

Chapter 132T-06 WAC TENURE REGULATIONS

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WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132T-06-070	Dismissal for sufficient cause. [Order 70-20, § 132T-06-070, filed 4/24/70.] Repealed by WSR 82-07-033 (Resolution No. 82-4), filed 3/12/82. Statutory Authority: Chapters 34.04, 34.08 and 28B.19 RCW.
132T-06-080	Nonrenewal of tenured faculty contracts. [Order 70-20, § 132T-06-080, filed 4/24/70.] Repealed by WSR 82-07-033 (Resolution No. 82-4), filed 3/12/82. Statutory Authority: Chapters 34.04, 34.08 and 28B.19 RCW.
132T-06-090	Review committee recommendations. [Order 70-20, § 132T-06-090, filed 4/24/70.] Repealed by WSR 82-07-033 (Resolution No. 82-4), filed 3/12/82. Statutory Authority: Chapters 34.04, 34.08 and 28B.19 RCW.

WAC 132T-06-010 Purpose. The board of trustees of Community College District No. 20 hereby establishes a rule on faculty tenure. The purpose of this tenure policy shall be to protect faculty employment rights and faculty involvement in the protection of those rights at Walla Walla Community College and subsequent community colleges hereafter established within Community College District No. 20. In order to insure the professional objectives of a community college staff, the board hereby adopts the following procedures as they exist now or as hereafter amended for administering faculty tenure.

[Statutory Authority: Chapters 34.04, 34.08 and 28B.19 RCW. WSR 82-07-033 (Resolution No. 82-4), § 132T-06-010, filed 3/12/82; Order 70-20, § 132T-06-010, filed 4/24/70.]

WAC 132T-06-020 Definitions. As used in this chapter, the following terms and definitions shall mean:

(1) "Appointing authority" shall mean the board of trustees of Community College District No. 20.

(2) "Review committee" shall mean a committee of faculty peers and administrative staff appointed pursuant to WAC 132T-08-030.

(3) "Dismissal review committee" shall mean a committee of faculty and peers and administrative staff approved pursuant to WAC 132T-06-075.

(4) "Regular college year" shall mean a faculty appointment inclusive of consecutive fall, winter and spring quarters. The regular college year, in all instances shall be deemed to begin with the first fall quarter following the probationer's appointment regardless of the quarter in which the probationer began employment.

(5) "President" shall mean the president of Walla Walla Community College, or in such president's absence, the acting president.

(6) "Part-time" shall mean an appointment for which the appointee's presence at the college for the entire normal working day during the entire regular college year is not required.

(7) "College" shall mean Walla Walla Community College and any subsequent community college hereafter established within Community College District No. 20.

(8) "Full time" shall mean an appointment which requires the appointee's presence at the college for the entire normal working day during the entire regular college year.

(9) The definition of "tenure," "faculty appointment," "probationary faculty appointment," "probationer," and "administrative appointment" shall be the same as are contained within section 33, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.851 as now law or hereafter amended.

[Statutory Authority: Chapters 34.04, 34.08 and 28B.19 RCW. WSR 82-07-033 (Resolution No. 82-4), § 132T-06-020, filed 3/12/82; Order 70-20, § 132T-06-020, filed 4/24/70.]

WAC 132T-06-030 Composition of review committee. (1) One review committee shall be established and shall include both the transfer division and occupation division. At least two committee members shall be chosen from the transfer division and at least two committee members from the occupation division.

(2) The review committee shall be composed of seven persons, four of whom shall consist of tenured faculty appointees, chosen by the faculty, acting in a body, prior to October 15th of each regular college year; and additionally the review committee shall consist of one student selected by the student council of the associated student body prior to October 15th of each regular college year; and two administrative appointees chosen by the president prior to October 15th of each regular college year. The review committee shall choose its own chairperson and such review committee shall meet at the call of the chairperson when the need for such meeting arises.

(3) The duration of each faculty appointment and each administrative appointment to the review committee shall be for a period of two calendar years beginning on the 15th day of October of the year of appointment; that the student appointment shall be for a period of one calendar year, beginning on the 15th day of October of the year of appointment.

If a vacancy exists upon any review committee prior to the expiration of any such appointment, an administrative, faculty or student member as appropriate, shall be appointed pursuant to section 2 of this rule to fill the unexpired term of the absent member of such review committee.

[Order 75-1, § 132T-06-030, filed 8/26/74; Order 70-20, § 132T-06-030, filed 4/24/70.]

WAC 132T-06-040 Duties of review committee. (1) The president shall on the 15th day of October of each regular college year assign each full-time probationary faculty appointee to the review committee for such committee's evaluation and required recommendations.

(2) The review committee shall establish and publish its method of evaluating performance of each full-time probationary faculty appointee in considering whether the probationary appointee possesses personal characteristics and the necessary professional competence to

be granted tenure, placing primary importance upon the probationer's effectiveness in his appointment.

(3) The review committee shall consider the following standards in the course of evaluating each full-time probationer's effectiveness in his appointment:

(a) Initial employment is the first favorable indication that the probationer should be permanently employed.

(b) The probationer's instructional skills.

(c) The probationer's relationship with students.

(d) The probationer's relationship with academic employees.

(e) The probationer's relationship with the administration.

(f) The probationer's knowledge of the subject matter he/she is charged with teaching.

[Statutory Authority: Chapters 34.04, 34.08 and 28B.19 RCW. WSR 82-07-033 (Resolution No. 82-4), § 132T-06-040, filed 3/12/82; Order 70-20, § 132T-06-040, filed 4/24/70.]

WAC 132T-06-050 Required review committee action. (1) The review committee shall be required to conduct an evaluation of each full-time probationary faculty appointee assigned to the committee by the president and render the following reports to the president, the probationary faculty appointee and through the president to the appointing authority at the following times during the regular college year:

(a) A written evaluation of each full-time probationary faculty appointee's performance and the subsequent submission of such written evaluation of the performance directed to the said probationer and the president on December 20th and March 15th of each regular college year that said probationer is not a tenured faculty appointee. The review committee shall obtain such appointee's written acknowledgment of receipt of the written performance evaluation each time such evaluation is rendered.

(b) A written recommendation concerning the employment or nonemployment of each full-time probationary faculty appointee for the ensuing regular college year directed to the appointing authority through the president prior to February 15th of each regular college year.

(c) A written recommendation directed through the president to the appointing authority recommending the appointing authority award or not award tenure, such written recommendations to be submitted at times deemed appropriate by the review committee: Provided, That during such full-time probationary faculty appointee's third regular college year of appointment, the review committee shall prior to March 15th of such regular college year make such a recommendation as to the award or nonaward of tenure. If the review committee does not make the written recommendation as to the award or nonaward of tenure by March 15th of the regular college year for each full-time probationary faculty appointee who is then serving his third consecutive year of full-time appointment it shall be deemed a recommendation that tenure not be awarded to such appointee.

(2) The appointing authority shall only be required to give reasonable consideration to an award of tenure recommendation of the review committee but shall not be bound by such recommendation if the appointing authority has given reasonable consideration to such recommendation. The appointing authority shall not be required to give any

consideration to the review committee recommendation required by paragraph (1)(b) of this rule.

[Statutory Authority: Chapters 34.04, 34.08 and 28B.19 RCW. WSR 82-07-033 (Resolution No. 82-4), § 132T-06-050, filed 3/12/82; Order 70-20, § 132T-06-050, filed 4/24/70.]

WAC 132T-06-060 Dismissal for cause. Tenured employees shall not be dismissed or laid off except for sufficient cause, nor shall a probationary employee be dismissed or laid off prior to the written terms of an appointment except for sufficient cause. Dismissal for sufficient cause shall, in addition to the enumerated grounds contained in section 40, chapter 283, Laws of 1969 ex. sess., and RCW 28B.50.862, include but not be limited to:

- (1) Any unlawful act of violence;
- (2) Any unlawful act resulting in destruction of community college property;
- (3) Unlawful interference with the orderly conduct of the educational process;
- (4) Incompetency;
- (5) Failure to perform an assignment as specified by contract;
- (6) Layoff or reduction in force.

[Statutory Authority: Chapters 34.04, 34.08 and 28B.19 RCW. WSR 82-07-033 (Resolution No. 82-4), § 132T-06-060, filed 3/12/82; Order 70-20, § 132T-06-060, filed 4/24/70.]

WAC 132T-06-065 Faculty statement on professional competency. A tenured faculty member shall maintain professional competency in his particular discipline through graduate study, research, in-service training, educational travel, conference and symposium attendance and/or additional vocational trade experience.

[Order 70-20, § 132T-06-065, filed 4/24/70.]

WAC 132T-06-075 Percent composition of dismissal review committee. Dismissal review committee comprised for the express purpose of hearing dismissal cases formulated by October 15 of each academic year shall be comprised of the following members:

- (1) An administrator chosen by the college president.
- (2) Three academic employees chosen by the employees acting as a body; provided that the initial dismissal review committee employees shall serve a one-year, two-year, and three-year term, respectively. All subsequent elections to this committee by employees shall be limited to an election of a member to a three-year term so that all future elections of an employee to this committee shall be accomplished on a staggered-term basis.
- (3) A full-time student selected each year by the student council of the associated student body.

[Statutory Authority: Chapters 34.04, 34.08 and 28B.19 RCW. WSR 82-07-033 (Resolution No. 82-4), § 132T-06-075, filed 3/12/82.]

WAC 132T-06-085 Charges. (1) If the president deems sufficient cause exists, a formal charge will be brought against the employee affording an opportunity for a formal hearing after not less than ten days notice. The notice shall include:

- (a) A statement of the time, place and nature of the proceeding;
- (b) A statement of the legal authority and jurisdiction under which the hearing is to be held;
- (c) A reference to the particular rules of the district involved;
- (d) A statement of the charges and allegations.

Copies of such notice will go to the appropriate dean, the chairperson of the dismissal review committee, and the president of the association.

(2) Such formal hearing shall be in accordance with and in full compliance with, RCW 28B.19.120; 28B.19.130; and 28B.19.140: Provided, however, Implementation of RCW 28B.19.120 shall always involve a hearing officer appointed by the district.

[Statutory Authority: Chapters 34.04, 34.08 and 28B.19 RCW. WSR 82-07-033 (Resolution No. 82-4), § 132T-06-085, filed 3/12/82.]

WAC 132T-06-095 Consideration by the dismissal review committee.

(1) The designated hearing officer shall conduct a formal hearing pursuant to RCW 28B.19.120, 28B.19.130, and 28B.19.140 as now or hereafter amended. The dismissal review committee shall attend all hearings and at the discretion of the hearing officer shall examine any witness called.

(2) The hearing officer shall make proposed findings of fact. The hearing officer shall transmit the record, including the proposed findings of fact, to the board of trustees within thirty days of the conclusion of the hearing.

(3) The dismissal review committee, based upon evidence presented at the hearing, shall simultaneously transmit a recommendation to the board of trustees.

(4) The board of trustees shall adopt findings of fact and shall render a decision based upon the record. In rendering such decision, the board shall give careful consideration to the recommendations of the dismissal review committee.

[Statutory Authority: Chapters 34.04, 34.08 and 28B.19 RCW. WSR 82-07-033 (Resolution No. 82-4), § 132T-06-095, filed 3/12/82.]

WAC 132T-06-100 Tenure considerations. (1) A probationary faculty appointee shall acquire tenure by operation of law if service with the college exceeds three consecutive regular college years of full-time academic employment.

(2) The following positions are deemed by the appointing authority to constitute administrative appointments which are determined to be nontenurable:

- (a) President
- (b) Dean of instruction
- (c) Dean of students
- (d) Associate dean of instruction
- (e) Business manager
- (f) Registrar

All directors including, but not limited to:

- (g) Director of admissions
- (h) Director of guidance
- (i) Director of student affairs
- (j) Director of athletics
- (k) Director of financial aids
- (l) Director of occupational education
- (m) Director of continuing education

All coordinators, including but not limited to:

- (n) Academic education coordinator
- (o) Occupational education coordinator
- (p) Developmental education coordinator
- (q) Coordinator of management information systems
- (r) Coordinator of student development and guidance

All supervisors including, but not limited to:

- (s) Supervisors of satellite campuses
- (t) Physical facilities manager
- (u) Funds development officer

(3) An individual who shall serve in any position enumerated in subsection two of this rule and who shall additionally serve as a teacher, counselor, librarian or other comparable position shall be eligible for an award of tenure insofar as such person has had or presently does have status as a teacher, counselor or librarian.

(4) Tenure may be awarded to an individual probationary faculty appointee at any time by the appointing authority after giving reasonable consideration to a specific recommendation from the review committee which recommendation can be made at any time during a probationary faculty appointee's service.

[Order 75-1, § 132T-06-100, filed 8/26/74; Order 72-3, § 132T-06-100, filed 11/26/71; Order 70-20, § 132T-06-100, filed 4/24/70.]

WAC 132T-06-110 Effective date. The rules contained within chapter 132T-06 WAC shall become effective upon the date the same are filed with the code reviser.

[Order 70-20, § 132T-06-110, filed 4/24/70.]