

The Board of Trustees acknowledges the role of policy makers and legislators in influencing educational direction and supporting the mission and goals of the college.

The Trustees direct the President to establish on-going, positive information campaigns and relations with city, county, and state policy makers and legislators to ensure continued support of college programs and activities, and to provide the funds needed to ensure quality programs, facilities, and staff.

[901.4]

#### D. Foundation

The Board of Trustees understands that a technical college offers services and programs beyond the scope of those items generally funded with tax dollars and student tuition and fees.

The Trustees direct the President to establish a non-profit foundation separate from the auspices and administration of the college for the purpose of developing programs and funding to support college activities and services.

[901.5]

#### E. Compliance with Copyright Laws and Treaties

The college complies with national copyright laws as well as United States participation in international copyright treaties. The Board of Trustees directs the president to develop procedures that protect original works in writing, illustrating, photography, graphics, and esthetics as well as other unique ideas that have been embodied in some tangible form and are used by college staff, but which have been created by people who are not employed by the college.

Under existing "work for hire" doctrines of copyright laws and treaties, it is understood that authorship created as part of the responsibilities of employment with the college is under copyright of the college.

[902]

## II. KBTC TV/FM

Bates Technical College and KBTC recognizes its responsibilities for the operation of a Federal Communications Commission authorized public television and radio station and hereby sets forth the following policy.

[902.1]

- A. KBTC TV operate as non-commercial television under the rules and regulations of the FCC as provided in the Communications Act of 1934 as amended. The mission of KBTC is to fulfill its obligation as an FCC licensee by providing appropriate, quality, non-commercial and educational programming to Western Washington, to the extent allowed by the financial resources available.

It is the goal of KBTC to provide programs and productions consistent with the broadcast industry, to provide programs and productions related to educational activities in the community and technical colleges throughout the State of Washington, and to assess, as required by the FCC, the needs and interests of Tacoma and Western Washington.

[902.2]

- B. For vocational-technical training, the goal of KBTC is to provide technical television and radio broadcast training at a level that will assure that Bates Technical College Communication students will be well qualified upon graduation.

[902.3]

- C. For the operation and maintenance of KBTC equipment, the goal of KBTC is to provide, operate and maintain the appropriate equipment for the broadcast needs of KBTC and the Bates Technical College Communications training program.

[902.4]

- D. For resources to achieve the purposes established for KBTC, the goal of KBTC is to develop broad-based funding sources which will enable KBTC to carry out its mission. The Board of Trustees authorizes and directs the President to seek additional financial support to supplement the basic existing funding, to establish annual fund raising goals, and to establish and operate accounting procedures consistent with the 1978 Public Telecommunications Act to assure that KBTC will continue to meet CPB funding criteria and be eligible to receive maximum allowable community service grants.

The Board of Trustees directs the President to develop the necessary procedures to implement and administer this policy.

**Chapter 10: Library Policies [1000] (Adopted 6/48 – Amended 2/61, 6/67, 1/80 by the American Library Association. Adopted 5/96)**

- I. Purpose
- II. Services
- III. Customer Responsibilities
- IV. Confidentiality of Customer Requests and Records
- V. Intellectual Freedom
- VI. Partnerships
- VII. Disclaimer
- VIII. Implementation
- IX. Library Bill of Rights

[1001]

I. PURPOSE

It is the policy of Bates Technical College (BTC) to establish and support a centralized library for the purpose of providing information resources and services to support teaching and learning in ways consistent with, and supportive of, the mission, goals, and objectives of the College.

[1002]

II. SERVICES

The library's resources and services are designed, developed, organized and provided to meet the college-related informational needs of its primary customers: BTC students, faculty and staff. Other customers may have non-priority access to select library resources and services.

To provide this service, the library will develop a collection of materials, regardless of media, to:

[1002.1]

- A. Provide informational resources and services to BTC students, faculty and staff as part of and in support of the Colleges curriculum and learning process;

[1002.2]

- B. Facilitate the development of life-long information competency skills of BTC student, faculty and staff which will assist them in their continued intellectual, cultural and technical development.

The library will provide access for primary customers to the equipment needed to effectively use library materials and information resources.

The library will make reasonable efforts to assist disabled customers to ensure equitable access to the library's resources and services.

[1003]

### III. CUSTOMER RESPONSIBILITIES

Primary customers are encouraged to be actively involved in the development and provision of library services to best meet their college-related needs. A committee of primary customers will advise library staff on planning and implementing library services.

Each customer shall be responsible for his/her behavior in the library and for all use made of his/her library card. Customers shall be financially responsible for any overdue, lost or damaged library materials or equipment. In order to encourage and support customer responsibilities, the library may establish procedures and impose penalties as it deems necessary. This is to ensure fair and proper use of its resources and services as well as the return of borrowed materials and equipment. These written procedures and penalties will be available in the library for public review.

The use of the library or its services may be denied for due cause. Such causes may include failure to comply with library policies, procedures and rules, the loss or destruction of library property, disturbance of other library users, or any objectionable conduct in the library.

[1004]

### IV. CONFIDENTIALITY OF CUSTOMER REQUESTS AND RECORDS

BTC and its library will protect the confidentiality of customer requests and library records in accordance with local, state and federal laws and regulations. Customer requests and library records are confidential except in the pursuit of normal library business (such as in billing or attempting to retrieve overdue, lost or damaged materials and equipment).

[1005]

### V. INTELLECTUAL FREEDOM

BTC and its library promotes, supports and follows the principles of Intellectual Freedom, as outlined in the American Library Associations - A Library Bill of Rights. The presence of materials in the college library collection is not an endorsement of the views and opinions expressed in the material.

[1006]

### VI. PARTNERSHIPS

BTC and its library supports the creation of partnerships within the college as well as with other libraries and community entities for the most effective and efficient use of library resources.

[1007]

## VII. DISCLAIMER

Nothing contained in this policy shall conflict with the laws of the United States, State of Washington, Pierce County, or the City of Tacoma, Washington, nor shall it conflict with any policy established by the State Board for Community and Technical Colleges or Bates Technical College.

[1008]

## VIII. IMPLEMENTATION

It shall be the responsibility of the College President to implement this library policy.

[1009]

## IX. LIBRARY BILL OF RIGHTS

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

- A. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- B. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal approval.
- C. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- D. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- E. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- F. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of the individuals or groups requesting their use.