

**WAC 181-87-070 Unauthorized professional practice.** (1) Any act performed without good cause that materially contributes to one of the following unauthorized professional practices is an act of unprofessional practice.

(a) The intentional employment of a person to serve as an employee in a position for which certification is required by rules of the professional educator standards board when such person does not possess, at the time of commencement of such responsibility, a valid certificate to hold the position for which such person is employed.

(b) The assignment or delegation in a school setting of any responsibility within the scope of the authorized practice of nursing, physical therapy, or occupational therapy to a person not licensed to practice such profession unless such assignment or delegation is otherwise authorized by law, including the rules of the appropriate licensing board.

(c) The practice with an expired, lapsed, suspended, surrendered, or revoked certificate in a position for which certification is required under Title 181 WAC of the professional educator standards board.

(d) The failure of an education practitioner to abide by the conditions within an agreement, executed under WAC 181-86-160, to not continue or to accept education employment.

(e) The failure of an education practitioner to comply with any condition, limitation, or other order or decision entered under chapter 181-86 WAC.

(2) For the purpose of this section, good cause includes, but is not limited to, exigent circumstances where immediate action is necessary to protect the health, safety, or general welfare of a student, colleague, or other affected person.

[Statutory Authority: Chapter 28A.410 RCW. WSR 21-08-022, § 181-87-070, filed 3/29/21, effective 4/29/21. Statutory Authority: RCW 28A.410.210. WSR 06-14-010, § 181-87-070, filed 6/22/06, effective 7/23/06. WSR 06-02-051, recodified as § 181-87-070, filed 12/29/05, effective 1/1/06. Statutory Authority: RCW 28A.410.010. WSR 97-21-075, § 180-87-070, filed 10/17/97, effective 11/17/97. Statutory Authority: RCW 28A.70.005. WSR 90-02-075, § 180-87-070, filed 1/2/90, effective 2/2/90.]