

State of Washington

STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

(name of governing body)

(agency name, if applicable)

Resolution No. 79-30

Administrative Order No. 77

(1) Be it resolved by the State Board for Community College Education acting at Olympia Technical Community College, 2011 Mottman Road, Olympia, Washington (place)

that it does promulgate and adopted the annexed rules relating to:

amending rule regarding mandatory retirement age of community college employees, specifically WAC 131-16-005.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 79-08-110 filed with the code reviser on July 30, 1979. Such rules shall take effect:

- [X] pursuant to RCW 34.04.040(2).
[] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

We find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04 (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

[X] (a) This rule is promulgated pursuant to RCW Chapter 159, Laws of 1979 ex. sess. and is intended to administratively implement that statute.

[] (b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of

(name of act or RCW citation)

[] (c) This rule is promulgated under the general rule-making authority of the

(agency) as authorized in RCW

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order, after being first recorded in the order register of this governing body is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED September 6, 1979

SEP 10 1979

By Gilbert J. Carbone Assistant Director

Title

STATE OF WASHINGTON CODE REVISER'S OFFICE WSR 79-10-020

State of Washington
STATE BOARD FOR COMMUNITY COLLEGE EDUCATION
Olympia

Rule Purpose and Implementation Statement

Pursuant to chapter 34.04 and WAC 1-12-065, the following rule purpose and implementation statement is provided:

(1) Adoption of the amendments to WAC 131-16-005 regarding mandatory retirement age for certain community college and State Board employees brings this rule into conformity with the provisions of SB 2506 (chapter 159, Laws of 1979 ex. sess.) which prohibits mandatory retirement on the basis of age prior to attainment of age seventy. The rule as amended will provide for a consistent mandatory retirement provision for all community college employees without regard to the retirement system in which they participate.

(2) Agency personnel who are responsible for drafting, implementing, and enforcing this rule are:

General Responsibility: John N. Terrey, Executive Director
(SCAN 234-7412)

Drafting: Gilbert J. Carbone, Assistant Director
(SCAN 234-3650)

All personnel are located at 319 7th Avenue, Olympia, Washington.

(3) To our knowledge there are no opponents to this rule action. Proponents of the rule are the State Board, its administrative staff, and employees of community college districts.

WAC 131-16-005 MANDATORY RETIREMENT AGE DEFINED. The mandatory retirement age for employees of community college districts or the State Board for Community College Education shall be defined as the end of the academic year in which an employee (~~(of a community college district)~~) attains age ~~((sixty-five))~~ seventy; however, when officially approved by the district board of trustees, or by the State Board in the case of its employees, extension of service beyond the mandatory retirement age may be made for definite periods of time not to exceed one year each (~~((but no such extensions shall postpone retirement beyond the end of the academic year in which age seventy is attained))~~).