

MEETING OF THE BOARD OF TRUSTEES
OF THE EVERGREEN STATE COLLEGE

Thursday, September 20, 1973
The Evergreen State College Campus
Daniel J. Evans Library, Room 3112

The meeting was called to order by Chairman Hadley at 10:05 AM.

Trustees Present: Herbert D. Hadley
Halvor M. Halvorson
Trueman L. Schmidt
Janet P. Tourtellotte

Staff Present: David J. Carnahan, Associate Dean of Library
Dean E. Clabaugh, Administrative Vice President
Rita B. Grace, Recording Secretary
Sally Hunter, Administrative Assistant to Provost
Charles J. McCann, President
Richard Q. Nichols, Director of Information Services
and Publications
Jerry L. Schillinger, Director of Facilities
W. Joe White, Director of the Office of Equal Opportunity
Programs
York Wong, Director of Computer Services

Others Present: Richard Montecucco, Assistant Attorney General
Lee Chambers, KAOS
Bill Hirshman, KAOS
Mike Oakland, Daily Olympian
Ronald Taber, Pacific Slope Properties, Inc.

Motions

73-59 Mr. Halvorson moved approval of the minutes of the August 24, 1973 meeting as submitted. Seconded by Mr. Schmidt and passed.

Mr. McCann recommended revision of the deposit requirements in the tuition and fee schedule.

73-60 Mr. Schmidt moved that the tuition and fee schedule, effective fall quarter, 1973, adopted at the July 12, 1973 meeting of the Board of Trustees, be amended to read as shown on the attachment. Seconded by Mr. Halvorson and passed.

Mr. McCann presented a proposed amendment to the impound provisions in the parking regulations.

73-61 Mr. Hadley moved to suspend parking fees for the year. Seconded by Mr. Halvorson

The staff opposed adoption of the motion.

73-62

Mr. Halvorson moved to table motion 73-61 until after lunch. Seconded by Mr. Schmidt and passed with Mr. Hadley voting negatively.

At 10:40 AM, the Chairman called a public hearing to consider a policy on public records.

73-63

Mr. Schmidt moved adoption, in accordance with Administrative Procedures Act requirements, of the attached Washington Administrative Code provisions, Chapter 174-108, relating to Public Records. Seconded by Mr. Hadley and passed.

At 10:50 AM, the Board concluded its public hearing.

The staff presented a document that detailed possible terms for an easement across college property and for a connection to Evergreen's water supply as requested by Mr. Ron Taber at the July 12 Board meeting. The Board delayed action to await arrival of a City of Olympia representative.

Mr. Clabaugh recommended declaration of an emergency in lieu of bidding procedures for fume hoods and table connections in the Laboratory Building.

73-64

Mr. Halvorson moved that the Board construes the needed work for installation of fume hoods and laboratory table connections in the Laboratory Building to constitute an emergency and directs that all necessary steps be taken to complete the work immediately. Seconded by Mr. Schmidt and passed.

Mr. Clabaugh recommended an additional demand deposit checking account with South Sound National Bank's Evergreen branch.

73-65

Mr. Schmidt moved that the Business Manager be directed to provide for a demand deposit local funds account in the South Sound National Bank. Seconded by Mrs. Tourtellotte and passed.

Upon receipt of word that no City of Olympia representative would attend, the Board resumed discussion of Mr. Taber's request.

73-66

Mr. Halvorson moved to deny the request of Mr. Ron Taber, representing Pacific Slope Properties, for an easement across college property and for a connection to Evergreen's water supply in as much as it is the least desirable way for the college and for him to go and it would be more desirable for him to work out means through his neighbors. Seconded by Mr. Hadley and passed.

Mr. Schillinger recommended rejection of the nine bids received for the combustible storage building.

73-67

Mr. Halvorson moved that all bids opened August 16, 1973, for the combustible storage building be rejected because of a lack of funds, and that the Director of Facilities investigate alternates thereto. Seconded by Mr. Schmidt and passed.

Mr. McCann recommended acceptance of a gift of \$2,000 toward the construction of a lawn bowling green.

73-68

Mr. Halvorson moved acceptance, with gratitude, of the gift of \$2,000 from the American Lawn Bowls Association Foundation toward the construction of a bowling green. Seconded by Mr. Schmidt and passed.

Mr. McCann recommended a transfer of funds to permit remodeling of the FM radio station facilities in the College Activities Building. Mr. Hadley reminded the radio station and The Paper that their efforts were important to Evergreen's standing in the community, and congratulated KAOS for its work last year.

73-69

Mr. Halvorson moved approval of transfer of \$8,042 from the College Activity Fund (522) to the Local Plant Fund (252) to be expended for remodeling of the College Activities Building (FM radio station). Seconded by Mrs. Tourtellotte and passed.

Mrs. Tourtellotte suggested the following amendment to Motion 73-61:

First, that we have a special section for visitors' free parking. Second, the revenue from student parking fees not be used for any current expenses other than maintenance and policing of the parking lots. In other words, let "information" carry the cost of the booth.

The amendment died for lack of a second.

Joe White reported to the Board on Evergreen's affirmative action program, the job of the Director of the Office of Equal Opportunity Programs, and goals.

The Board concurred in Mr. Clabaugh's recommended acceptance of the interest rate of 5.759206 proposed by telephone by Seattle-Northwest Securities for the sale of tuition bonds approved at the August 24 meeting.

The Board resumed consideration of Motion 73-61.

73-61
continued

Mr. Hadley moved to suspend parking fees for the year. Seconded by Mr. Halvorson. The motion passed with Mrs. Tourtellotte voting negatively.

Mr. Montecucco recommended adoption of emergency rules as required under the Administrative Procedures Act.

73-70

Mr. Halvorson moved that the Board adopt an emergency amendment to WAC-174-116, campus parking and traffic regulations, as follows:

Delete WAC 174-116-100
Delete WAC 174-116-110
Delete WAC 174-116-120
Delete WAC 174-116-130
Delete paragraph (7) of WAC 174-116-140, and insert the following in lieu thereof:

- (7) Limited handicapped parking is available upon request to the Security Office. To qualify for handicapped parking on campus, a "special parking" decal must be obtained from the Department of Motor Vehicles in accordance with RCW 46.16.380

Change WAC 174-116-150 to read as follows:

Vehicles violating other regulations in the parking lots will be impounded in place on the second similar violation within the academic quarter.

Vehicles parked in prohibited zones will be towed away and impounded without notice.

Prohibited zones include no parking areas, marked services accesses, roadways, brick-paved and other designated areas, and marked fire lanes.

Disabled or inoperable vehicles will be considered abandoned in accordance with RCW 46.52.102 and impounded after 24 hours.

In all cases, the violation record kept in the Security Office will be considered the final and binding record of past violations and impounds.

Vehicles will be impounded to a location approved by the Director of Security at the risk and expense of the owner of the vehicle.

A vehicle will be considered under impound at the time it is so ordered by a Security Officer.

Seconded by Mr. Schmidt and passed with Mrs. Tourtellotte voting negatively.

The date of the next meeting was set for October 25.

The meeting adjourned at 1:50 PM.


HERBERT D. HADLEY, Chairman


MRS. NEAL TOURTELLOTTE, Secretary

Attachments

TUITION AND FEE SCHEDULE

Academic Year 1973-74

(1)	(2)	(3)	(4)	(5)	(6)	Total, Columns (4), (5), (6)
	Application Fee (Non- refundable)	Advance Deposit	Quarterly Tuition	Quarterly Operating Fee	Quarterly Services & Activities Fee	
<u>Full Time (More Than One Evergreen Unit)</u>						
Washington State Resident	\$15.00	\$50.00	\$25.00	\$ 91.50	\$48.50	\$165.00
Washington State Resident Vietnam Veteran*	15.00	50.00	24.00	49.00	47.00	120.00
Non Resident	15.00	50.00	96.00	308.50	48.50	453.00
<u>Part Time Regular (One Evergreen Unit)</u>						
Washington State Resident	\$15.00	\$50.00	\$12.00	\$ 44.50	\$23.50	\$ 80.00
Non Resident	15.00	50.00	46.00	150.00	23.50	219.50
<u>Part Time Special** (One Evergreen Unit)</u>						
Washington State Resident	-0-	-0-	\$12.00	\$ 44.50	\$23.50	\$ 80.00
Non Resident	-0-	-0-	46.00	150.00	23.50	219.50
<u>Auditor***(One Evergreen Unit)</u>						
	-0-	-0-	-0-	\$ 20.00	-0-	\$ 20.00

* A Vietnam veteran is a person who has been on active federal service as a member of the armed military or naval forces of the United States between a period commencing August 5, 1964 and ending when the conflict involving United States forces in South Vietnam is terminated, and who for a period of one year immediately prior to the date of his entry into such service was a resident of the State of Washington.

** Non-degree seeking.

*** No credit.

Adopted at the 9/20/73 Board Meeting

56,000
9-18-73

WAC 174-108-170. DEFINITION OF PUBLIC RECORD. A public record includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by The Evergreen State College, regardless of the physical form or characteristics; provided, however, that in accordance with RCW 42.17.310, the following personal and other records are exempt from the definition of public record: (1) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, welfare recipients, prisoners, probationers or parolees.

(2) Personal information in files maintained for employees, appointees or elected officials or any public agency to the extent that disclosure would violate their right to privacy.

(3) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would violate the taxpayer's right to privacy or would result in unfair competitive disadvantage to such taxpayer.

(4) Specific intelligence information and specific investigative files compiled by investigative, law enforcement and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the non-disclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(5) Information revealing the identity of persons who file complaints with investigative, law enforcement or penology agencies, except as the complainant may authorize.

(6) Test questions, scoring keys, and other examination data used to administer a license, employment or academic examination.

(7) Except as provided by Chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition of property, until the project is abandoned or until such time as all of the property has been acquired, but in no event shall disclosure be denied for more than three years after the appraisal.

(8) Valuable formulae, designs, drawings and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.

(9) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(10) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital government interest, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

WAC 174-108-180 DESCRIPTION OF CENTRAL AND FIELD ORGANIZATION AT THE EVERGREEN STATE COLLEGE. (1) The Evergreen State College is located on a campus in Thurston County, near the city of Olympia, Washington. This campus comprises the central headquarters for all operations of the college; any "field" activities of the college are directed and administered by personnel located on the campus in Thurston County. The college is governed by a board of trustees appointed by the governor; such board normally meets at least once every calendar month, as provided in WAC 174-104-010. The board employs a president, his assistants, members of the faculty and other employees. It establishes such divisions and units necessary to carry out the purposes of the college, provides the necessary property, facilities and equipment and promulgates such rules, regulations and policies as are necessary to administration of the college.

(2) The board of trustees, either directly or by delegation, has caused to be created various administrative, academic and support divisions to enable the college to discharge its obligations. Academic, library and computing matters are the concern of the vice president and provost; business, facilities, security, personnel, student services, and auxiliary services are the concern of the administrative vice president. These vice presidents report to the president of the college.

WAC 174-108-190 GENERAL COURSE AND METHOD OF DECISION-MAKING. (1) The formal procedures for decision-making at the college are governed by the board of trustees through rules promulgated by it in accordance with the requirements of RCW 28B.19, the Higher Education Administrative Procedures Act (HEAPA). Accordingly, all rules, orders or directives, or regulations of the college which affect the relationship of particular segments of the college, such as students, faculty, or other employees, with the college or with each other, (a) the violation of which subjects the person to a penalty or administrative sanction; or

(b) which establishes, alters, or revokes any procedures, practice, or requirement relating to institutional hearings; or

(c) which establishes, alters or revokes any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law;

are implemented through the procedures of the HEAPA and appear in chapter 174, WAC, provided, however, that in accordance with RCW 28B.19.020(2), the college reserves the right to promulgate as internal rules not created or implemented in accordance with the HEAPA, the following: rules, regulations, orders, statements, or policies relating primarily to the following: standards for admissions; academic advancement, academic credits, graduation and the granting of degrees; tuition and fees, scholarships, financial aids, and similar academic matters; employment relationships, fiscal processes; or matters concerning only

the internal management of an institution and not affecting private rights or procedures available to the general public; and such matters need not be established by rule adopted under HEAPA unless otherwise required by law. Internal rules and regulations are set forth in the colleges published catalogs, the Business Policies and Procedures Manual, and the Faculty Handbook.

WAC 174-108-200 INFORMAL PROCEDURES REGARDING THE GENERAL COURSE AND METHODS OF DECISION. Informal procedures regarding the methods and general course of operations at the college are, for the purposes of these rules, either: (1) Decisions made by persons authorized by board resolution, the president, or any designee to make a decision within the scope of responsibility assigned to such person; or (2) Methods of human persuasion utilized by any member of the college's constituencies or of the public to attempt to influence one in power to make decisions within that person's scope of responsibility.

WAC 174-108-210 DESIGNATION OF PUBLIC RECORDS OFFICERS.

(1) In accordance with the requirements of Initiative 276, insofar as such initiative requires state agencies to adopt and enforce reasonable rules and regulations to provide full public access to official records while yet protecting the same from damage and to prevent excessive interference with essentials of the agency, all public records at the college shall be in the charge of persons holding positions as records officers.

(2) Overall responsibility for coordinating responses to requests for examination of public records shall be the responsibility of the person known as the "Public Records Officer." The person holding such position will be headquartered in the Daniel J. Evans Library Building of the college; his exact location and name may be determined by inquiry at the office of the president of the college. The public records officer shall also be responsible for compiling and maintaining the index required by Initiative 276.

(3) For purposes of this chapter, the custody of the college's records shall be divided into the following divisions:

- (a) Office of the President
- (b) Office of the Vice President and Provost
- (c) Office of the Administrative Vice President

The heads of the above-designated divisions shall be deemed custodian of the records in the possession or control of units and employees of his division and responsible for the care and custody of records within his division even though such person is not in actual possession or control of such records. The three persons mentioned above shall be known as the college "records custodians."

(4) In any cases where a question arises as to whether a given public record is a responsibility of one records custodian or another, the determination of such ministerial

responsibility shall for the purposes of this chapter be made by the public records officer, or the president of the college.

WAC 174-108-220 AVAILABILITY FOR PUBLIC INSPECTION AND COPYING OF PUBLIC RECORDS. Public records shall be available for inspection and copying during the customary office hours of the college. For the purposes of this chapter, the customary office hours shall be from 9 a.m. to noon and from 1 p.m. to 4 p.m., Monday through Friday, excluding legal holidays, unless the person making the request and the college, acting through the public records officer or a records custodian, agree on a different time.

WAC 174-108-230 REQUESTS FOR PUBLIC RECORDS. In accordance with the Initiative 276 requirements that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records are only obtainable by members of the public when those members of the public comply with the following procedures: (1) A request shall be made in writing upon a form which shall be available at the office of the public records officer and shall be presented to the public records officer or any other of the persons designated by this chapter as a custodian of certain college records, per WAC 174-108-210. Such request shall include the following:

- (a) The name of the person requesting the record.
- (b) The time of day and calendar date on which the request was made.
- (c) If the matter requested is referenced within the current index maintained by the college records officer, a reference to the requested record as it is described in such index.
- (d) If the requested matter is not identifiable by reference to the college records current index, a statement that succinctly describes the record requested.
- (e) A verification that the records requested shall not be used to compile a commercial sales list.
- (2) In all cases in which a member of the public is making a request, it shall be the obligation of the college person to whom the request is being made to assist the member of the public in succinctly identifying the public record requested.

WAC 174-108-240 CHARGES FOR COPYING. (1) No fee shall be charged for inspection of public records. The college may impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy public records; such charges shall not exceed the amount necessary to reimburse the college for its actual costs incident to such copying.

(2) No person shall be released a record which has been copied by photostatic process until and unless the person requesting the copied public record has tendered payment for such copying to the records official from whom the public record was obtained, or to any person designated by such records official.

WAC 174-108-250 DETERMINATION REGARDING EXEMPT RECORDS.

(1) The college reserves the right to determine that a public record requested in accordance with the procedures of this chapter is exempt under the provisions of RCW 42.17.310. Such determination may be made in consultation with any of the records officers of the college, president of the college, or an assistant attorney general assigned to the college.

(2) Responses to requests for records must be made promptly. For the purpose of these rules, a prompt response occurs if the person requesting the public record is notified within one (1) business day as to whether his request for a public record will be honored.

(3) No denial of a request for public records shall be valid unless accompanied by a written statement, signed by the public records officer or his designee, specifying the specific reasons therefor.

WAC 174-108-260 REVIEW OF DENIALS FOR PUBLIC RECORDS REQUESTS.

(1) Any person who objects to the denial of a request for a public record shall petition for prompt review of such decision by tendering a written request for a review of such denial. Such written request by a person demanding prompt review shall specifically reference the written statement by the college denying that person's request for a public record.

(2) Within two (2) business days after receiving the written request by a person petitioning for prompt review of a decision denying a public record, the president of the college or any of his designees, which for the purposes of this section may include the public records officer or the records custodians, shall consider such petition.

(3) During the course of the two business days in which the president or his designee reviews the decision of the public records officer denying the request for a public record, the president or his designee may conduct an informal hearing. During the course of such informal hearing, the president or his designee may require that the person requesting the public record appear in person at a reasonable time and place located on the campus and further explain and identify the exact nature of the public record he is seeking. Failure by the person requesting the review hearing to appear at such informal hearing shall be deemed a waiver of that person's right to insist upon completion of the review of his request within two (2) business days. If the petitioner requesting review does appear at such informal hearing, then the period for review by the college shall be extended to a period not exceeding twenty-four (24) hours after such person requesting

review has appeared before the president or his designee.

(4) During the course of the informal hearing conducted by the president or his designee under this section, the hearing officer shall consider the obligations of the college fully to comply with the intent of Initiative 276 insofar as it requires providing full public access to official records, but shall also consider the exemptions provided in RCW 42.17.310 and the requirement of RCW 42.17.250 insofar as it requires the college to protect public records from damage or disorganization, prevent excessive interference with essential functions of the agency, and to prevent any unreasonable invasion of personal privacy by deleting identifying details.

REQUEST FOR PUBLIC RECORDS

The Evergreen State College

<u>Section I - IDENTIFICATION.</u> The information requested in Boxes 1 through 4 is not mandatory. If provided, it will allow the Records Officer to contact you, if necessary, in connection with your request.		DATE
1. Name of Requester	2. Representing (if applicable)	
3. Street Address		
4. City-State-Zip Code	If there is any particular urgency attached to this request, please indicate the date by which you need the information.	

Section II - NATURE OF REQUEST. Please be specific about the records you wish to see. If you do not know the name of the records, make your request in the form of a question. To comply with RCW 42.17.260 (5) (Noncommercial Use), please sign the certification below.

I certify that the information obtained as a result of this request for public records will not be used in whole or in part to compile a list for commercial purposes.

Requester's Signature

DO NOT FILL IN BELOW THIS LINE

SECTION III - REQUEST FOR REVIEW

Requested by	Office	Telephone
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Section IV - DISPOSITION OF REQUEST

1.	2.	3.	4.	
5.	6.	7.	8.	9.

PUBLIC RECORDS REQUEST
FOR COPIES

The Evergreen State College

Please indicate the records that you wish to have copied, and number of copies of each. When completed, give this request to a staff member who will accompany you to the cashier and then to the nearest copy center. You will be required to pay for the copies before receiving them.

DESCRIPTION OF MATERIALS TO BE COPIED:

Requester's Signature

REQUEST FOR REVIEW
PUBLIC RECORDS REQUEST

The Evergreen State College

A review of the attached request for public records has been requested by the person named below. Note your opinion below and then have your secretary notify the PRO so that the forms may be picked up by our office. Your opinion, as stated, will not be disclosed to the public.

Review Requested By	Office	Telephone

Reason for Request of Review

Opinion

Review Made By