



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/22/01)

Agency: State Board for Community and Technical Colleges

- Permanent Rule
- Emergency Rule
- Expedited Rule Making

(1) Date of adoption: May 6, 2004

(2) Purpose: Revision to existing rules related to this program required by passage of EHB 1403 by the 2003 Legislature.

(3) Citation of existing rules affected by this order:

Repealed:
 Amended: WAC 131-16-450
 Suspended:

(4) Statutory authority for adoption: RCW 28B.50

Other Authority: *319*

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 04-07-095 on 4-16-04.

Describe any changes other than editing from proposed to adopted version:

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:

Yes No If Yes, explain:

(6) Effective date of rule:

Permanent Rules

- 31 days after filing
- Other (specify) _____*

Emergency Rules

- Immediately
- Later (specify) _____

*If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required

Name (Type or Print)

DelRae Oderman

Signature

DelRae Oderman

Title
Executive Assistant, Agency
Rules Coordinator

Date
May 10, 2004

CODE REVISER USE ONLY

CODE REVISER USE ONLY

STATE OF WASHINGTON

MAY 11 2004

TIME 3:31 PM

WSR 04-11-028

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	<u>1</u>	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	<u>1</u>	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

AMENDATORY SECTION (Amending WSR 00-20-039, filed 9/28/00, effective 10/29/00)

WAC 131-16-450 Exceptional faculty awards trust fund. (1)

Pursuant to chapter 29, Laws of 1990, the community and technical college exceptional faculty award program shall be subject to the following limitations:

(a) All funds generated by and through this program shall be credited to the college or its foundation exceptional faculty local endowment trust fund, from which only the earnings of such funds may be expended for the purpose of this program.

(b) Authorization to transfer funds from the exceptional faculty award trust fund in the state treasury to a college or its foundation endowment fund shall be contingent upon certification by the college that no less than ~~((twenty-five))~~ ten thousand dollars of matching cash donations from private sources has been deposited in the college endowment fund.

~~((c))~~ ~~((Grants to an individual college or its foundation shall not exceed: Four grants to each college, in any single biennium.~~

~~((d))~~ Award of requested grants to a college or its foundation shall be contingent upon determination by the state board for community and technical college that the request is consistent with and meets the requirements of the rules of the state board for community and technical colleges and RCW 28B.50.835 through 28B.50.844. Further, if grant requests exceed available funds, the state board for community and technical college shall select the recipients.

~~((e))~~ (d) Funds granted for the purposes of the faculty awards program shall be held in trust by the college to which such funds were specifically awarded.

~~((f))~~ (e) Each college shall establish procedures by which awards may be named in honor of a donor, benefactor, or honoree; may designate the use of funds to individuals, groups, or for the improvement of the faculty as a whole; and may renew or redesignate the award annually.

~~((g))~~ (f) At the end of each fiscal year, the state board for community and technical colleges will request an accounting from each of the participating colleges to include the amount of contributed endowment funds, their earnings, type of investments, and uses made during the previous fiscal year.

~~((h))~~ (g) The process for determining awards shall be subject to collective bargaining, except that the amount of individual awards and the recipient(s) shall be determined by the district board of trustees.

~~((i))~~ (h) Only individuals, groups, or the faculty as a whole, who hold faculty assignments as defined by RCW 28B.52.020(2) shall be eligible to receive awards under this section.

(2) The award of exceptional faculty grants from the college endowment fund shall be subject to the following limitations:

The proceeds from the endowment fund shall be used to pay expenses for faculty awards, which may include faculty development activities, in-service training, temporary substitute or replacement costs directly associated with faculty development programs, conferences, travel, publication and dissemination of exemplary projects; to make a one time supplement to the salary of the holder or holders of a faculty award, for the duration of the award; or to pay expenses associated with the holder's program area.

(3) Funds from this program shall not be used to supplant existing faculty development funds.