

REGULAR
MEETING OF THE BOARD OF TRUSTEES
OF THE EVERGREEN STATE COLLEGE

Thursday, July 14, 1983
The Evergreen State College Campus
Daniel J. Evans Library, Room 3112
Olympia, Washington

Trustees Present: Robert J. Flowers
Herbert Gelman
Thelma A. Jackson
Jane B. Sylvester

Absent: George E. Mante

Representatives
to the Board Present: Victor Moore, Staff
Pat Seaton, Alum
Joey Silver, Student

Staff Present: Walker Allen, Registrar
Mike Bigelow, Executive Assistant to the Vice President
for Business
Rita Cooper, Director of Employee Relations
Betsy Diffendal, Academic Dean
Rita Grace, Recording Secretary
Patrick Hill, Provost
Steve Hunter, Director of Institutional Research
Dick Schwartz, Vice President for Business/Acting President
See permanent roster for others attending

Others Attending: Rich Montecucco, Senior Assistant Attorney General
See permanent roster for others attending

The meeting was called to order by Chairman Gelman at 1:45 PM.

PUBLIC HEARING: GOVERNANCE AND DECISION MAKING POLICY - Action

The Board convened a public hearing at 1:45 PM to consider revisions to the governance and decision making policy. Rita Cooper reviewed the three changes made subsequent to the last review by the Trustees relating to the role of the Board of Trustees, the schedule for governance day, and the social contract--freedom and civility (subsection -130). Ms. Cooper shared the one comment she has received since the document was first published regarding governance day starting at 10:00 AM.

Under Administrative Procedure Act requirements, Mr. Flowers moved approval of the attached governance and decision making at Evergreen policy, WAC 174-107-100 through -550, effective immediately. Seconded by Mrs. Sylvester and passed.

INDemnIFICATION POLICY - Deferred

Policy discussion of the indemnification policy was deferred to the August meeting.

POLICY RESEARCH INSTITUTE - Policy Discussion

Patrick Hill reviewed the draft charter for the Washington State Institute for Public Policy Board of Directors. The first meeting of that Board was July 14 (following adjournment of the Trustees' meeting). Evergreen's Board of Trustees will be responsible for approving the activities and charter of the Institute. Trustees who were available were invited to meet with Institute members at their first meeting.

The Board directed that the proposed charter be transmitted to the Institute members with the Board's recommendation for consideration as the Institute charter.

PRESIDENT'S REPORT

Tacoma Program Update (Hill)

Provost Hill announced that, following lengthy negotiations, it appears the Evergreen Tacoma program is near official, with one final appeal process at the CPE meeting on September 13-14. Trustee Sylvester expressed commendation to those who had been involved in the negotiation process. Trustee Jackson felt the college needed to set realistic goals for the program.

Summer School Statistics (Hill, et al.)

Patrick Hill reported an increase over last year in summer school enrollment, indicating that staff are looking at integrating summer school programs into the recruitment and marketing efforts to bring junior and senior level students to campus, and are exploring other ways to bring students to campus. Trustee Jackson was pleased to learn of the efforts to attract high school students to campus during the summer, something which has been discussed for several years.

Mr. Bigelow informed Trustees that the summer school income exceeded the budget expectations.

Self-Supporting Short Course Report (Diffendal)

Academic Dean Betsy Diffendal reviewed the year-end report of the self-supporting, short course pilot project (approved by the Board August 12, 1982). During the past year the college offered 8 short courses, under the sponsorship of the MPA program, designed for public managers. Ms. Diffendal recommended continuation of this series next year with another series of 8 courses to be offered under the auspices of the Master of Public Administration and Master of Environmental Studies programs.

Trustees expressed a desire to have future reports on this program.

Admissions Statistics (Hunter)

Director of Institutional Research, Steve Hunter, discussed fall quarter admissions statistics, indicating he anticipated Evergreen would meet the FTE student funding level. He also distributed a comparison of applications and admissions at Evergreen and her sister institutions.

In response to a question from Trustee Flowers, Mr. Hunter stated that Evergreen's contract enrollment for 1983-84 was 2250 FTE. Trustee Flowers then asked the enrollment goal for 1983-84, emphasizing his desire to see the enrollment goal exceed the contracted FTE. Mr. Flowers indicated he has always felt the college should strive for higher goals. Mr. Hunter responded that the recruiting effort is not scaled down to meet the contracted enrollment. Mr. Flowers concern is the full utilization of campus facilities. Chairman Gelman felt projected enrollments for Evergreen for the next 10 years do not allow growth at that level. Vice President Schwartz added that Evergreen asked for a higher enrollment than the college was given during the budget process this past year; if Evergreen goes over the budgeted enrollment level, the college is in jeopardy in the following year's budget.

Mr. Schwartz announced that the Residence Halls are 80 percent filled for fall, 10 percent ahead of the same time last year.

BUDGET ALLOCATION APPROVALS, 1983-84 - Action

Equipment Replacement - Mike Bigelow told Trustees that the college had been appropriated \$579,000 for equipment replacement purchases for the 1983-84 biennium and recommended Trustee approval of a 1983-84 allocation totaling \$498,757, with the remaining \$81,000 held for the 1984-85 year. Sixty-one percent of the 1983-84 recommended allocation is for direct instruction and thirty-nine percent for the support areas of the college.

Motion 83-33 Mr. Gelman moved approval of the 1983-84 equipment replacement allocations in the amount of \$498,757. Seconded by Mrs. Jackson and passed.

Policy Research Institute - Staff requested authorization for expending monies in the policy research budget with a detailed budget allocation coming to the Board for approval at a later date.

Motion 83-34 Mr. Gelman moved to appropriate to the Policy Research Institute an amount not to exceed \$300,000, requiring that the matter come back for further direction from the Board at its meeting in October, 1983. Seconded by Mr. Flowers and passed.

APPROVAL OF WASHPIRG CONTRACT - Action

Vice President Schwartz informed Trustees that, following the June Board meeting, the contract has been drawn up and approved by both the college and WashPIRG. The contract meets with Attorney General approval.

Motion 83-35 Mr. Flowers moved formal approval of the agreement between The Evergreen State College and the Washington Public Research Group, dated June 20, 1983. Implementation will commence with fall quarter registration. Seconded by Mr. Gelman and passed.

PURCHASING CONTRACT RESOLUTION - Action

Vice President Schwartz recommended approval of the resolution authorizing certain individuals by appointment to enter into purchasing contracts on behalf of The Evergreen State College. As the resolution was revised, names were deleted and replaced by position titles. The resolution was further revised for the library position title.

Motion
83-36

Mr. Gelman moved to approve Resolution No. 4-83, entitled "Resolution of the Board of Trustees of The Evergreen State College authorizing certain individuals by appointment to enter into purchasing contracts on behalf of The Evergreen State College," with the corrected title for the library position: Library - Head of Acquisitions (Buyer). Seconded by Mrs. Jackson and passed.

APPROVAL OF THE MINUTES - Action

Motion
83-37

Mrs. Sylvester moved approval of the minutes of the June 9, 1983 meeting as distributed. Seconded by Mrs. Jackson and passed.

ELECTION OF OFFICERS - Action

Motion
83-38

A unanimous ballot was cast for the following officers for the 1983-84 term as proposed by the nominating committee:

Chairman - Thelma Jackson
Vice Chairman - Herb Gelman
Secretary - Jane Sylvester

As the gavel was passed, the newly elected chairman presented Herb Gelman a certificate of appreciation for his service as chairman this past year.

OTHER BUSINESS - FINANCIAL EXIGENCY - Action

Trustee Sylvester wondered about the status of the state of exigency declared last June. It was determined the exigency status no longer was in effect.

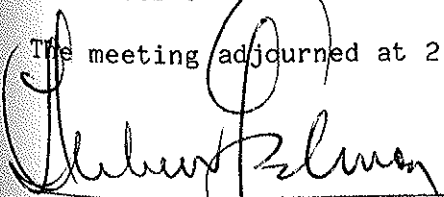
Motion
83-39

Mr. Gelman moved to remove as an effective status of the institution the state of financial exigency heretofore established by the Board of Trustees and to rescind Resolution No. 9-82, adopted by the Board June 18, 1982.

DATE OF NEXT MEETINGS AND ADJOURNMENT

The dates of the next two meetings were set for August 11 and September 8.

The meeting adjourned at 2:50 PM.


HERBERT GELMAN, Chairman


ROBERT J. FLOWERS, Secretary

Chapter 174-107 WAC

GOVERNANCE AND DECISION-MAKING AT EVERGREEN

WAC

- 174-107-100 Definitions.
- 174-107-110 The social contract--General.
- 174-107-120 The social contract--Purpose.
- 174-107-130 The social contract--Freedom and civility.
- 174-107-140 The social contract--Individual and institutional rights.
- 174-107-150 The social contract--Society and the college.
- 174-107-160 The social contract--Prohibition against discrimination.
- 174-107-170 The social contract--Right to privacy.
- 174-107-180 The social contract--Intellectual freedom and honesty.
- 174-107-190 The social contract--Open forum and access to information.
- 174-107-200 The social contract--Political activities.
- 174-107-210 The legal nature and status of the Evergreen State College.
- 174-107-220 Standards for decision-making and governance at Evergreen.
- 174-107-230 Implementation of governance policies and procedures:
The Evergreen council.
- 174-107-240 The Evergreen council--Membership.
- 174-107-250 The Evergreen council--The executive committee.
- 174-107-260 The Evergreen council--Subcommittees.
- 174-107-270 The Evergreen council--Ad hoc committees.
- 174-107-280 The Evergreen council--Standing committees and consultative constituency groups.
- 174-107-290 The Evergreen council--Community access.
- 174-107-300 The Evergreen council--The agenda.
- 174-107-310 The Evergreen council--Meetings.
- 174-107-320 The Evergreen council--Minutes of meetings.
- 174-107-330 The Evergreen council--Actions of council.
- 174-107-340 The Evergreen council--Relationship with administrators.
- 174-107-350 The Evergreen council--Appeals from and notification of decisions or findings.
- 174-107-360 Conflict resolution, general.
- 174-107-370 Mediation/mediator.
- 174-107-380 Mediator of legal issues.
- 174-107-400 Hearing board procedures.
- 174-107-410 Petition for hearing and preliminary procedures.
- 174-107-420 Hearing board chairperson.
- 174-107-430 Requirements of disputants.
- 174-107-440 Guidelines: The hearing.
- 174-107-450 Admissible documents.
- 174-107-460 Components of hearings.
- 174-107-470 Challenges to board members.
- 174-107-500 Presentation of evidence.
- 174-107-510 Timelines for hearing.
- 174-107-520 Hearing board deliberations and decisions.
- 174-107-530 Appeals from hearing decisions.
- 174-107-540 Amending procedure for governance document.
- 174-107-550 Evaluation of governance.

NEW SECTION

WAC 174-107-100 DEFINITIONS. (1) Adjudicator: Designated community member who is responsible for reviewing a variety of situations involving social, emotional, and/or behavioral problems.

(2) Consultative constituency groups: A group usually composed of one constituency of the campus, that provides advice to an administrator on issues principally pertinent to that constituency, e.g. faculty meetings, the President's Council.

(3) DTF (Disappearing Task Force): The ad hoc committee system at Evergreen by which community involvement in decision-making is sought, policy developed and faculty and administrators hired.

(4) DTF implementation/review committee of the Evergreen council: This is a subcommittee of the council. Its responsibility is to receive the charge and membership and final report of all DTF's; maintain file on each DTF charged including the response to the final report made by decision-maker or charger of the DTF. In addition, this subcommittee may pursue any issues in the DTF report or response that it deems appropriate.

(5) Evergreen community: Currently enrolled or on leave students and all staff and faculty in pay or on leave status.

(6) Evergreen council: The campus advisory and deliberative body.

(7) Executive committee of the Evergreen council: Four members of the council, who are selected by the council to serve as the facilitators for campus governance.

(8) Grievable issues: Any issues that arise as a result of a proposed or promulgated policy; or as a result of decisions made under existing campus policy to which a community member objects; or points of conflict between individuals concerning issues over which the college has final determination.

(9) Grievance procedures: Formal procedure through which members of the community seek to resolve points of disagreement involving a campus promulgated rule or decision.

(10) Hearing board subcommittee: This is a subcommittee of four members of the council. Chaired by either a faculty member or a staff member for continuity purposes. Its responsibility is to adjudicate any conflicts referred to it by the executive committee.

(11) Mediator: Designated intervenor in potential conflicts between two members or groups of the community.

(12) Nongrievable issues: Any issue over which the college lacks final determination, including but not limited to: Points covered by federal or state law; contractual agreements between the college and noncommunity members; collective bargaining agreements, affirmative action complaints.

(13) Social contract: This bill of rights and responsibilities outlines a statement of philosophy and a code of behavior and expectations for all members of the Evergreen community.

(14) Standing committees: Annually reconstituted committees whose function is necessary or desirable for the foreseeable future. These committees may either be advisory or have decision-making authority delegated from an administrator. The committees will be composed of representatives of all four constituencies (e.g., Faculty Leaves Committee, Staff Professional Development Committee, S & A Board, Farm Board, Environmental Advisory Committee, Visual Environment Committee).

NEW SECTION

WAC 174-107-110 THE SOCIAL CONTRACT--GENERAL. Evergreen is an institution and a community that continues to organize itself so that it can clear away obstacles to learning. In order that both creative and routine work can be focused on education, and so that the mutual and reciprocal roles of the campus community members can best reflect

the goals and purposes of the college, a system of governance and decision-making consonant with those goals and purposes is required.

NEW SECTION

WAC 174-107-120 THE SOCIAL CONTRACT--PURPOSE. (1) The Evergreen State College requires a social contract rather than a list of prohibitions and negative rules. Evergreen can thrive only if members respect the rights of others while enjoying their own rights. Students, faculty, administrators, and staff members may differ widely in their specific interests, in the degree and kinds of experiences they bring to Evergreen, and in the functions which they have agreed to perform. All must share alike in prizing academic and interpersonal honesty, in responsibly obtaining and in providing full and accurate information, and in resolving their differences through due process and with a strong will to collaboration.

(2) The Evergreen community should support experimentation with new and better ways to achieve Evergreen's goals. Specifically, it must attempt to emphasize the sense of community and require members of the campus community to play multiple, reciprocal, and reinforcing roles in both the teaching/learning process and in the governance process.

NEW SECTION

WAC 174-107-130 THE SOCIAL CONTRACT--FREEDOM AND CIVILITY. The individual members of the Evergreen community are responsible for protecting each other and visitors on campus from physical harm, from personal threats, and from uncivil abuse. Civility is not just a word; it must be present in all our interactions. Similarly, the institution is obligated, both by principle and by the general law, to protect its property from damage and unauthorized use and its operating processes from interruption. Members of the community must exercise the right accorded them to voice their opinions with respect to basic matters of policy and other issues. The Evergreen community will support the right of its members, individually or in groups, to express ideas, judgments, and opinions in speech or writing. The members of the community, however, are obligated to make statements in their own names and not as expressions on behalf of the college. The board of trustees or the president speak on behalf of the college and may at times share or delegate the responsibility to others within the college. Among the basic rights of individuals are freedom of speech, freedom of peaceful assembly and association, freedom of belief, and freedom from intimidation, violence, and abuse.

NEW SECTION

WAC 174-107-140 THE SOCIAL CONTRACT--INDIVIDUAL AND INSTITUTIONAL RIGHTS. Each member of the community must protect: (1) The fundamental rights of others in the community as citizens; (2) the right of each member in the community to pursue different learning objectives within the limits defined by Evergreen's curriculum or resources of people, materials, equipment and money; (3) the rights and obligations of Evergreen as an institution established by the state of Washington; and (4) individual rights to fair and equitable

procedures when the institution acts to protect the safety of its members.

NEW SECTION

WAC 174-107-150 THE SOCIAL CONTRACT--SOCIETY AND THE COLLEGE. (1) Members of the Evergreen community recognize that the college is part of the larger society as represented by the state of Washington, which funds it, and by the community of greater Olympia, in which it is located. Because the Evergreen community is part of the larger society, the campus is not a sanctuary from the general law or invulnerable to general public opinion.

(2) All members of the Evergreen community should strive to prevent the financial, political, or other exploitation of the campus by any individual or group.

(3) Evergreen has the right to prohibit individuals and groups from using its name, its financial or other resources, and its facilities for commercial, or political activities.

NEW SECTION

WAC 174-107-160 THE SOCIAL CONTRACT--PROHIBITION AGAINST DISCRIMINATION. There may be no discrimination at Evergreen with respect to race, sex, age, handicap, sexual orientation, religious or political belief, or national origin in considering individuals' admission, employment, or promotion. To this end the college has adopted an affirmative action policy (See Evergreen Administrative Code chapter 174-109 WAC, Equal opportunity policies and procedures--Affirmative action program). Affirmative action charges shall not be handled through the governance document because of the legal implications of such matters.

NEW SECTION

WAC 174-107-170 THE SOCIAL CONTRACT--RIGHT TO PRIVACY. (1) All members of the college community have the right to organize their personal lives and conduct according to their own values and preferences, with an appropriate respect for the rights of others to organize their lives differently.

(2) All members of the Evergreen community are entitled to privacy in the college's offices, facilities devoted to educational programs, and housing. The same right of privacy extends to personal papers, confidential records, and personal effects, whether maintained by the individual or by the institution.

(3) Evergreen does not stand in loco parentis for its members.

NEW SECTION

WAC 174-107-180 THE SOCIAL CONTRACT--INTELLECTUAL FREEDOM AND HONESTY. (1) Evergreen's members live under a special set of rights and responsibilities, foremost among which is that of enjoying the

freedom to explore ideas and to discuss their explorations in both speech and print. Both institutional and individual censorship are at variance with this basic freedom. Research or other intellectual efforts, the results of which must be kept secret or may be used only for the benefit of a special interest group, violate the principle of free inquiry.

(2) An essential condition for learning is the freedom and right on the part of an individual or group to express minority, unpopular, or controversial points of view. Only if minority and unpopular points of view are listened to, and are given opportunity for expression will Evergreen provide bona fide opportunities for significant learning.

(3) Honesty is an essential condition of learning, teaching or working. It includes the presentation of one's own work in one's own name, the necessity to claim only those honors earned, and the recognition of one's own biases and prejudices.

NEW SECTION

WAC 174-107-190 THE SOCIAL CONTRACT--OPEN FORUM AND ACCESS TO INFORMATION. (1) All members of the Evergreen community enjoy the right to hold and to participate in public meetings, to post notices on the campus, and to engage in peaceful demonstrations. Reasonable and impartially applied rules may be set with respect to time, place and use of Evergreen facilities in these activities. Meetings of public significance cannot be held in secret.

(2) As an institution, Evergreen has the obligation to provide an open forum for the members of its community to present and to debate public issues, to consider the problems of the college, and to serve as a mechanism of widespread involvement in the life of the larger community.

(3) The governance system must rest on open and ready access to information by all members of the community as well as on the effective keeping of necessary records.

(4) In the Evergreen community, individuals should not feel intimidated or be subject to reprisal for voicing their concerns or for participating in governance or policy making.

(5) Decision making processes must provide equal opportunity to initiate and participate in policy making, and Evergreen policies apply equally regardless of job description, status or role in the community.

NEW SECTION

WAC 174-107-200 THE SOCIAL CONTRACT--POLITICAL ACTIVITIES. The college is obligated not to take a position, as an institution, in electoral politics or on public issues except for those matters which directly affect its integrity, the freedom of the members of its community, its financial support, and its educational programs. At the same time, Evergreen has the obligation to recognize and support its community's members' rights to engage, as citizens of the larger society, in political affairs, in any way that they may elect within the provision of the general law.

NEW SECTION

WAC 174-107-210 THE LEGAL NATURE AND STATUS OF THE EVERGREEN STATE COLLEGE. (1) The Evergreen State College, established in Thurston county by the 1967 Washington State Legislature, operates under the provision of the Revised Code of Washington (chapter 28B.40 RCW).

(2) The board of trustees is responsible for the promulgation and approval of the policies and procedures that are required in the operation of the college. These policies and procedures include but are not limited to: Institutional goals and objectives, control and disbursement of funds, erection and construction of buildings and other facilities. The five members of the board of trustees are appointed by the governor with the consent of the senate for six-year overlapping terms. Evergreen's president is chosen by and is directly responsible to the board of trustees for executive direction and supervision of all operations of the college. The president is appointed for a six-year term, reviewable annually and renewable for one additional six-year term. The trustees and the president in turn delegate many duties and responsibilities to others in the Evergreen community.

(3) The governance system recognizes that Evergreen is bound by at least two sets of laws and regulations. The first set includes those federal, state, and local regulations which are legal in nature and binding upon all public institutions. The second set of rules and regulations and procedures, promulgated by Evergreen for internal use, make up the system of governance designed to advance the goals and objectives of the college. The campus grievance procedure and mediation process is not intended to handle issues or conflict that are governed by legal forums, such as the Revised Code of Washington or contractual or bargaining agreements. The governance system is intended to provide an avenue of response and participation under campus promulgated rules and regulations.

NEW SECTION

WAC 174-107-220 STANDARDS FOR DECISION-MAKING AND GOVERNANCE AT EVERGREEN. (1) Evergreen must have an acknowledged governance day so that administrative responsibilities of the community members will not interfere with the productivity, service and creativity of the campus. This day shall also be utilized for faculty and student preparation, research and consultation. To this end all general campus governance (faculty meetings, DTF's, and standing committees) shall, whenever possible, take place on Wednesdays. No permanent scheduling of classes or labs shall be held on Wednesday prior to 5:00 p.m. Temporary scheduling of day time classes may be made on approval of the academic deans.

(2) Decisions and methods to be used for their implementation must be handled at the level of responsibility and accountability closest to those affected by a particular decision. Those persons involved in making decisions must be held accountable. "Accountable" means subject to consequences, commensurate with the seriousness of the decision. Decisions must be made only after consultation with those who are affected by the issue. Consultation must be a formal process to assure the widest possible community involvement.

(3) Location of those responsible for the functioning of various areas of the community is identified in the college's organization chart, the Faculty Handbook, and the Evergreen Administrative Code. Delegated duties and responsibilities should be made as explicit as possible, and information regarding the decision-making roles of various members of the Evergreen community should be made easily available.

(4) Evergreen's system of governance must provide an opportunity for participation by members of the Evergreen community.

(5) The community must avoid fractioning into decision-making constituency groups. Members may form consultative constituency groups that augment the decision-making process.

(6) Evergreen wishes to avoid the usual patterns of extensive standing committees and governing councils. Instead, the community uses short-term ad hoc committees named disappearing task forces (DTF) for the purposes of gathering information, preparing position papers, proposing policy, or offering advice. All DTF meetings are open to the public and the DTF must provide advance notice of time, date and location of meetings through the campus newsletter in the college relations office and if possible through the student newspaper.

Standing committees are discouraged, but should a standing committee be deemed essential, those desiring to establish such must submit a request to the Evergreen council through the president's office (see Evergreen council for procedures).

(7) Wherever possible decision-making groups should use the consensus approach.

(8) In cases of conflict, due process procedures set forth in the appropriate sections of the WAC/EAC must be followed.

(9) Governance procedures must be flexible enough to change as the institution changes and must, therefore, provide for an amendment procedure and periodic evaluation.

NEW SECTION

WAC 174-107-230 IMPLEMENTATION OF GOVERNANCE POLICIES AND PROCEDURES: THE EVERGREEN COUNCIL. The Evergreen council serves as a central forum where students, faculty, administrators and staff may meet for action, discussion and advice on issues affecting the college and its members. It shall act as advocate for the governance and decision-making document.

The council will have an active function of investigating, reporting and recommending on issues brought by members of the community. The council also will have a "watchdog" function as the place where the college's principles are reiterated and actions are weighed for compliance with those principles.

NEW SECTION

WAC 174-107-240 THE EVERGREEN COUNCIL--MEMBERSHIP. (1) The membership of the council shall consist of regular members and alternates. The president, four exempt staff, four classified staff, four faculty, and four students shall be regular members. Two exempt staff, two classified staff, two faculty, and four students shall be the alternates.

(2) Members shall be selected randomly by the president's office using the institutional computer roster.

(3) Terms on the Evergreen council shall be for one year, except as noted elsewhere in this document. No one but the president will be expected to serve more than one term, except as noted elsewhere in this document.

(4) Only the members of the council may vote at council meetings or participate in consensus decisions.

(5) The president shall convene a meeting of the council within thirty days of appointment with appropriate notice to the community.

(6) The names of the members shall be published quarterly in the student newspaper and the campus newsletter. Posters shall be printed

annually with the names and telephone numbers of the members, the chairman of each subcommittee, and the names and telephone numbers of the executive committee. These posters shall include information about the Evergreen council and the grievance procedures.

(7) Membership on the council is obligatory on any member of the Evergreen community when that person is selected for service, unless he or she is excused for good cause. Faculty are required to allow student members a reasonable time from class sessions for their council service without penalty. Program covenants will acknowledge the responsibility of students and faculty to serve on the council, if selected. Appointment letters to staff and faculty contracts will acknowledge the responsibility to serve. Supervisors are required to release subordinates who are members of the council and to allow reasonable time away from other duties for council service, also without penalty. Membership on the council will provide an exemption from DTF service.

NEW SECTION

WAC 174-107-250 THE EVERGREEN COUNCIL--THE EXECUTIVE COMMITTEE.

(1) The executive committee, a committee of four, one from each constituency, shall serve as the adjudication center on issues dealing with the governance document. The committee shall decide if an issue is covered by the governance document and whether the issue shall be considered by the council. The committee shall be the focal point for all issues on campus. It will be the responsibility of the committee to assure timely and fair resolution of all issues and grievances filed with the council.

(2) The committee shall organize itself within ten working days of selection by the council and will publicly announce its readiness to consider issues. The executive committee shall meet at least weekly at a regular time and place.

(3) The committee will make all determinations that involve interpretations or challenges to COG, including determinations as to whether an issue is covered by the grievance procedure.

NEW SECTION

WAC 174-107-260 THE EVERGREEN COUNCIL--SUBCOMMITTEES. There will be minimum of two subcommittees within the council: The hearing board and DTF implementation/review committee. The council shall establish ad hoc committees or other subcommittees as issues dictate.

(1) Hearing board subcommittee will be composed of four members: One faculty, one exempt, one classified staff, and one student. For purposes of continuity a staff or faculty member shall serve as chair of this subcommittee. Members will be selected randomly from the constituency groups of those individuals previously selected for council membership. Hearing board members will be members of the council but shall serve for five quarters rather than four. During the fifth quarter the board will provide continuity to the council and will assist the new hearing board in organizing itself. The incoming hearing board shall adjudicate any issues that occur after its selection. The outgoing hearing board shall handle any issue that is submitted before the new board is constituted, and shall be discharged at the time the new board is constituted. (See WAC 174-107-400 for specific responsibilities and procedures of the hearing board.)

(2) DTF implementation/review committee of the Evergreen council: This is a subcommittee of the council. Its responsibility is to

receive the charge and membership and final report of all DTF's; maintain file on each DTF charged including the response to the final report made by decision-maker or charger of the DTF. In addition, this subcommittee may pursue any issues in the DTF report or response that it deems appropriate.

NEW SECTION

WAC 174-107-270 THE EVERGREEN COUNCIL--AD HOC COMMITTEES. Ad hoc committees may be established to address specific issues or carry out particular activities of the council. Members from the community shall be appointed by the full council as appropriate.

NEW SECTION

WAC 174-107-280 THE EVERGREEN COUNCIL--STANDING COMMITTEES AND CONSULTATIVE CONSTITUENCY GROUPS. (1) The council has the authority and responsibility to review and act upon requests for establishment of official consultative constituency groups.

(2) The council shall establish or act on a request to establish all standing committees. All existing or newly requested standing committees must seek annual recognition for the council. The request must include the reason for establishment of the committee and the role of the committee as an adjunct to decision-making.

(3) Each committee shall have a life of one calendar year. The committee must be reconstituted annually and be approved by the Evergreen council. Failure to seek reconstitution will result in the committee's loss of standing on campus.

NEW SECTION

WAC 174-107-290 THE EVERGREEN COUNCIL--COMMUNITY ACCESS. (1) Any member of the Evergreen community wishing to bring a matter before the council shall submit a written statement of the question, grievance, problem or proposal to the executive committee of the council in care of the office of the president which shall immediately forward all correspondence to the executive committee. The executive committee shall decide within eight days to:

(a) Forward the matter to the committee-of-the-whole (i.e., the entire council) for consideration;

(b) Decline to investigate or carry the matter to the committee-of-the-whole either because it is trivial or lies outside the council's jurisdiction or violates the intent of the document; or

(c) Refer matters back to appropriate office or person, or campus mediator or to the appropriate subcommittee.

(2) The community member shall be advised in writing within nine days as to which procedure shall be followed.

(3) The community member shall be notified in writing within thirty days of the resolution or recommended action by the council.

NEW SECTION

WAC 174-107-300 THE EVERGREEN COUNCIL--THE AGENDA. (1) Matters referred to the council by a subcommittee;
 (2) Matters referred to the council by the executive committee;
 (3) Matters placed on the agenda by two members of the council.

NEW SECTION

WAC 174-107-310 THE EVERGREEN COUNCIL--MEETINGS. (1) The council shall meet at least monthly during the academic year, at a regular time and place established by the executive committee. In addition, five members can call a meeting. All meetings of the council, and the agenda for the next meeting, must be announced at least one week in advance through the college newspaper (if it is published during that period), on KAOS, the campus newsletter (or in a written announcement delivered to every office on campus if the newsletter is not published during that week) and in notices posted prominently around the campus.

(2) Those members of the council who are present constitute a quorum.

NEW SECTION

WAC 174-107-320 THE EVERGREEN COUNCIL--MINUTES OF MEETINGS. (1) Minutes shall be made at regular or special council meetings; recording equipment and supplies, or staff shall be the responsibility of the president's office.

(2) Minutes will be distributed five days after the meeting through the usual communications' channels, including the campus newsletter and student media.

NEW SECTION

WAC 174-107-330 THE EVERGREEN COUNCIL--ACTIONS OF COUNCIL. The council has the authority to call witnesses, review any document except those subject to personnel regulations, security generated, or registration records of students, and to hold open hearings and forums. At the conclusion of its deliberation, the council may:

- (1) Rule in favor of either side or neither;
- (2) Set up a DTF to investigate an issue or formulate a policy;
- (3) Issue a public comment or judgment;
- (4) Censure either side or both;
- (5) Forward an issue to the board of trustees, through the president's office;
- (6) Any combination of all of the above.

NEW SECTION

WAC 174-107-340 THE EVERGREEN COUNCIL--RELATIONSHIP WITH ADMINISTRATORS. Notice of action will be given to the appropriate administrator for implementation as necessary. The administrator will give

the council a summary of his/her implementation or refusal thereof within thirty calendar days of receipt of the notice.

NEW SECTION

WAC 174-107-350 THE EVERGREEN COUNCIL--APPEALS FROM AND NOTIFICATION OF DECISIONS OR FINDINGS. (1) Decisions of the Evergreen council may be appealed to the trustees within thirty calendar days. No appeal shall be heard from an appellant who has failed to participate in the process prior to the decision. Appeals beyond the council must be made in accordance with WAC 174-107-530.

(2) All actions of the council shall be made public through publication in the campus newsletter, and whenever possible, through college newspaper, and broadcasting on campus radio station. Decisions of the council will be available at the information center and posted in several prominent locations on campus.

NEW SECTION

WAC 174-107-360 CONFLICT RESOLUTION, GENERAL. Members of the Evergreen community who come into conflict with one another should make a determined effort to resolve problems peacefully and constructively between themselves before recourse to mediation and grievance procedures.

(1) Mediation and grievance procedures are set up to serve currently enrolled students and current campus employees. However, former students and employees shall be permitted to grieve issues within the time frame in subsection (2) of this section if the adverse action occurred while the individual was in current status and if the adverse action is covered by the COG document.

(2) Issues covered by the governance document must be grieved within sixty days of receipt of notice of the adverse action.

(3) A determination notice will be issued by the Evergreen council or its subcommittees, within thirty days of the petition date.

(4) In disputes concerning timelines the executive committee of the Evergreen council will consider receipt of notice to be a reasonable time after the date of any official documents are issued. However, the Evergreen council may determine appropriate deviations from these time frames for good and sufficient reasons.

(5) Discrimination complaints and all other disputes covered by the Revised Code of Washington, federal and local regulations which are of a legal nature and binding on all public institutions or contractual agreements shall not be referred to the campus grievance procedure. The attorney general shall serve as advisor to the executive committee should a ruling on jurisdiction be required.

NEW SECTION

WAC 174-107-370 MEDIATION/MEDIATOR. (1) Mediator: Designated intervener in potential conflicts between two members or groups of the community. Individuals in the community should contact the mediator before requesting access to the grievance procedure.

(2) When unable to work out their difference one-to-one, the aggrieved parties shall contact the campus mediator for assistance. The mediator may appoint a third party mediator (m) if the parties

fail to agree upon one, or the mediator may serve as the mediator him/herself. The mediator may, if appropriate, refer the party or parties to the adjudicator. Mediation implies deliberation that attempts to result in a solution that will be accepted by the contending parties.

(3) If one party refuses to participate in third party mediation, the campus mediator may refer the issue to the hearing board through the executive committee.

(4) The third party mediation process is deliberately left unstructured; this is done to give the third party mediator the widest possible latitude; the mediator may, at his or her option, adopt any rules or procedures deemed necessary for the orderly resolution of the dispute.

(5) Within five work days of conclusion of mediation, the mediator shall send a summary statement of the nature of the conflict to the executive committee, through the president's office with a copy to the disputants. Mediation should be concluded within ten class days of the request for mediation.

NEW SECTION

WAC 174-107-380 MEDIATOR OF LEGAL ISSUES. (1) In the event of action by authorized administrators which result in an action against a student that involves social, mental/medical incapacity, trespass orders issued on behavioral problems on campus, a student wishing to appeal these actions must request a hearing with the mediator within ten days.

(2) The mediator shall, upon receipt of the letter requesting a hearing, notify the administrator and shall hold a hearing on the issue.

(3) The mediator will, within three days, render a decision or notify both parties that additional information is required before a decision can be made.

(4) The decision of the mediator may be appealed to the president within ten class days.

(5) The decision of the president shall be final.

NEW SECTION

WAC 174-107-400 HEARING BOARD PROCEDURES. (1) Twelve temporary members (three from each constituency group) will be selected from the computer run for one hearing only to join the four regular members. These twelve temporary members will be a pool of available replacements for regular members of the board who disqualify themselves or are disqualified through challenge. Any such replacements must be from the constituency group of the member leaving.

(2) The first responsibility of hearing board members is to their education and work commitments. To insure that the hearing board does not become overworked, regular members may petition the executive committee to convene a supplemental hearing board from the Evergreen council to hear cases if the board feels it is overloaded.

(3) The hearing board cannot hear cases which challenge this governance document. (See WAC 174-107-250(3).)

NEW SECTION

WAC 174-107-410 PETITION FOR HEARING AND PRELIMINARY PROCEDURES. If third party mediation has failed, a disputant who wishes to pursue resolution of a dispute may petition in writing for a hearing within five days of receipt of mediator findings.

(1) Petition for a hearing:

(a) All requests for hearings shall contain the following:

(i) Specific charges or issues for review and response; a hearing will reply only to charges or issues stated in the petition.

(ii) Specific actions or remedy requested.

(b) The petitioner shall deliver a copy of the petition to the other party or agent in the dispute at the time it is submitted to the president's office. The respondent shall be entitled to file a response to the petition, but the time lines will continue to be met while (b) is being accomplished.

(2) Within five class days of receiving a petition for a hearing, the hearing board will convene to review the petition and the mediator's statement, and respond in writing to the disputants accepting or rejecting the case, or clearly stating the conditions which must be met before the request can be accepted. The hearing board may question the executive committee whether the issue is/is not grievable through COG. The executive committee may seek assistance from the attorney general. A decision not to hear a case may be appealed to the board of trustees if the appellant has participated in mediation, and if the appellant has followed the requirements of the hearing board.

NEW SECTION

WAC 174-107-420 HEARING BOARD CHAIRPERSON. (1) The hearing board chairperson will inform the disputants of the date, time, place of the hearing and procedures to be followed. The hearing shall commence within ten class days of acceptance by the hearing board.

(2) The chairperson of the hearing board shall notify disputants in advance of the hearing of time limits for presentation of the issue. Each side may allocate this time as it sees fit. Time for cross-examination will not count against either side, but may be limited. Time required of resource persons requested by the hearing board will likewise not count against either side, but may be limited. The board may modify the time limit if it feels the need.

NEW SECTION

WAC 174-107-430 REQUIREMENTS OF DISPUTANTS. (1) The hearing board may wish to have both parties submit a short and plainly written statement or the matters of positions asserted before the hearing convenes. If so, the chairperson shall request such from each party at the time of notification of the hearing. All documents will be shared with all principals in the dispute.

(2) Each party in the dispute may select one spokesperson. Disputants may be represented by a designee not party to the dispute, but the disputants must participate in order to have the right of appeal.

(3) Petitioner and respondent are responsible for reporting the names of their witnesses and spokesperson, at least three days in advance of the hearing to the chairman of the board and to each other and for insuring that witnesses on their behalf appear at the hearing.

(4) Failure to participate shall not be considered as a good or sufficient reason to postpone the hearing.

NEW SECTION

WAC 174-107-440 GUIDELINES: THE HEARING. (1) The hearing is not a trial, but a forum for full expression of differences. Fairness and truth must be the responsibility of all participants.

(2) The person pressing the complaint is the petitioner. The person responding to the complaint is the respondent. The petitioner and respondent collectively are known as the disputants.

(3) Both parties in the dispute have a right to a fair hearing.

NEW SECTION

WAC 174-107-450 ADMISSIBLE DOCUMENTS. When a hearing board proceeding is held following conclusion of mediation, the hearing shall be conducted without any reference to the mediation report. Further, statements, testimony, and all other evidence given during mediation shall be confidential and shall not be subject to discovery or released to anyone, without permission of the person who divulged the information (RCW 28B.19.120(4)), and the permission of the disputants. However, the summary statement of the mediator is not confidential and shall be considered a matter of public record. (See Mediation (5).)

NEW SECTION

WAC 174-107-460 COMPONENTS OF HEARINGS. Meetings of the hearing board include hearings and deliberations. Hearings shall be open to the community. Deliberations will be closed unless the board unanimously agrees that they will be open. That decision may be reconsidered at any point during the deliberations. "Open meeting" means that observers not directly involved in the case may observe but not participate in discussion.

NEW SECTION

WAC 174-107-470 CHALLENGES TO BOARD MEMBERS. (1) As soon as the hearing board convenes, any of the hearing board members is subject to challenge by each side represented in a dispute. Each side may preemptorily request the removal of one member of the board.

(2) Disputants must show cause for additional challenges, which are unlimited, if good cause is shown. The hearing board chair shall judge whether good cause is shown. Challenged members are to be replaced by alternate members, previously selected from the constituency groups.

NEW SECTION

WAC 174-107-500 PRESENTATION OF EVIDENCE. (1) Petitioner may first present a brief opening statement. Respondent may follow with a brief opening statement.

(2) Petitioner may present witnesses along with pertinent, supportive evidence. Subsequent to each witness' testimony, respondent

may cross-examine; redirect is allowed and recross-examination, if necessary.

(3) Respondent may present witnesses along with pertinent, supportive evidence. Subsequent to each witness' testimony, respondent may cross-examine; redirect is allowed and recross-examination, if necessary.

(4) Petitioner shall present his/her closing arguments, then the respondent shall present his/her closing arguments.

(5) The chairperson of the hearing board is responsible for the smooth functioning of the hearing and providing for a fair hearing for both sides. For example, the chairperson may interrupt to keep the hearing pertinent to the issues and keep hearsay evidence off the records. The chairperson shall rule on procedural objections from the disputants. During the proceedings hearing board members upon recognition from the chair may ask questions which they feel are important to their understanding of the issues or facts.

NEW SECTION

WAC 174-107-510 TIMELINES FOR HEARING. (1) The board may grant delays in the hearing proceedings for valid reasons. For example, the board may wish to allow temporary adjournment to permit a party to respond to new and unexpected material coming to light during the hearing.

(2) The hearing board shall reach a decision within thirty days of receipt of petition for hearing.

NEW SECTION

WAC 174-107-520 HEARING BOARD DELIBERATIONS AND DECISIONS. (1) The hearing board, in deliberating, will consider only the merits of the case and not the consequences of its decision. Finding of fact shall be based exclusively on the evidence and on matters officially noticed.

(2) The hearing board will provide to both parties written notice of its decision within ten days of the close of the hearings, or within thirty class days of filing of original petition, whichever is greater.

(3) The community members shall have access to a transcript or record of the hearings and findings of the hearing board.

The record in a contested case shall include:

- (a) All documents, motions, and intermediate rulings;
- (b) Evidence received or considered;
- (c) A statement of matters officially noticed;
- (d) Questions and offers of proof, objections, and rulings thereon;
- (e) Proposed findings and exceptions; and
- (f) Any decision, opinion, or report by the chairperson presiding at the hearing.

(4) The board may elect, upon group unanimous vote, to divulge the contents of closed deliberations verbally or in written form. All communication concerning deliberations shall be from the chair of the board. Board members must agree never to discuss the decision or the deliberations.

(5) Oral proceedings may be transcribed if necessary for the purposes of trustees' rehearing or review. A copy of the record or any part thereof will be furnished upon request and payment of the costs of transcription or duplication.

NEW SECTION

WAC 174-107-530 APPEALS FROM HEARING DECISIONS. (1) Appeal beyond the campus hearing board may be made by a petition to the board of trustees within ten days. Such an appeal request may only be accepted if the appellant participated in mediation and in the hearing. The decision may be challenged if it:

- (a) Is clearly erroneous in view of the entire record as submitted;
- (b) Is arbitrary or capricious;
- (c) Is beyond jurisdiction of Evergreen (i.e., is covered by federal, state, local statutes);
- (d) Is contrary to usual practice at Evergreen.

(2) The appeal may include only information entered into the hearing record. No new material may be offered during the appeal hearing.

(3) If neither party appeals within ten days of issuance, the decision shall be made final and published within the appropriate news sources.

NEW SECTION

WAC 174-107-540 AMENDING PROCEDURE FOR GOVERNANCE DOCUMENT. (1) Amending of this document may be initiated by filing a notice of change with the Evergreen council. The notice shall contain a narrative of the reason for the change desired, the section to be amended or emended/presented in Code Reviser's Language.

(2) The executive committee shall call a meeting of the council to consider the change.

(3) The council may hold hearings, poll the campus and/or review past practices. It is the responsibility of the council to notify the petitioner of what procedure will be followed in the review of the section of this document that is in question. The council must provide the petitioner with any/all documents used in the review. The petitioner may, if he/she desires, serve as an ex officio member of the council during the deliberations.

(4) Within thirty days the council shall forward a statement of its position to the president's office for consideration by the board of trustees along with the original petition for change.

(5) The trustees shall notify the campus as per the usual public notice requirements before any action is taken on a proposed change.

NEW SECTION

WAC 174-107-550 EVALUATION OF GOVERNANCE. (1) The president will, on April 30th of every fourth year, ask the Evergreen council to convene a DTF on governance which will include faculty, staff, students and a member of the board of trustees to evaluate the Evergreen governance system.

(2) It will be the responsibility of the DTF to affirm the effectiveness of the system or to propose changes. When the DTF has completed its deliberations, it will schedule a series of open meetings, inviting all members of the community to discuss further revision before forwarding the final document by April 30 to the president for implementation the fifth year in September.

TO: BOARD OF TRUSTEES
 FROM: MIKE BIGELOW *MB*
 SUBJECT: EQUIPMENT REPLACEMENT FUNDS
 DATE: JULY 7, 1983

As you know the college was given \$579,000 for equipment replacement purchases during the 1983-85 biennium. During the last month college administrators have engaged in much discussion about how to allocate these funds. The attached summary list represents our recommendations as to how the first year's money should be allocated and spent.

Because the college has critical equipment needs, it is recommended that the great majority (\$498,000) of the money be expended in the first year and the remaining (\$81,000) be saved for second year needs. Most of the money is recommended to meet immediate requirements in areas which directly impact students and their educational experience at the college (61%). Thirty-nine percent of the available amount is recommended for programs and activities which support the teaching function of the college.

Summary By Program

Instruction, Library	
Academic Computing	\$302,837
Student Services	\$5,477
Administration	\$87,900
Facilities	\$66,460
Sub-total	\$462,669
Tax	\$36,088
TOTAL	\$498,757

Any questions you have will be addressed during next week's finance committee and trustee's meetings.

Attachments:
 List of Specific Equipment Recommendations

LIST OF SPECIFIC EQUIPMENT RECOMMENDATIONS

Academics, Library, Computer Services	
1. Anti-static mats for terminal room	\$2,500
2. Audio amplifiers and mixer	\$3,040
3. Audio amplifier, speaker, equalizer	\$3,640
4. Audi Mixer (TV studio)	\$1,600
5. Audio tape recorders (2)	\$2,200
6. Audio tape recorders and accessories	\$10,000
7. Balances, top loading (3)	\$4,785
8. Betamax Video recorders (4) & video cameras (3)	\$7,400
9. Critical Point Dryer	\$2,500
10. Darkroom Equipment	\$3,280
11. Easels	\$2,500
12. Electronic music studio equipment	\$11,000
13. Filing cabinets (9)	\$1,800
14. 16mm film projectors (10)	\$9,000
15. Fluid head tripods (6)	\$7,800
16. Interphone headsets	\$1,392
17. Kardex file	\$800
18. Lab Computer System	\$122,000
19. Light Kits (6)	\$3,600
20. Map cases	\$1,500
21. Microfiche cabinets (6)	\$1,800
22. Microfilm cabinets (8)	\$3,625
23. pH meters (2)	\$2,600
24. Projection Screens (15)	\$1,950
25. Readers of microfilm catalog (6)	\$5,190
26. Farm rototiller	\$1,200
27. Slide, S-8 and opaque projectors	\$2,000
28. 35mm still cameras & lenses	\$23,000
29. Spectrophotometers (3)	\$6,285
30. Spotting scopes (5)	\$1,000
31. Analog plotters for lab facilities	\$14,000
32. Target tube - X-ray diffractometer	\$1,500
33. WLN terminal & modern contention	\$4,450
34. TV and VCR (terminal room)	\$2,000
35. Upgrade NOVA computer system	\$6,000
36. 3/4 inch video recorders & monitors (4)	\$10,400
37. 3/4 inch video recorder and monitor	\$13,500

\$302,837

Student Services	
38. Replace admission's office word processing equip.	\$3,200
39. Health Services medical equipment	\$2,272
	<hr/>
	\$5,472
Administration	
40. Upgrade administrative computer	\$30,000
41. One word processing machine for Pres. & VP offices	\$6,000
42. College relations word processing systems	\$23,500
43. Data communications equipment for telephone system	\$28,400
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	\$87,900
Facilities	
44. High pressure washer	\$16,000
45. Auto scrubbers	\$14,600
46. Card tables & chairs	\$5,400
47. Gas leak detector	\$400
48. Safety man lift	\$4,979
49. Central sprinkler control	\$3,700
50. Rotary scrubbers	\$3,626
51. Miller	\$1,642
52. Laminate saw	\$525
53. Calibrated light meter	\$160
54. Halon gas automatic fire extinguisher	\$7,000
55. Micro sound chamber	\$725
56. Automatic high pressure washer	\$900
57. Wet/Dry Vacuum	\$350
58. Kinetic wheel balancer	\$2,300
59. Security radios (two way)	\$4,153
	<hr/>
	\$66,460
Sub-total	\$462,669
Tax	\$36,088
	<hr/>
TOTAL	\$498,757

AGREEMENT

THIS AGREEMENT effective the 20th of June 1983, by and between The Evergreen State College (hereinafter called "College") and Washington Public Interest Research Group, a Washington non-profit corporation (hereinafter called "WashPIRG"),

W I T N E S S E T H

WHEREAS, during the fall of 1982 a majority of College students have requested the College to collect from each College student a refundable fee to be turned over to WashPIRG; and

WHEREAS, WashPIRG has requested that this agreement be entered into; and

WHEREAS, the College is willing to collect fees from its students (except as to those students who elect not to pay the same and who may do so without penalty), on condition that WashPIRG will refund the fee to College students who desire refunds, in strict accordance with this agreement,

NOW, THEREFORE, in consideration of their mutual promises, and the authorization of the Board of Trustees, the College and WashPIRG agree as follows:

1. The College shall, commencing with the beginning date of formal registration for fall quarter, 1983, bill each student assessed Services and Activities fee a special optional, refundable \$2.50 fee per quarter (hereinafter "WashPIRG fee").

2. The College will remit to WashPIRG the WashPIRG fees actually collected, less administrative costs of collecting same, no later than thirty five (35) calendar days after the beginning of the quarter. Payment will be in the form of check(s), made payable to WashPIRG, and transmitted to the Executive Director and Chair of the Board of Directors. The College shall have no obligation either to remit fees on behalf of students who elect not to pay the WashPIRG fee or to penalize students who elect not to pay the WashPIRG fee. The College will make an advance payment on said payment in the initial amount of \$1000.00 to WashPIRG at the beginning of fall quarter, 1983, if that amount has already been collected. An additional advance payment will be made if required.

3. The College shall be reimbursed for all administrative costs incurred in the collection of the WashPIRG fee. The College shall deduct an amount of \$.25 per transaction for fall quarter, 1983 and \$.18 per transaction each quarter thereafter for costs of collection. In the event that the estimated staff time for answering student inquiries about the WashPIRG fee are different than originally projected this deduction will be raised or lowered accordingly. Estimated staff time to answer phone and in-person inquiries are as follows: 1500 contacts at 2 minutes @ \$7.00 per hour for fall quarter, 1983, and 750 contacts at 2 minutes @ \$7.00 per hour for each quarter thereafter. WashPIRG shall pay a one-time set-up charge to the College of \$750.00 during fall quarter, 1983. The College shall deduct all its costs from the funds transmitted to WashPIRG each quarter.

4. The College shall remit to WashPIRG a list of all students who have paid the WashPIRG fee no later than thirty five (35) calendar days after the beginning of the quarter. A partial list of all students who have paid the fee by the regular fee payment deadline shall be remitted to WashPIRG by the College no later than seven (7) class days after the beginning of the quarter. All lists of students who have paid the WashPIRG fee that are provided to WashPIRG shall bear the names, and student identification numbers of the contributors. The College shall supply the names and addresses of all students who have paid the WashPIRG fee and who have authorized the College to release such information. WashPIRG shall have no obligation to provide students with refunds until a list of students who have paid the WashPIRG fee by the regular payment deadline is transmitted to WashPIRG.

5. The College shall guarantee the use of space on campus at convenient locations and times to be mutually agreed upon for the purpose of distributing refunds to students in accordance with this agreement.

6. This agreement shall affect the collection of the WashPIRG fee by the College during all summer quarters henceforth only when S and A fees are collected.

7. WashPIRG shall refund without protest the WashPIRG fee to each student who has paid the WashPIRG fee and who, during the same quarter, desires a refund, on condition that the student requests the refund during a designated period of ten (10) consecutive school days within the first five week period of each quarter; or five (5) consecutive school days within the first three week period of summer quarter, as the case may be. WashPIRG shall provide refunds at convenient locations on the College campus at which students may receive, without protest, refunds of the WashPIRG fee and such refunds will be made in an expeditious manner by WashPIRG, providing the student requesting the refund indicates his or her name and current student identification number. So as to give reasonable notice to students who desire refunds, WashPIRG shall publicize through the official student newspaper, posting, and other methods, the times and dates during which, and locations at which, students may obtain refunds during each respective quarter. All students who have paid the WashPIRG fee and who desire refunds from WashPIRG shall have reasonable access to refunds, including students enrolled in the Vancouver program, the Tacoma program, and those attending any evening classes in each respective quarter. For cases with extenuating circumstances, individual arrangements will be made for the refunding of fees.

8. This contract shall terminate when, in both of any two consecutive quarters, the total of (a) those students requesting refunds, and (b) those students who have elected not to pay the WashPIRG fee, exceeds 50% of the number of students assessed the WashPIRG fee in each of those two consecutive quarters. For purposes of this paragraph, summer quarter shall not be considered as "consecutive quarters". In the event the contract is terminated under the provisions of this paragraph, the obligations of the College and

WashPIRG shall be observed during the quarter following the second "consecutive quarter" but shall be of no effect thereafter.

9. The Evergreen chapter of WashPIRG will conduct a student body referendum at least every two academic years for the purpose of determining support for the continuation of the chapter and the funding system. If less than a majority of those voting express support for continuing the program, the PIRG chapter will cease at the end of the quarter in which the referendum is held. This referendum shall be held during Winter Quarter in conjunction with the registration process. During registration numbered ballots shall be distributed to each student.

10. WashPIRG shall adopt and maintain accepted accounting principles, methods, and records. Not later than the eighth week of each quarter, WashPIRG shall furnish the College Controller a certificate signed by its Chair as to the number and amount of refunds of refundable fees paid out by WashPIRG to College students in each respective quarter.

11. It is understood that the College shall give notice of the WashPIRG fee and identify the non-mandatory features of the fee collection with its Fee Statements.

12. The College's activities in the collection of the refundable fee and turning the same over to WashPIRG shall be that of collection agent only, it being understood that none of the College's own funds shall be paid over pursuant to this agreement and that neither the execution of this contract nor any performance hereunder shall be construed as approval by the College of any action taken or proposed by WashPIRG. No research or other work published by WashPIRG shall state that any views or recommendations contained therein are those of any college or university with whom WashPIRG has entered into a fee collection agreement.

13. WashPIRG shall indemnify and hold harmless the College and its Trustees, and each of them, from any and all claims, demands, suits or proceedings, damages and causes of actions brought by anyone making any claim or demand or bringing any suit or proceeding seeking to establish that the College's activities in the collection of the refundable fee is not according to law or otherwise is an improper or illegal function of the College or its Trustees. WashPIRG shall provide the necessary legal defense (including costs and disbursements necessarily incurred in connection therewith) of any such claims, demands, suits or proceedings.

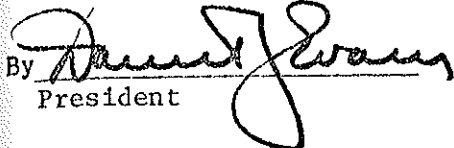
14. WashPIRG and its chapters will at all times abide by Internal Revenue Code regulations governing the lobbying activities of 501 (c) (3) organizations, that is that only an insubstantial amount of resources will be devoted annually to lobbying or otherwise influencing legislation.

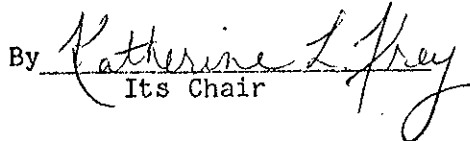
15. An Evergreen State College chapter of WashPIRG will have equal status with all other chapters in terms of numbers of representatives seated on the State Board.

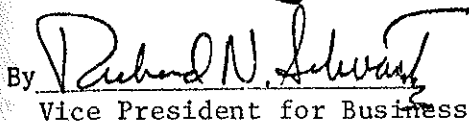
16. The Board of Trustees of The Evergreen State College reserve the right to terminate this agreement at any time by giving the PIRG chapter 30 days notice of such termination which termination shall be effective at the end of 30 days. Such notice shall be given in writing.

The Evergreen State College

Washington Public Interest
Research Group

By 
President

By 
Its Chair

By 
Vice President for Business

By 
Its Secretary

FORMALLY APPROVED AT JULY 14, 1983 BOARD MEETING

THE EVERGREEN STATE COLLEGE

RESOLUTION NO. 4-83

RESOLUTION OF THE BOARD OF TRUSTEES OF
THE EVERGREEN STATE COLLEGE
AUTHORIZING CERTAIN INDIVIDUALS BY APPOINTMENT
TO ENTER INTO PURCHASING CONTRACTS ON BEHALF
OF THE EVERGREEN STATE COLLEGE

WHEREAS, The Board of Trustees of The Evergreen State College recognizes the need for the execution of purchasing contracts on a day-to-day basis; and

WHEREAS, it is necessary for the continued operation of the college that certain persons be appointed to approve and execute such purchasing contracts; and

WHEREAS, the Board at its monthly meetings will be able to review those purchasing contracts;

BE IT RESOLVED by the Board of Trustees of The Evergreen State College that the following persons are hereby appointed to approve and execute, on a day-to-day basis, purchasing contracts for The Evergreen State College:

President
Vice President for Business
Controller
Purchasing Manager
Bookstore Manager
Library - Head of Acquisition (Buyer)

Adopted by the Board of Trustees
July 14, 1983