

**WSR 25-02-043**  
**EXPEDITED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
[Filed December 20, 2024, 8:45 a.m.]

Title of Rule and Other Identifying Information: The department of social and health services (DSHS) is proposing to amend WAC 388-449-0220 How does substance use affect my eligibility for the aged, blind, or disabled (ABD) cash and pregnant women assistance (PWA) programs?

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: These housekeeping amendments update a typographical error without changing the effect of the rule.

Reasons Supporting Proposal: These amendments meet the criteria for expedited adoption as set forth in RCW 34.05.353 (1)(c): "The proposed rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect.["]

Statutory Authority for Adoption: RCW 74.04.005, 74.04.050, 74.04.0052, 74.04.055, 74.04.057, 74.04.510, 74.04.655, 74.04.770, 74.04.805, 74.08.025, 74.08.043, 74.08.090, 74.08.335, 74.08A.100, 74.62.005, 74.62.030.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: DSHS, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Sarah Mintzer, P.O. Box 45470, Olympia, WA 98504-5470, 360-764-0050.

This notice meets the following criteria to use the expedited adoption process for these rules:

Corrects typographical errors, makes address or name changes, or clarifies language of a rule without changing its effect.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: These amendments update typographical error(s) of a rule without changing its effect.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Katherine I. Vasquez, Rules Coordinator, DSHS, P.O. Box 45850, Olympia, WA 98504, phone 360-664-6097, fax 360-664-6185, email DSHSRPAURulesCoordinator@dshs.wa.gov, AND RECEIVED BY 5:00 p.m. on March 4, 2025.

December 20, 2024  
Katherine I. Vasquez  
Rules Coordinator

**SHS-5068.1**

AMENDATORY SECTION (Amending WSR 24-01-068, filed 12/14/23, effective 1/14/24)

**WAC 388-449-0220 How does substance use affect my eligibility for the aged, blind, or disabled (ABD) cash and pregnant women assistance (PWA) programs?**

(1) For purposes of ABD, you must complete a substance use disorder assessment when we have information that indicates you may have a substance use disorder.

(2) For purposes of PWA, you must complete a substance use disorder assessment when we have information that indicates you may have a substance use disorder.

(3) You must participate in substance use disorder treatment if a certified substance use disorder professional indicates a need for treatment, unless you have good cause. Good cause includes, but is not limited to, the following reasons:

(a) We determine that your physical or mental health impairment prevents you from participating in treatment.

(b) The outpatient substance use disorder treatment you need isn't available in the county you live in.

(c) You need inpatient substance use disorder treatment at a location that you can't reasonably access.

(d) You are a parent or other relative personally providing care for a minor child or an incapacitated individual living in your household, child care or day care is necessary for you to participate in substance use disorder treatment, and such care is not available.

~~((3))~~ (4) If you refuse or do not complete an assessment or treatment without good cause, your benefits will end until you provide proof you are pursuing an assessment or treatment as required.

**WSR 25-02-052**  
**EXPEDITED RULES**  
**COMMUNITY COLLEGES**  
**OF SPOKANE**

[Filed December 20, 2024, 1:56 p.m.]

Title of Rule and Other Identifying Information: WAC 132Q-01-006, 132Q-01-020, 132Q-02-390, 132Q-02-340, 132Q-07-010, 132Q-07-040, 132Q-10-101, 132Q-10-105, 132Q-10-243, 132Q-20-005, 132Q-20-010, 132Q-20-040, 132Q-20-050, 132Q-20-110, 132Q-20-270, 132Q-94-010, 132Q-94-020, 132Q-94-030, 132Q-94-160, 132Q-108-010, 132Q-108-040, 132Q-113-010, 132Q-135-050, 132Q-136-010, 132Q-276-020, 132Q-276-060, and 132Q-276-090.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Change name in code from "Community Colleges of Spokane" to "Spokane Colleges."

Reasons Supporting Proposal: Washington State Community College District 17 board of trustees had approved the name change to "Spokane Colleges."

Statutory Authority for Adoption: RCW 34.05.353.

Statute Being Implemented: RCW 34.05.353.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington State Community College District 17, governmental.

Name of Agency Personnel Responsible for Drafting: John O'Rourke, Spokane, Washington, 509-434-5185; Implementation and Enforcement: Dr. Kevin Brockbank, Spokane, Washington, 509-434-5006.

This notice meets the following criteria to use the expedited adoption process for these rules:

Corrects typographical errors, makes address or name changes, or clarifies language of a rule without changing its effect.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO John O'Rourke, Community Colleges of Spokane, 501 North Riverpoint Boulevard, Mailstop 1006, Spokane, WA 99217-6000, phone 509-434-5185, email john.orourke@ccs.spokane.edu, BEGINNING December 20, 2024, AND RECEIVED BY March 4, 2025.

December 20, 2024  
John O'Rourke  
Rules Coordinator

**OTS-6068.1**

AMENDATORY SECTION (Amending WSR 21-12-050, filed 5/26/21, effective 6/26/21)

**WAC 132Q-01-006 Organization and operation.** (1) Organization: Washington State Community College District 17, (~~Community Colleges of~~) Spokane Colleges including Spokane Community College and Spokane Falls Community College, is established in Title 28B RCW as a public institution of higher education. District 17 is governed by a five-member board of trustees, appointed by the governor. The board employs a chancellor who establishes the structure of the administration.

(2) Operation: The administrative office is located at 501 North Riverpoint Boulevard, P.O. Box 6000, Spokane, Washington 99217-6000. Spokane Community College is located at 1810 North Greene Street, Spokane, Washington 99217-5499; Spokane Falls Community College is located at 3410 West Whistalks Way, Spokane, Washington 99224-5288. The office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday, except for legal holidays. During summer months, sections of the district may operate on an alternate schedule and throughout the year, evening services are provided. Specific information is available through each campus.

(3) Additional and detailed information concerning the educational offerings may be obtained from the college catalog, available on the (~~Community Colleges of~~) Spokane Colleges website and at various locations including college libraries, admissions, and counseling offices.

AMENDATORY SECTION (Amending WSR 21-12-050, filed 5/26/21, effective 6/26/21)

**WAC 132Q-01-020 Regular meetings of the board of trustees.** The board of trustees of Washington State Community College District 17 (~~Community Colleges of~~) Spokane Colleges shall hold regular monthly meetings according to a schedule including place, time and date filed with the Washington state code reviser on or before January 1st of each year for publication in the Washington State Register. Notice of any change from such meeting schedule shall be published in the Washington State Register at least (~~twenty~~) 20 days prior to the rescheduled meeting date.

All regular meetings of the board of trustees shall be held at 3305 West Whistalks Way, Spokane, Washington 99217-5228, unless otherwise announced. Information about specific meeting places and times may be obtained from the office of the board.

#### **OTS-6069.1**

AMENDATORY SECTION (Amending WSR 21-22-011, filed 10/21/21, effective 11/21/21)

**WAC 132Q-02-340 Definitions.** The following definitions shall apply in interpreting these regulations:

(1) Directory information: Information contained in an educational record of a student that would not be generally considered harmful or an invasion of the privacy if disclosed. It includes, but is not limited to: The student's name, major field of study, dates of attendance, enrollment status (e.g., full-time or part-time), participation in recognized sports, degree or certificate earned, term degree or certificate awarded, and honors received.

(2) Educational record: Those records, except as provided otherwise in (b) of this subsection, directly related to a student and maintained by the college or a party acting for the college.

(a) Education records include, but are not limited to:

(i) Official transcripts of course taken and grade received; records relating to prior educational experience; and admission records;

(ii) Tuition and payment records;

(iii) Student disciplinary records;

(iv) Course records (e.g., examinations, term papers, essays, etc.);

(v) Employment records based on student status (e.g., work study).

(b) Educational records do not include:

(i) Records of instruction, supervisory, and administrative personnel and educational personnel which are in the sole possession of the originator and which are not accessible or revealed to any other person except a substitute or designee;

(ii) Records created and maintained by campus security for law enforcement purposes;

(iii) In the case of persons who are employed by an educational agency or institution, but who are not in attendance at such agency or institution, records made and maintained in the normal course of business, which relate exclusively to such person's employment, are not available for use for any other purpose;

(iv) Records containing medical or psychological information are not available to anyone other than the individual(s) providing treatment; however, such records may be personally reviewed by a physician or other appropriate professional upon the student's written consent.

(3) Legitimate educational interest: If the information requested by the school official is necessary for the official to perform a task specified in his/her position description or contract agreement including: The performance of a task related to a student's education; the performance of a task related to the discipline of a student; the provision of a service or benefit related to the student or student's family, such as health education, counseling, advising, student employment, financial aid, or other student service related assistance; the maintenance of the safety and security of the campus; and/or the provision of legal assistance regarding a student matter.

(4) Parent: Defined as a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

(5) Personal identifiable information: This includes, but is not limited to: Student's name, the name of the student's parent or other family member; the address of the student or the student's family; a personal identifier such as the student's Social Security number or student identification number; a list of personal characteristics that would make the student's identity easily traceable; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community,

who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

(6) Record: Any information recorded in any way, including, but not limited to: Handwriting, print, computer media, video or audio media, microfilm and microfiche.

(7) School official: All of the following who act in the student's educational interests within the limitations of their need to know:

(a) A person employed by (~~Community Colleges of~~) Spokane Colleges in an administrative, supervisory, academic, research, support staff, law enforcement or health care service position;

(b) A person serving on the ((ECS)) SC board of trustees;

(c) A student serving on an official ((ECS)) SC committee or assisting another school official in fulfilling their professional responsibilities (examples include, but are not limited to, service on a disciplinary committee and work study students); and

(d) A contractor, consultant, volunteer or other party with whom ((ECS)) SC has contracted to provide a service and/or to assist another school official in conducting official business (examples include, but are not limited to: An attorney, an auditor, a collection agency, or the National Student Clearinghouse, an agency which acts as a clearinghouse for student loan deferment reporting).

(8) Student: Any person, regardless of age, who is or has been officially registered in attendance at ((ECS)) SC at any location at which ((ECS)) SC offers programs/courses with respect to whom ((ECS)) SC maintains educational records.

AMENDATORY SECTION (Amending WSR 07-10-042, filed 4/25/07, effective 6/25/07)

**WAC 1320-02-390 College records.** All college individual(s) or office(s) that have custody of education records will develop procedures for handling these records. These procedures will be filed with the college's records committee, which will be responsible for periodic review of college and department procedures.

(1) Disciplinary records shall be kept separate from academic records, and transcripts of a student's academic record shall contain no notation of any disciplinary action. Special precautions shall be exercised to insure that information from disciplinary or counseling files is not revealed to unauthorized persons. Provisions shall be made for periodic review and routine destruction of inactive disciplinary records by offices maintaining such records.

(2) No records shall be kept that reflect a student's political or ideological beliefs or associations.

(3) Entities within (~~Community Colleges of~~) Spokane Colleges share education records.

(4) Students requesting an official copy of their educational transcripts must provide a written request including name, address, student identification number and where the transcript is to be sent.

(5) A processing fee will be assessed for any official transcript sent to institutions outside the jurisdiction of (~~Community Colleges of~~) Spokane Colleges.

OTS-6070.1

AMENDATORY SECTION (Amending WSR 07-10-042, filed 4/25/07, effective 6/25/07)

**WAC 132Q-07-010 Authority to demand identification.** (1) For the purpose of determining whether probable cause exists for application of any section of chapter 132Q-30 WAC to any conduct by any person on a college facility, any faculty or other college personnel of (~~Community Colleges of~~) Spokane Colleges may demand that any person on college facilities produce evidence of student enrollment at the college, by tender of said person's student identification card.

(2) Refusal by a student to produce a student identification card, as required by subsection (1) of this section, shall be cause for disciplinary action under chapter 132Q-30 WAC.

AMENDATORY SECTION (Amending WSR 10-06-012, filed 2/19/10, effective 3/22/10)

**WAC 132Q-07-030 Outside speakers.** (1) Any recognized campus student organization may invite speakers on campus, subject to provisions of this section.

(2) The appearance of an invited speaker on a campus does not represent an endorsement, either implicit or explicit, of views or opinions of the speaker by (~~CCS~~) SC, its students, its faculty, its college personnel, its administration or its board.

(3) The scheduling of speakers including, but not limited to, those expecting to use campus facilities, including notification of the identity of the speaker(s), time of the speech, the place of the speech and the manner in which the speech will be transmitted shall be made through the facilities scheduling office of the campus at which the speaker will appear.

(4) If it is expected that an outside speaker is to be compensated with any institutional funds, the appropriate student activities office will be notified at least (~~thirty~~) 30 days prior to the appearance of an invited speaker, at which time a personal services contract (available in the student activities office) must be completed with all particulars regarding speaker, time, place, etc., signed by the sponsoring organization's advisor, and filed with the student activities office. Exceptions to the (~~thirty~~) 30-day ruling may be made by the appropriate administrator.

AMENDATORY SECTION (Amending WSR 10-06-012, filed 2/19/10, effective 3/22/10)

**WAC 132Q-07-040 Distribution of materials.** (1) Handbills, leaflets, newspapers, and similarly related material (including religious matter) distributed free of charge by any student, nonstudent, member of a recognized student organization or college personnel may be distributed upon a college campus, provided that such distribution does not interfere with the free flow of vehicle or pedestrian traffic.

(2) Newspapers, leaflets, and similarly related materials offered for sale by any student or nonstudent person or organization may be distributed and sold only through the college book store as are other commercial forms of merchandise, subject to reasonable rules and regulations that may be imposed by the bookstore manager. Exceptions may be made by the appropriate vice president or designee.

(3) The organization or individual publishing and distributing handbills, leaflets, newspapers, and similarly related material (including religious matter) is encouraged but not required to include its or his/her name and contact information on the distributed material.

(4) Any distribution of the materials regulated in this section shall not be construed as endorsement of the same by the college or by the board of trustees of (~~Community Colleges of~~) Spokane Colleges.

### OTS-6071.1

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

#### **WAC 1320-10-101 Standards of conduct for students—Preamble.**

(1) (~~Community Colleges of~~) Spokane Colleges ((~~CCS~~) SC), a multi-college district, provides its community and students with education and services of the highest quality. We do this in a manner which exhibits concern and sensitivity to students, faculty, staff and others who utilize our services and facilities. It is essential that members of ((~~CCS~~) SC) exhibit appropriate and conscientious behavior in dealing with others.

(2) ((~~CCS~~) SC) expects all students to conduct themselves in a manner consistent with its high standards of scholarship and conduct. Student conduct, which distracts from or interferes with accomplishment of these purposes, is not acceptable. Students are expected to comply with these standards of conduct for students both on and off campus and acknowledge the college's authority to take disciplinary action.

(3) Admission to a college within ((~~CCS~~) SC) carries with it the presumption that students will conduct themselves as responsible members of the academic community. This includes an expectation that students will obey the law, comply with policies, procedures and rules of the district, the colleges and their departments, maintain a high standard of integrity and honesty and respect the rights, privileges and property of other members of ((~~CCS~~) SC).

(4) Students are responsible for their conduct. These standards of conduct for students promote ((~~CCS's~~) SC's) educational purposes and provide students a full understanding of their rights and responsibilities. Sanctions for violations of the standards of conduct for students will be administered under this chapter. When violations of laws of the state of Washington and/or the United States are also involved, the college may refer such matters to proper authorities and in the case of minors, this conduct may be referred to parents or legal guardians consistent with the provisions of FERPA.



(5) This chapter, chapter 132Q-10 WAC, constitutes the (~~Community Colleges of~~) Spokane Colleges standards of conduct for students. This chapter may also be referred to as the ((~~CCS~~)) SC student code of conduct.

AMENDATORY SECTION (Amending WSR 23-06-026, filed 2/22/23, effective 3/25/23)

**WAC 132Q-10-105 Definitions.** For the purposes of this chapter, the following terms shall mean:

(1) "Accused student" means any student accused of violating the standards of conduct for students.

(2) "Appeals board" is a district-wide board composed of one administrator from each college appointed by the chief executive of that college. The appeals board considers appeals from a student conduct board's determination or from the sanctions imposed by the student conduct officer. The appeals board is convened by the student conduct officer.

(3) The "chief student services officer" is the vice president of student services of Spokane Community College or of Spokane Falls Community College, or a person designated by the college president to be responsible for the administration of the standards of conduct for students. The chief student services officer also serves as the Title IX coordinator for matters regarding conduct of (~~Community Colleges of~~) Spokane Colleges ((~~CCS~~)) SC students.

(4) "College" means Spokane Community College, Spokane Falls Community College, and all locations of ((~~CCS~~)) SC.

(5) "College official" includes any person employed by the college performing assigned duties with the exception of work study students.

(6) "College premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the (~~Community Colleges of~~) Spokane Colleges (including adjacent streets and sidewalks).

(7) "College president" includes the president of Spokane Falls Community College and the president of Spokane Community College. Each president is authorized to designate a chief student service officer on behalf of his or her respective institutions.

(8) "Complainant" means any member of ((~~CCS~~)) SC, including employee(s), contractor(s), visitor(s), or guest(s) who submits a report alleging that a student violated the standards of conduct for students. When students believe they have been victimized by another student's misconduct, they have the same rights under these standards as are provided to the complainant, even if another member of ((~~CCS~~)) SC submitted the charge itself. For the purposes of complaints involving sexual misconduct, the "complainant" is the alleged victim of sexual misconduct even if the complaint is filed by a third party including, but not limited to, complaints filed by ((~~CCS~~)) SC, SFCC, or SCC.

(9) "Disciplinary action" is the process by which discipline is imposed against a student, members of a student organization, or a student organization for a violation of the standards of conduct for students by a student conduct officer, the student conduct board, the student conduct administrative panel, the appeals board, or a faculty member.

(10) "Disciplinary appeal" is the process by which an aggrieved student can appeal the discipline imposed by the chief student services officer, the student conduct officer, the student conduct board, or the student conduct administrative panel. Appeals of all appealable disciplinary action shall be determined by the appeals board.

(11) "Disciplinary hearing" is the process during which an accused student has the opportunity to respond to a complaint alleging a violation(s) of the standards of conduct for students. The accused student has the opportunity to explain what he or she did and to provide evidence that is relevant to the complaint. Alleged misconduct that would not result in suspension in excess of 10 instructional days or an expulsion shall be reviewed through a brief adjudicative proceeding held by the student conduct officer or the student conduct board.

(12) "Faculty member" means a teacher, counselor, or librarian or person who is otherwise considered by the college to be a member of its faculty.

(13) "Filing" is the process by which a document is officially delivered to a school official responsible for facilitating a disciplinary review. Unless expressly specified otherwise, filing shall be accomplished by:

(a) Hand delivery of the document to the school official or school official's assistant; or

(b) By sending the document by email and first class mail to the recipient's college email and office address. Papers required to be filed with the college shall be deemed filed upon actual receipt during office hours at the office of the specified official.

(14) "Instructional day" means Monday through Friday, except for federal or state holidays, when students are in attendance for instructional purposes.

(15) "Member of ((ECS)) SC" includes any person who is a student, faculty member, college official, guest, contractor, or visitor of ((ECS)) SC. A person's status in a particular situation is determined by the chief student services officer.

(16) "Notice" or "service" is the process by which a document is officially delivered to a party. Unless expressly specified otherwise, service upon a party shall be accomplished by:

(a) Hand delivery of the document to the party; or

(b) By sending the document by email and by certified mail or first class mail to the party's last known address. Service is deemed complete upon hand delivery of document or upon the date the document is emailed and deposited into mail.

(17) "Respondent" is the student against whom disciplinary action is initiated.

(18) "Sexually violent conduct" is a sexual or gender-based violation of the standards of conduct for students including, but not limited to:

(a) Nonconsensual sexual activity including sexual activity for which clear and voluntary consent has not been given in advance; and sexual activity with someone who is incapable of giving valid consent because, for example, she or he is underage, sleeping, incapacitated due to alcohol or drugs, has an intellectual or other disability that prevents the individual from having the capacity to give consent, or is subject to duress, threat, coercion or force.

(b) Sexual assault, domestic violence, dating violence, and sexual or gender-based stalking;

(c) Nonphysical conduct such as indecent liberties, sexual exploitation, indecent exposure, sexual exhibitionism, sex or gender-based digital media stalking, sexual or gender-based online harassment, sexual or gender-based cyberbullying, nonconsensual posting or recording of a sexual activity, and nonconsensual distribution of a recording of a sexual activity.

(19) "Student" includes a person taking courses at or through the college, either full time or part time. For the purposes of the standards of conduct for students, the term applies from the time of application for admission through the actual receipt of a degree or certificate, even though conduct may occur before classes begin or after classes end. The term also applies during the academic year, during periods between terms of actual enrollment and includes individuals who are not officially enrolled for a particular quarter but have a continuing relationship with the college (including suspended students), and students participating in study abroad programs. "Student" also includes "student organization" and persons who withdraw after allegedly violating the standards of conduct for students.

(20) "Student organization" is a student organization, athletic team, or living group including, but not limited to, student clubs and organizations formally recognized as such, members of a class or student cohort, and student performance groups.

(21) "Student conduct administrative panel" is a panel appointed by the president of the college to hear initial complaints referred by the student conduct officer involving allegations of sexual misconduct or other misconduct which may result in a suspension of more than 10 instructional days or dismissal/expulsion from the college. The panel shall consist of three faculty members appointed by the president and two members of the administration, but not the vice president of student services, appointed by the president at the beginning of the academic year. One of the members of the administration shall serve as the chair of the committee. If that individual is not available for a hearing or has a conflict of interest, the other member of the administration shall chair the individual hearing. The chairs shall receive annual training on protecting victims and promoting accountability in cases involving allegations of sexual misconduct. The student conduct officer convenes the board and appoints the chair for each hearing. Hearings may be held by a quorum of three members of the committee so long as one faculty member and one administrator are included on the hearing panel. Committee action may be taken upon a majority vote of all committee members attending the hearing.

(22) "Student conduct board" is a board appointed by the president of the college to hear initial complaints referred by the student conduct officer to determine whether a student has violated the general standards of conduct for students, and to impose sanctions when a violation has been committed for misconduct that would result in discipline involving an academic suspension of 10 instructional days or less or a discipline not involving dismissal or expulsion from the college. The board shall have at least one member from the respective groups: Faculty, students, and administration. The student conduct officer convenes the board and appoints the chair. Hearings may be held by a quorum of three members of the committee so long as one faculty member and one student are included on the hearing panel. Committee action may be taken upon a majority vote of the committee members attending the hearing.

(23) "Student conduct officer" means the individual or individuals designated by the college president to facilitate and coordinate

student conduct matters pursuant to these standards of conduct for students.

(24) "Title IX coordinator" means the vice president of student services for the college or his/her designee who is responsible for coordinating Title IX matters regarding students of ((CCS)) SC who is also known as the chief student services officer.

AMENDATORY SECTION (Amending WSR 23-06-026, filed 2/22/23, effective 3/25/23)

**WAC 132Q-10-120 Jurisdiction of the standards of conduct for students.** The standards of conduct for students apply to conduct that occurs on college premises, at college-sponsored activities, and to off-campus conduct that adversely affects ((CCS's)) SC's educational environment and/or the pursuit of its objectives as set forth in its mission. Jurisdiction extends to locations in which students are engaged in official college activities including, but not limited to, athletic events, activities funded by associated students, training internships, cooperative and distance education, online education, study abroad programs, practicums, supervised work experiences, any other college-sanctioned social or club activities, and/or foreign or domestic travel associated with any of these events or activities. Students are responsible for their conduct from the time of application for admission through the actual receipt of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. These standards shall apply to a student's conduct even if the student withdraws from college while a disciplinary matter is pending. The college student conduct officer, or their designee, has sole discretion, on a case-by-case basis to determine whether the student conduct code will be applied to conduct by students or student groups that occurs off campus.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

**WAC 132Q-10-125 Violation of law and standards of student conduct.** (1) College disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and the standards of conduct for students without regard to pending criminal litigation in court or criminal arrest and prosecution. Proceedings under these standards of conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings at the discretion of the chief student services officer. Determinations made or sanctions imposed under these standards of conduct are not subject to change because criminal charges were dismissed, reduced or resolved in favor of or against the criminal law defendant. Students in this circumstance who remain silent should recognize that they give up their opportunity to explain their side of the story and that a decision will be made based on the information presented.

(2) When a student is charged by federal, state or local authorities with a violation of law, the college does not request or agree to

special consideration for that student because he or she is a student. If the alleged offense also is being processed under the standards of conduct for students, the college may advise off-campus authorities of the existence of the standards and of how such matters are typically handled within ((ECS)) SC. The college cooperates with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators provided that the conditions do not conflict with college rules or sanctions. Members of ((ECS)) SC, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

**WAC 1320-10-135 Students studying abroad.** Students who participate in any college-sponsored or sanctioned international study program shall observe the following:

- (1) The laws of the host country;
- (2) The academic and disciplinary regulations of the educational institution or residential housing program where the student is studying;
- (3) The policies, procedures, rules, and regulations of ((ECS)) SC, its colleges and departments and any behavioral contracts between ((ECS)) SC, SFCC, or SCC with a student;
- (4) Any other agreements related to the student's study program in another country; and
- (5) The ((ECS)) SC standards of conduct for students.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

**WAC 1320-10-140 Group conduct.** Student organizations, including student clubs and athletics, are expected to comply with the standards of conduct for students and with ((ECS)) SC policies and procedures when engaging in conduct that occurs on college premises and at college-sponsored activities. When a member or members of a student organization violates the standards of conduct for students or ((ECS)) SC policies or procedures, including engaging in off-campus conduct that adversely affects ((ECS's)) SC's educational environment and/or the pursuit of its objectives as set forth in its mission, the student organization and/or individual members may be subject to appropriate sanctions.

AMENDATORY SECTION (Amending WSR 22-12-002, filed 5/19/22, effective 6/19/22)

**WAC 1320-10-210 Academic dishonesty and other ethical violations.** (1) Acts of academic dishonesty include the following:  
(a) Cheating which includes:

(i) Use of unauthorized assistance in taking quizzes, tests, or examinations.

(ii) Acquisition, without permission, of tests or other academic material belonging to a member of the college faculty or staff.

(iii) Fabrication, which is the intentional invention or counterfeiting of information in the course of an academic activity. Fabrication includes:

- Counterfeiting data, research results, information, or procedures with inadequate foundation in fact;
- Counterfeiting a record of internship or practicum experiences;
- Submitting a false excuse for absence or tardiness;
- Unauthorized multiple submission of the same work; sabotage of others' work.

(iv) Engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.

(v) Plagiarism which includes the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

(vi) Facilitation of dishonesty, including not challenging academic dishonesty.

(b) Knowingly furnishing false information to any college official, faculty member, or office including submission of fraudulent transcripts from other institutions.

(c) Forgery, alteration or misuse of any college document, record or instrument of identification.

(d) Tampering with an election conducted by or for ((CCS)) SC college students.

(2) Other ethical violations include the following: The breach of any generally recognized and published code of ethics or standards of professional practice that governs the conduct of a particular profession for which the student is taking a course or is pursuing as an educational goal.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

**WAC 132Q-10-212 Disruption or obstruction.** Students have the right to freedom of speech, including the right to dissent or protest, but this expression may not interfere with the rights of other members of ((CCS)) SC or disrupt college activities. Student behavior that creates a disruptive atmosphere not consistent with the purposes of the college including teaching, administration, research, disciplinary proceedings, other college activities, or any college authorized activities, whether conducted or sponsored by the college is prohibited pursuant to RCW 28B.50.090. Obstructing the free flow of pedestrian or vehicular traffic on college premises or at college-sponsored events is prohibited.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

**WAC 1320-10-224 Violation of ((ECS)) SC policy, procedure, rule, regulation, or behavioral contract.** Violation of policies, procedures, rules, or regulations of ((ECS)) SC, its colleges and departments and/or violation of a behavioral contract entered into with ((ECS)) SC, its colleges or departments.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

**WAC 1320-10-231 Use of tobacco, electronic cigarettes and related products.** Use of tobacco, electronic cigarettes and related products are prohibited in all ((Community Colleges of)) Spokane Colleges facilities and motor pool vehicles with no exception.

(1) Smoking and tobacco use are also prohibited:

(a) Within ((twenty-five)) 25 feet of entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking and tobacco use are prohibited; and

(b) Where designated on college premises.

(2) "Smoking" means:

(a) Inhaling, exhaling, burning, carrying or possessing any lighted tobacco product, including cigarettes, cigars, bidi, clove cigarettes, pipe tobacco, and any other lit tobacco products; or

(b) Use of electronic nicotine delivery devices and related products including, but not limited to, electronic cigarettes, vapor cigarettes, hookahs, waterpipes or similar products.

(3) "Tobacco use" means the personal use of:

(a) Any tobacco product, which shall include smoking, as defined in subsection (2) of this section, as well as use of an electronic cigarette or any other device intended to simulate smoking;

(b) Smokeless tobacco, including snuff, chewing tobacco, smokeless pouches, or any other form of loose-leaf, smokeless tobacco.

(4) "Facilities" means a district owned or controlled property, building, or component of that property/building.

(5) "Motor pool vehicles" means vehicles assigned to specific college departments or programs; vehicles used for instructional purposes; vehicles dispatched to staff and students on a reserved, single-use basis; and vehicles assigned to specific faculty and staff.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

**WAC 1320-10-238 Abuse or theft of ((ECS)) SC information technology.** Theft or misuse of computer facilities, equipment and information technology resources including:

(1) Unauthorized entry into a file, message, or other item to use, read, or change the contents, or for any other purpose.

(2) Unauthorized duplication, transfer, or distribution of a file, message, or other item.

(3) Unauthorized use of another individual's identification and/or password.

(4) Unauthorized monitoring of another's email communications directly or through spyware.

(5) Sending false messages to third parties using another's email identity.

(6) Use of computing facilities and resources to interfere with the work of another student, faculty member, college official, or others outside of ((ECS)) SC.

(7) Use of computing facilities and resources to send, display, or print an obscene, harassing, or threatening message, text or image.

(8) Use of computing facilities and resources to interfere with normal operation of the college computing system, including disrupting electronic communications with spam or by sending a computer virus.

(9) Use of computing facilities and resources in violation of copyright laws.

(10) Adding to or otherwise altering the infrastructure of the college's electronic information resources without authorization.

(11) Any violation of the ((ECS)) SC acceptable use of information technology resources policy.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

**WAC 132Q-10-242 Discrimination.** Discrimination on the basis of race, creed, color, religion, national or ethnic origin, age, sex, marital status, pregnancy, parental status or families with children, status as a mother breastfeeding her child, AIDS/HIV or hepatitis C, honorably discharged veteran status, sexual orientation, gender identity or expression, disability, use of guide dog or service animal by a person with a disability, genetic information, or other legally protected classifications is prohibited in conformity with federal and state laws. Discrimination includes physical, verbal, written conduct (including conduct via social and electronic media), or other conduct that is sufficiently severe, persistent or pervasive, and objectively offensive as to substantially interfere with a reasonable person's ability to study, participate in or benefit from ((ECS's)) SC's educational programs, educational opportunities, and/or employment benefits and opportunities such that the person or group is effectively denied equal access/opportunities based on protected status.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

**WAC 132Q-10-243 Sexual harassment.** Sexual harassment is conduct which includes, but is not limited to, engaging in unwelcome gender-based conduct. It may be between members of the opposite sex or between members of the same sex and does not necessarily have to be of a sexual nature if it is based on gender. Harassing conduct may include, but is not limited to, physical conduct, verbal, written, social media, and electronic communications. It includes sexual advances, requests for sexual favors, or other conduct of a sexual nature where:

(1) Submission to such conduct is made, either expressly or implicitly a term or condition of an individual's education or employment; or



(2) Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting any individual; or

(3) Such conduct is sufficiently severe, persistent or pervasive, and objectively offensive as to substantially interfere with, disrupt, limit, undermine or deprive a person the ability to participate in or to receive the benefits, services or opportunities of (~~Community Colleges of Spokane's~~) Spokane College's educational programs and activities and/or employment benefits and opportunities.

In determining whether sexual harassment exists, it is immaterial whether the victim resists and suffers the threatened harm or submits and thus avoids the threatened harm.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

**WAC 132Q-10-306 Initial review of complaints.** (1) General conduct complaints. The student conduct officer or his/her designee will conduct an initial assessment of a complaint to determine whether it alleges conduct that may be prohibited by the standards of conduct for students. If the initial assessment indicates that the matter involves sexual misconduct, the student conduct officer will forward the complaint to a chief student services officer/Title IX coordinator for review or if the student conduct officer believes he/she has a conflict of interest or is the subject of the complaint, the student conduct officer will forward the complaint to the chief student services officer who will conduct the initial assessment or designate another person to serve as the student conduct officer relative to that complaint. The student conduct officer reviews general conduct complaints and determines whether the complaint, if as alleged were true would constitute a violation of any of the standards of conduct for students. If the student conduct officer determines the alleged conduct would constitute a violation, it is deemed to have merit warranting further review. If the complaint does not have merit the student conduct officer will dismiss the complaint. If the complaint is deemed to have merit, the student conduct officer then would conduct a further assessment pursuant to WAC 132Q-10-320 to determine if an interim suspension is warranted.

(2) Sexually violent conduct, discrimination and sexual harassment complaints. The chief student services officer/Title IX coordinator will conduct an initial assessment of the complaint to determine whether it alleges conduct that may be prohibited in WAC 132Q-10-242 through 132Q-10-244 of the standards of conduct for students, ((CCS)) SC policies, and/or ((CCS)) SC procedures. If the chief student services officer/Title IX coordinator has a conflict of interest or is the subject of the complaint, the college president, shall upon request and when feasible designate another person to serve as the chief student services officer/Title IX coordinator relative to that complaint. If the alleged conduct would constitute a violation, it is deemed to have merit warranting further review. If the complaint does not have merit the chief student services officer/Title IX coordinator will dismiss the complaint. If the complaint is deemed to have merit, the chief student services officer/Title IX coordinator will conduct a further assessment pursuant to WAC 132Q-10-320 to determine if an interim suspension or other interim measures are warranted. Interim

measures may include, but are not limited to, notice to complainant of his or her options to avoid contact with the accused student, to receive options for and available assistance in changing academic and extracurricular activities, and/or modification of complainant's transportation, working, and dining situation, as appropriate.

AMENDATORY SECTION (Amending WSR 17-11-076, filed 5/18/17, effective 6/18/17)

**WAC 132Q-10-310 Disposition of misconduct complaints by the student conduct officer.** If a student conduct officer determines a complaint of general misconduct may have merit, the student conduct officer will schedule an initial meeting with the student to discuss the content of the complaint, the range of potential sanctions, and the applicable ((ECS)) SC code of conduct hearing procedures.

(1) If the student fails to appear for the meeting and the range of sanctions for the alleged general misconduct do not include a suspension in excess of ((ten)) 10 instructional days or a dismissal, the matter will be heard as a brief adjudicative proceeding and the student conduct officer may:

(a) Retain the matter for a brief adjudicative proceeding, determination of findings, conclusions, and sanctions; or

(b) Send the matter to the student conduct board for a brief adjudicative proceeding in accordance with the provisions of this code, the Administrative Procedure Act (chapter 34.05 RCW), and the model rules of procedure (chapter 10-08 WAC) including a determination of findings, conclusions, and sanctions.

(2) If an agreed upon resolution cannot be reached or if the student fails to appear for the meeting and the range of sanctions for the alleged general misconduct include a suspension in excess of ((ten)) 10 instructional days or a dismissal, the student conduct officer will send the matter to the student conduct administrative panel for a full adjudicative proceeding in accordance with the provisions of this code, the Administrative Procedure Act (chapter 34.05 RCW), and the model rules of procedure (chapter 10-08 WAC) including a hearing, determination of findings, conclusions, and sanctions. To the extent there is a conflict between the standards of conduct for students and the model rules, this standards of conduct for students code shall prevail.

AMENDATORY SECTION (Amending WSR 17-11-076, filed 5/18/17, effective 6/18/17)

**WAC 132Q-10-320 Interim suspension and other restrictions.** (1) In certain circumstances, the chief student services officer/Title IX coordinator, or his/her designee may impose an interim suspension from college or other restrictions prior to the proceedings being conducted pursuant to WAC 132Q-10-310 or being conducted pursuant to WAC 132Q-10-502. Interim suspension or other restrictions may be imposed only if there is reasonable cause to believe that the accused student:

(a) Has violated a provision of the standards of conduct for students;

(b) In situations involving an immediate danger to the health, safety, or welfare of members of ((CCS)) SC or the public at large;

(c) To ensure the student's own physical safety and well-being;

or

(d) If the student poses an ongoing threat of disruption to, or interference with, the operations of the college.

(2) During the interim period, a student may be denied access to classes, activities and privileges, as the student conduct officer determines while an investigation and/or formal disciplinary procedures are pending.

(3) Notice.

(a) Any student who has been suspended on an interim basis based on general misconduct or sexual misconduct under these standards of conduct for students shall be served with written notice or oral notice of the interim suspension by the chief student services officer/ Title IX coordinator, or his/her designee. If oral notice is given, a written notification shall be provided to the student within two business days of the oral notice in person, by regular mail or electronic mail. Written notice by mail is sent to the student's last known address. The student is responsible for providing the college the current address.

(b) The notice shall be entitled "Notice of Interim Suspension" and shall include the reasons for imposing the interim suspension, including reference to the provisions of the standards of conduct for students that have been allegedly violated, the date, time and location where student must appear for a hearing on the interim suspension; and the conditions, if any, under which the student may physically access the campus or communicate with members of the campus community.

(4) The student conduct officer shall conduct a hearing on the interim suspension as soon as practicable after imposition of the interim suspension. If the student has been trespassed from the campus, a notice against trespass shall be included that warns the student that his or her privilege to enter into or remain on college premises has been withdrawn, that the accused student shall be considered trespassing and subject to arrest for criminal trespass if the accused student enters the college campus other than to meet with the student conduct officer, or to attend a disciplinary hearing. The interim suspension shall not replace the regular discipline process, which shall proceed as quickly as feasible in light of the interim suspension. A full hearing before the student conduct officer, the student conduct board or the student conduct administrative panel may be convened in a timely manner which may negate the need for an interim suspension hearing.

(5) In the event the alleged misconduct which is the basis for interim suspension involves claims of sexually violent conduct, both the accused student and the complainant shall be notified of the interim suspension. Please refer to WAC 132Q-10-501 and 132Q-10-502 which outline additional and supplemental procedural requirements for sexually violent conduct allegations and matters. In no event shall mediation be used to resolve complaints involving allegation of sexual violence.

(6) The issue before the student conduct officer during the interim suspension hearing is whether there is probable cause to believe that interim suspension is necessary and/or whether other less severe interim restrictions are appropriate. For the purpose of this section, probable cause means sufficient facts to lead a reasonable person to

believe that the elements necessary for imposing an interim suspension have been satisfied. The student shall be given an opportunity to explain why interim suspension is or is not necessary either through oral or written statement or a combination of oral and written statements.

(7) If the notice of interim suspension proceedings has been served upon the accused student in accordance with these rules and the student fails to appear at the designated hearing time, the student conduct officer may order that the interim suspension remain in place pending imposition of final disciplinary action.

(8) The student conduct officer shall issue a written order within two instructional days of the hearing, which shall include a brief statement of findings of fact and conclusions, the policy reasons justifying imposition of the interim suspension, and setting forth the student conduct officer's decision in the matter. If the interim suspension is upheld and/or other restrictions are imposed, the order shall inform the student of the duration of the interim suspension or the nature of the restrictions, conditions under which the interim suspension may be terminated or modified, and procedures by which the order may be appealed.

(9) To the extent permissible under law, the student conduct officer shall provide a copy of the order to all persons or offices that may be bound or protected by it including the complainant.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

**WAC 1320-10-400 Disciplinary sanctions.** (1) The following sanctions may be imposed by the chief student services officer, student conduct officer, the student conduct board, the student conduct administrative panel, or the appeals board on a student found to have violated the standards of conduct for students.

(a) Warning. An oral statement to a student that there is a violation and that continued violation may be cause for further discipline. Warnings are not subject to appeal.

(b) Reprimand. A notice in writing to the student that the student has violated one or more provisions of the standards of conduct for students, a disciplinary record has been created, and that continuation of the same or similar behavior may result in more severe disciplinary action.

(c) Probation. Formal action placing specific conditions and restrictions upon the student's continued attendance depending upon the seriousness of the violation and which may include a deferred disciplinary sanction. If the student subject to a deferred disciplinary sanction is found in violation of any college rule during the time of disciplinary probation, the deferred disciplinary sanction, which may include, but is not limited to, a suspension or a dismissal from the college, shall take effect immediately without further review. Any such sanction shall be in addition to any sanction or conditions arising from the new violation. Probation may be for a limited period of time or may be for the duration of the student's attendance at the college. A student who is on disciplinary probation may be deemed "not in good standing" with the college. If so, the student shall be subject to the following restrictions:

(i) Ineligible to hold an office in any student organization recognized by the college or to hold any elected or appointed office of the college.

(ii) Ineligible to represent the college to anyone outside the college community in any way, including representing the college at any official function, or any forms of intercollegiate competition or representation.

(d) Loss of privileges. Denial of specified privileges for a designated period of time.

(e) Restitution or compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

(f) Education. The college may require the student to complete an educational project or attend sessions, at the student's expense, which address the student's behavior such as anger management or counseling.

(g) Fines may be imposed by the college.

(h) College suspension for a period not to exceed (~~ten~~) 10 instructional days. Separation of the student from the college for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. There will be no refund of tuition or fees for the quarter in which the action is taken.

(i) Revocation of admission or degree. Admission to or a degree awarded from the college may be revoked for fraud, misrepresentation, or other violation of standards of conduct for students in obtaining the degree, or for other serious violations committed by a student prior to graduation.

(j) Withholding degree. The college may withhold awarding a degree otherwise earned until the completion of the process set forth in this chapter, including the completion of all sanctions imposed.

(k) No trespass order. A student may be restricted from college property based on his/her misconduct.

(l) Assessment. The student may be required to have an assessment, such as alcohol/drug or anger management, by a certified professional, and complete the recommended treatment.

(m) Loss of recognition. A student organization's recognition may be withheld permanently or for a specific period of time. Loss of recognition is defined as withholding college services or administrative approval from a student organization. Services and approval to be withdrawn include intramural sports, information technology services, college facility use and rental, and involvement in organizational activities.

(n) Hold on transcript or registration. This is a temporary measure restricting release of a student's transcript or access to registration. Upon satisfactory completion of the conditions of the sanction, the hold is released.

(o) No contact order. A prohibition of direct or indirect physical, verbal, and/or written contact with another individual or group.

(2) The following additional sanctions may be issued by the chief student services officer, student conduct officer, the student conduct administrative panel, or the appeals board on a student found to have violated the standards of conduct for students:

(a) College suspension for a period that exceeds (~~ten~~) 10 academic days. Separation of the student from the college for a definite period of time, after which the student is eligible to return. Condi-

tions for readmission may be specified. There will be no refund of tuition or fees for the quarter in which the action is taken.

(b) College expulsion. Permanent separation of the student from the college. The revocation of all rights and privileges of membership in the college community and exclusion from the campus, ((CCS)) SC-owned or controlled facilities without any possibility of return. There will be no refund of tuition or fees for the quarter in which action is taken.

(3) A sanction may be made effective for the entire district or the student's college. If only to the student's college, the chief student services officer at the other colleges may enforce the disciplinary action at their respective college.

(4) More than one of the sanctions listed in subsection (1) of this section may be imposed for any single violation.

(5) Other than college expulsion or revocation or withholding of a degree, disciplinary sanctions are not made part of the student's academic record, but are part of the student's disciplinary record.

(6) If a student's behavior is found to have been motivated by another's race, creed, color, religion, national or ethnic origin, age, sex, gender identity or expression, or disability, use of a guide dog or service animal by a person with a disability, veteran's status, or genetic information, such finding is considered an aggravating factor in determining a sanction for such conduct.

#### OTS-6072.1

AMENDATORY SECTION (Amending WSR 13-15-150, filed 7/23/13, effective 8/23/13)

**WAC 1320-20-005 Definitions.** As used in this chapter the following words and phrases shall mean:

(1) **Annual permits** - Permits, which are valid for fall through summer quarters.

(2) **Appropriate vice president** - The chief administrative officer over student services regardless of current position title.

(3) **Board** - The board of trustees of Washington State Community College District 17, also known as ((Community Colleges of Spokane (CCS))) Spokane Colleges (SC).

(4) **Campus** - Any or all real property owned, leased, operated or maintained by ((Community Colleges of)) Spokane Colleges.

(5) **Campus safety** - College security officers, criminal justice, work-study students, contracted security personnel, or employees, who are responsible to the appropriate vice president or designee for campus safety.

(6) **College** - Any community college or separate instructional unit which may be created by the board of trustees of ((Community Colleges of)) Spokane Colleges.

(7) ((Community Colleges of Spokane (CCS))) Spokane Colleges (SC) - Spokane Community College, Spokane Falls Community College, and the District Office.

(8) ((CCS)) SC Facilities are facilities owned by ((CCS)) SC or the ((CCS)) SC Foundation.

- (9) **Employee** - Any person employed or representing (~~Community Colleges of~~) Spokane Colleges on a full- or part-time basis.
- (10) **Invited guest permits** - Permits which are valid for an individual invited to campus by a department for a specific period designated on the permit.
- (11) **Quarterly permits** - Permits valid for a specified academic quarter.
- (12) **Special permits** - Permits issued under special circumstances such as carpool permits, issued to employees who participate in commuter trip reduction; and honorary permits which are issued to (~~Community Colleges of~~) Spokane Colleges employees upon retirement.
- (13) **Student** - Any person who is or has officially registered at any college or instructional unit with the (~~Community Colleges of~~) Spokane Colleges and with respect to whom the college maintains education records or personally identifiable information.
- (14) **Vehicle** - An automobile, truck, motorcycle, scooter, or any vehicle powered by a motor.
- (15) **Vendors** - Persons contracted to provide services to ((CCS)) SC.
- (16) **Visitors** - Any person, excluding students, employees, vendors and invited guests who lawfully visit the campus for purposes, which are in keeping with the colleges' role as institutions of higher learning in the state of Washington.

AMENDATORY SECTION (Amending WSR 11-23-162, filed 11/22/11, effective 12/23/11)

**WAC 132Q-20-010 Purpose and jurisdiction for adopting rules.**

Pursuant to the authority granted by RCW 28B.50.140(10), the board of trustees of (~~Community Colleges of~~) Spokane Colleges is granted authority to make rules and regulations for pedestrian and vehicular traffic on property owned, operated or maintained by the college district. The rules and regulations contained in this chapter pertain to all students, employees, vendors, invited guests, and visitors who use district facilities unless exempted by the chancellor of the district and are established for the following purposes:

- (1) To protect and control pedestrian and vehicular traffic; and
- (2) To assure access at all times for emergency traffic; and
- (3) To minimize traffic disturbance during class hours; and
- (4) To facilitate the work of the community colleges.

AMENDATORY SECTION (Amending WSR 11-23-162, filed 11/22/11, effective 12/23/11)

**WAC 132Q-20-040 Permits required for vehicles on campus.** Vehicles shall not park at ((CCS)) SC facilities without a valid parking permit issued pursuant to WAC 132Q-20-050, unless parked in a metered space. Failure to obtain a permit may be grounds for disciplinary action. The fees for the parking permits shall be established by the board of trustees of (~~Community Colleges of~~) Spokane Colleges and shall be published. Students parking at ((CCS)) SC facilities off the main campuses of SCC and SFCC are not required to have a parking permit.

AMENDATORY SECTION (Amending WSR 11-23-162, filed 11/22/11, effective 12/23/11)

**WAC 132Q-20-050 Authorization for issuance of permits.** The colleges are authorized to issue parking permits to students, employees, invited guests, vendors, and visitors of the college pursuant to regulations and the payment of appropriate fees as determined by the board of trustees of (~~Community Colleges of~~) Spokane Colleges.

Employees, students, and visitors may obtain permits from the cashier's office. Invited guests and vendors may obtain permits from the sponsoring department.

AMENDATORY SECTION (Amending WSR 15-13-123, filed 6/16/15, effective 7/17/15)

**WAC 132Q-20-060 Valid permit.** A valid ((CCS)) SC parking permit is:

- (1) An unexpired student or employee parking permit registered and properly displayed; or
- (2) A visitor or special parking permit authorized by the chief administration officer or designee, and properly displayed; or
- (3) An invited guest or vendor parking permit issued by the sponsoring department and authorized by the chief administration officer or designee, and properly displayed.

AMENDATORY SECTION (Amending WSR 11-23-162, filed 11/22/11, effective 12/23/11)

**WAC 132Q-20-070 Display of permit.** All ((CCS)) SC parking permits shall be displayed on the rear view mirror or in such a manner that they may be viewed through the front windshield. For motorcycles, permits must be placed on the front fork area of the vehicle.

- (1) Expired permits should be removed before new permits are attached.
- (2) Permits not displayed pursuant to the provisions of this section are not valid.

AMENDATORY SECTION (Amending WSR 15-13-123, filed 6/16/15, effective 7/17/15)

**WAC 132Q-20-090 Permit revocation.** Parking permits are the property of ((CCS)) SC and may be recalled by the chief administration officer or designee for any of the following reasons:

- (1) When the purpose for which the permit was issued changes or no longer exists; or
- (2) When a permit is used for an unregistered vehicle or by an unauthorized individual; or
- (3) Falsification on a parking permit application; or
- (4) Continued violations of parking regulations; or
- (5) Counterfeiting or altering a parking permit.



AMENDATORY SECTION (Amending WSR 11-23-162, filed 11/22/11, effective 12/23/11)

**WAC 132Q-20-100 Right to refuse permit.** ((~~ECS~~)) SC reserves the right to refuse the issuance of a parking permit to anyone who has had a previous parking permit revoked.

AMENDATORY SECTION (Amending WSR 15-13-123, filed 6/16/15, effective 7/17/15)

**WAC 132Q-20-110 Right to appeal permit revocation/refusal.** When a student parking permit has been recalled pursuant to WAC 132Q-20-090, or has been refused in accordance with WAC 132Q-20-100, or when a fine or penalty has been levied against a violator of the rules set forth in this chapter, such action by the chief administration officer or designee, may be appealed pursuant to WAC 132Q-108-050. Employees of (~~Community Colleges of~~) Spokane Colleges shall appeal permit revocations, refusals to grant permits, and fines or penalties levied for violations to the chief administration officer whose decision on the matter is final.

AMENDATORY SECTION (Amending WSR 15-13-123, filed 6/16/15, effective 7/17/15)

**WAC 132Q-20-130 Designation of parking spaces.** The parking spaces available on campus shall be designated and allocated by the chief administration officer or designee, in such a manner that best achieves the objectives of the rules in this chapter.

(1) Faculty, staff, student, and visitor spaces are designated for their use; and

(2) Parking spaces for the exclusive use by persons of disability are designated;

(3) A ((~~ECS~~)) SC parking permit along with an official state disabled parking permit allows the permit holder to park in any designated employee or disabled parking space;

(4) Other special use spaces may be designated; and

(5) Parking at metered parking requires payment.

AMENDATORY SECTION (Amending WSR 15-13-123, filed 6/16/15, effective 7/17/15)

**WAC 132Q-20-150 Parking hours.** Parking permits are required to park at ((~~ECS~~)) SC facilities between the hours of 6:30 a.m. and 5:00 p.m. Monday through Friday. The rules and regulations pertaining to the use of certain parking permits in specific areas are contained in WAC 132Q-20-130. Students and employees may park in any of the spaces or stalls designated in WAC 132Q-20-140 on a first-come, first-served basis after 3:30 p.m. Custodial and authorized employees may park on campus from 10:00 p.m. to 6:30 a.m., and are required to follow regular parking regulations and obtain parking permits.

AMENDATORY SECTION (Amending WSR 15-13-123, filed 6/16/15, effective 7/17/15)

**WAC 132Q-20-260 Fines and penalties violations.** (1) Fines may be levied by the chief administration officer or designee for all violations of the rules contained in this chapter. A current schedule of fines is available from the campus safety office.

(2) Violators have the right to due process and may appeal to the college parking appeals board created in WAC 132Q-20-265, whose decision is final.

(3) Vehicles parked on any campus in violation of any of the rules contained in this chapter, may be impounded or detained by use of mechanical devices at the discretion of the campus safety office. If a vehicle is impounded, it may be taken to such place for storage as the chief administration officer or designee selects. The expenses of such impounding and storage shall be the sole responsibility of the owner or operator of the vehicle. ((CCS)) SC shall not be liable for loss or damage of any kind resulting from such impounding and storage.

(4) At the discretion of the chief administration officer or designee, an accumulation of traffic violations by a student may be cause for disciplinary action, pursuant to chapter 132Q-30 WAC. In the case of students, failure to pay fines shall be grounds for the college, in addition to disciplinary action, to deny admission to ((CCS)) SC, registration, official transcripts, graduation or other administrative action. Failure to pay fines may result in the refusal to issue a permit.

(5) For students and employees, refusal to pay a fine still existing after exhaustion of the appellate process shall be grounds for disciplinary action.

AMENDATORY SECTION (Amending WSR 15-13-123, filed 6/16/15, effective 7/17/15)

**WAC 132Q-20-265 Appeals.** (1) ((CCS)) SC shall establish a parking appeals board consisting of no less than seven members. The appeals board membership shall consist of one faculty, one student and one classified staff from each college as appointed by that college's president, as well as one noncampus employee appointed by the chancellor.

(2) The parking appeals boards shall use criteria on which to fairly judge appeals including, but not limited to:

- (a) Did an institutional error occur?
- (b) Were there extenuating circumstances that caused the error to occur?
- (c) Did the person make a good faith effort to comply with the parking rules?

AMENDATORY SECTION (Amending WSR 03-18-021, filed 8/25/03, effective 9/25/03)

**WAC 132Q-20-270 Liability of (({CCS})) SC.** ((Community Colleges ef)) Spokane Colleges assumes no liability under any circumstances for vehicles parked on campus.

OTS-6073.1

AMENDATORY SECTION (Amending WSR 03-18-021, filed 8/25/03, effective 9/25/03)

**WAC 1320-94-010 Declaration of purpose.** By adoption of the following health and safety regulations the board of trustees of (~~Community Colleges of~~) Spokane Colleges expresses its firm commitment to the safety and health of its students and employees. The board further recognizes the importance of students and employees developing safe work habits, particularly in the areas of equipment and machinery operation, and in the handling of potentially hazardous chemical substances. This chapter shall apply to all students, college (~~personnel~~) employees, and visitors and shall pertain to all campuses and sites under the direct or indirect control of the district.

AMENDATORY SECTION (Amending WSR 03-18-021, filed 8/25/03, effective 9/25/03)

**WAC 1320-94-020 Rationale.** Adoption of these health and safety rules by the board of trustees is based on the following standards:

(1) The possibility of accidental injury to an individual exists at all times and in all places and no place of work or any human activity is exempt from the possibility of accidents.

(2) All community college safety programs are for the benefit of the (~~Community Colleges of~~) Spokane Colleges and the individual students enrolled within the institution(s). There is no conflict of interests between the students and the college in the area of an accident prevention program; through accident prevention, everyone benefits.

(3) Accident prevention requires both organization and education, consisting largely of the desire to provide and maintain an environment free of hazards through institution of a common-sense safety program and the determination to carry out the program effectively.

(4) Effective accident prevention includes instructor leadership, student cooperation, effective organization, thorough training, and good supervision.

AMENDATORY SECTION (Amending WSR 03-18-021, filed 8/25/03, effective 9/25/03)

**WAC 1320-94-030 Students' responsibilities.** Students attending (~~Community Colleges of~~) Spokane Colleges shall, to the best of their ability, make it their individual responsibility to keep themselves and their fellow students free from accidents. In the interest of accident prevention, students shall obey the approved district safety rules and procedures including those outlined below, as well as other, more specific safety rules, as outlined by their instructors:

(1) Students shall consider the benefits of accident prevention to themselves, to others, and to their work, and shall act accordingly, conducting their work to avoid accidents through observation of safe work practices.

(2) Students shall study and observe all safe practices governing their specific area of work or class assignment, and shall make a concerted effort to understand their job and area of assignment.

(3) Students shall ascertain emergency procedures from their instructor or supervisor.

(4) Students shall remain alert for any unsafe condition(s) or practice(s), immediately reporting any observed to their instructor or supervisor.

(5) Students shall promptly report any accident in which they are injured, regardless of the degree of severity, to their instructor or supervisor.

(6) Students shall not engage in practical jokes or horseplay while attending class or while on the job.

(7) Students shall not report to class or a work-study position while under the influence of intoxicants or drugs, nor shall such items be used or consumed while on the premises of the (~~Community Colleges of~~) Spokane Colleges or representing the (~~Community Colleges of~~) Spokane Colleges at an offsite location.

(8) Students who receive their instructor or supervisor's permission to operate a state vehicle shall comply with existing fleet policies and procedures of (~~Community Colleges of~~) Spokane Colleges.

(9) Students shall comply with existing smoking regulations of the (~~Community Colleges of~~) Spokane Colleges.

AMENDATORY SECTION (Amending WSR 03-18-021, filed 8/25/03, effective 9/25/03)

**WAC 132Q-94-160 Prohibition of open flames in college buildings.**

Candles and other open flames, including lighting and burning of incense, are prohibited in any building owned or operated by (~~Community Colleges of~~) Spokane Colleges. Open flames create a fire hazard, and scented candles and incense can be an irritant to other individuals. Exceptions may be made if the candle or flame is associated with instructional equipment under appropriate faculty supervision or for decorative/food preparation purposes as part of an approved college function and with appropriate equipment. The facilities department obtains necessary permits from the city of Spokane fire department for such uses.

**OTS-6074.1**

AMENDATORY SECTION (Amending WSR 03-18-021, filed 8/25/03, effective 9/25/03)

**WAC 132Q-108-010 Adoption of model rules of practice and procedure.** The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended, are hereby adopted for use at (~~Community Colleges of~~) Spokane Colleges. Those rules may be found in chapter 10-08 WAC. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of proce-

dures and procedural rules adopted in this title, the procedural rules adopted by ~~((Community Colleges of))~~ Spokane Colleges shall govern. Rules adopted at ~~((CCS))~~ SC prior to July 1, 1989, remain in full force and effect unless specifically repealed or amended.

AMENDATORY SECTION (Amending WSR 03-18-021, filed 8/25/03, effective 9/25/03)

**WAC 132Q-108-040 Application for adjudicative proceeding.** An application for adjudicative proceeding shall be in writing. Application forms are available at the following address: ~~((Community Colleges of))~~ Spokane Colleges, 501 North Riverpoint Boulevard, P.O. Box 6000, MS 1001 Spokane, Washington, 99217-6000. Written application for an adjudicative proceeding should be submitted to the above address within ~~((twenty))~~ 20 days of the agency action giving rise to the application, unless provided for otherwise by statute or rule.

#### OTS-6075.1

AMENDATORY SECTION (Amending WSR 13-15-152, filed 7/23/13, effective 8/23/13)

**WAC 132Q-113-010 Designation of legislative liaisons.** As required by RCW 42.17.190, those persons holding the following positions within Washington State Community College District 17 are designated legislative liaisons for Washington State Community College District 17 and those community colleges contained within ~~((Community Colleges of))~~ Spokane Colleges:

- (1) Members of the board of trustees;
- (2) Chancellor;
- (3) College presidents;
- (4) District management services officers; and
- (5) All those persons designated in writing by the chancellor of Washington State Community College District 17, which writing shall be made available among the records maintained by the office of the chancellor of Washington State Community College District 17.

#### OTS-6076.1

AMENDATORY SECTION (Amending WSR 11-20-026, filed 9/23/11, effective 10/24/11)

**WAC 132Q-135-050 State Environmental Policy Act (SEPA).** It is the policy of the ~~((Community Colleges of))~~ Spokane Colleges that capital projects shall be accomplished in compliance with chapter 43.21C RCW, the State Environmental Policy Act (SEPA), and in accordance with

chapter 197-11 WAC and all subsequent amendments thereto, and WAC 131-24-030.

In compliance with chapter 197-11 WAC, the chancellor or a duly appointed administrator designee shall be the responsible official for implementing this policy.

#### OTS-6077.1

AMENDATORY SECTION (Amending WSR 11-20-027, filed 9/23/11, effective 10/24/11)

**WAC 132Q-136-010 Use of district facilities—General policy and delegation.** (1) Washington State Community College District 17 (~~((Community Colleges of))~~ Spokane Colleges) is an educational institution provided and maintained by the people of the state in order to carry out its mission pursuant to chapter 28B.50 RCW. The purpose of this policy is to assure that all facilities operated, owned or maintained by the district are reserved primarily for those activities which either are related directly to the district's mission or are otherwise justifiable on the basis of their contributions to the cultural, educational, economic or recreational interests of the state and its people.

(2) The board of trustees delegates to the chancellor, or staff so designated by the chancellor, the authority to establish procedures for the regulation and review of the use of district facilities and to establish user fees where appropriate.

#### OTS-6078.1

AMENDATORY SECTION (Amending WSR 18-09-007, filed 4/6/18, effective 5/7/18)

**WAC 132Q-276-020 Definitions.** (1) "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 any state or local agency regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photocopying, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof; and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings and other documents including existing data compilations from which information may be obtained or translated.

(3) "Washington State Community College District 17" is a state agency created and organized by statute pursuant to RCW 28B.50.040, and shall hereinafter be referred to as the "district." Where appro-

priate, the term "district" shall also refer to college personnel and board of trustees of the district.

(4) **"District facilities"** of Washington State Community College District 17 include any or all real property owned, operated or maintained by the board of trustees of (~~Community Colleges of~~) Spokane Colleges, and shall include all buildings and appurtenances affixed thereon or attached thereto.

AMENDATORY SECTION (Amending WSR 18-09-007, filed 4/6/18, effective 5/7/18)

**WAC 132Q-276-060 Public records officer.** (1) Any person wishing to request access to public records of District 17, or seeking assistance in making such a request should contact the public records officer of District 17. Throughout this chapter, references to the public records officer shall mean the public records officer or his/her designee.

(2) Contact information:

Public Records Officer  
 (~~Community Colleges of~~) Spokane Colleges  
 P.O. Box 6000  
 Spokane, WA 99217-6000  
 Phone: 509-434-5275  
 Fax: 509-434-5279  
 Email: publicrecords@ccs.spokane.edu

(3) Information is also available at the (~~Community Colleges of~~) Spokane Colleges website at <http://www.ccs.spokane.edu/getdoc/696748c1-fee0-4f18-8777-a3ac9ealcb95/prr.aspx>.

(4) The public records officer and District 17 shall assist requestors, comply with chapter 42.56 RCW, the Public Records Act, and provide public records training and assistance to college employees.

AMENDATORY SECTION (Amending WSR 18-09-007, filed 4/6/18, effective 5/7/18)

**WAC 132Q-276-090 Costs of providing copies of public records.**

(1) The following copy fees and payment procedures apply to public records requests made after the effective date of this rule.

(2) Pursuant to RCW 42.56.120 (2)(b), District 17 is not calculating all actual costs for copying records because to do so would be unduly burdensome for the following reasons:

(a) The district does not have the resources to conduct a study to determine all its actual copying costs;

(b) It is difficult to calculate all costs directly incident to copying records; and

(c) To conduct such a study would interfere with other essential district functions.

(3) Costs of copies. No fees shall be charged for the inspection of public records of Washington State Community College District 17. The district will charge for copies of public records pursuant to the default fees in RCW 42.56.120 (2)(b) and (c). The district will charge for customized services pursuant to RCW 42.56.120(3). Under RCW

42.56.130, the district may charge other copy fees authorized by statutes outside of chapter 42.56 RCW. The district may enter into an alternative fee agreement with a requestor under RCW 42.56.120(4). The charges for copying methods used by the district are summarized in the fee schedule available on the district's website at <http://www.ccs.spokane.edu/getdoc/696748c1-fee0-4f18-8777-a3ac9ealcb95/prr.aspx>.

(4) Requestors are required to pay for copies in advance of receiving records. Fee waivers are an exception and are available for some small requests under the following conditions:

(a) It is within the discretion of the public records officer to waive copying fees when: (i) All of the records responsive to an entire request are paper copies only and are (~~twenty~~) 20 or fewer pages; or (ii) all of the records responsive to an entire request are electronic and can be provided in a single email with attachments of a size totaling no more than the equivalent of (~~twenty~~) 20 pages. If that email for any reason is not deliverable, records will be produced in accordance with this rule.

(b) Fee waivers are not applicable to records requested in installments.

(5) The public records officer may require an advance deposit of (~~ten~~) 10 percent of the estimated fees when the copying fees for an installment or an entire request, or customized service charge, exceeds (~~twenty-five dollars~~) \$25.

(6) All required fees must be paid in advance of release of the copies or an installment of copies, or in advance of when a deposit is required. The district will notify the requestor when payment is due.

(7) Payment should be made by check, credit card, or money order to the (~~Community Colleges of~~) Spokane Colleges. The district prefers not to receive cash. For cash payments, it is within the public records officer's discretion to determine the denomination of bills and coins that will be accepted.

(8) The district will close a request when a requestor fails by the payment date to pay in the manner prescribed for records, an installment of records, or a required deposit.



## WSR 25-02-087

## EXPEDITED RULES

## DEPARTMENT OF REVENUE

[Filed December 30, 2024, 8:07 a.m.]

Title of Rule and Other Identifying Information: WAC 458-20-167 Educational institutions, school districts, student organizations, and private schools.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department of revenue (DOR) is amending WAC 458-20-167 to incorporate 2024 legislation, ESSB 6038, which provides a business and occupation tax exemption to businesses primarily engaged in providing child care services.

Reasons Supporting Proposal: The amendments to WAC 458-20-167 will clarify the requirements for child care providers.

Statutory Authority for Adoption: RCW 82.01.060 and 82.32.300.

Statute Being Implemented: RCW 82.04.2905.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: DOR, governmental.

Name of Agency Personnel Responsible for Drafting: Leslie Mullin, 6400 Linderson Way S.W., Tumwater, WA, 360-534-1589; Implementation and Enforcement: Jeannette Gute, 6400 Linderson Way S.W., Tumwater, WA, 360-534-1599.

This notice meets the following criteria to use the expedited adoption process for these rules:

Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: The expedited rule-making process is applicable to these rule updates because DOR is incorporating changes resulting from 2024 legislation and the proposed amendments clarify this rule without changing its effect.

## NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Leslie Mullin, DOR, P.O. Box 47467, Olympia, WA 98504-7467, phone 360-534-1589, fax 360-534-1606, email LeslieMu@dor.wa.gov, BEGINNING January 15, 2025, at 12:00 a.m. AND RECEIVED BY March 3, 2025, at 11:59 p.m.

December 30, 2024  
Brenton Madison  
Rules Coordinator

OTS-6079.1

AMENDATORY SECTION (Amending WSR 16-06-049, filed 2/24/16, effective 3/26/16)

**WAC 458-20-167 Educational institutions, school districts, student organizations, and private schools.** (1) **Introduction.** This rule explains the application of Washington's business and occupation (B&O), retail sales, and use taxes to educational institutions, school districts, student organizations, and private schools. It also gives tax reporting information to persons operating nursery schools, pre-schools, or providing child care.

(a) **Other rules that may apply.** Readers may also want to refer to other rules for additional information, including those in the following list:

(i) WAC 458-20-169 Nonprofit organizations.

(ii) WAC 458-20-189 Sales to and by the state of Washington, counties, cities, towns, school districts, and fire districts.

(iii) WAC 458-20-244 Food and food ingredients.

(b) **Examples.** Examples found in this rule identify a number of facts and then state a conclusion. These examples should be used only as a general guide. The tax results of other situations must be determined after a review of all facts and circumstances.

(2) **Definitions.** For the purposes of this rule, the following definitions apply:

(a) **Tuition fees.** The term "tuition fees" includes fees for instruction, library, laboratory, and health services. The term also includes special fees and amounts charged for room and board when the property or service for which such charges are made is furnished exclusively to the students, teachers, or other staff of the institution. RCW 82.04.170.

(b) **Educational institutions.** "Educational institutions" means the following:

(i) Institutions which are established, operated, and governed by this state or its political subdivisions under Title 28A (Common school provisions), 28B (Higher education), or 28C (Vocational education) RCW.

(ii) Nonpublic schools, including parochial or independent schools or school districts, carrying out a program for any or all of grades one through ~~((twelve))~~ 12, which have been approved by the Washington state board of education. (See also chapter 180-90 WAC, Private schools.)

(iii) Degree-granting institutions offering educational credentials, instruction, or services prerequisite to or indicative of an academic or professional degree or certificate beyond the secondary level, provided the institution is accredited by an accrediting association recognized by the United States Secretary of Education and offers to students an educational program of a general academic nature. Degree-granting institutions should refer to chapter 28B.85 RCW for information about the requirement for authorization by the Washington higher education coordinating board.

(iv) Institutions which are not operated for profit, and which are privately endowed under a deed of trust to offer instruction in trade, industry, and agriculture.

(v) Programs that an educational institution cosponsors with a nonprofit organization, as defined by the Internal Revenue Code Sec.

501 (c) (3), provided that educational institution grants college credit for course work successfully completed through the educational program.

(vi) Certain branch campuses of foreign degree-granting institutions, provided the following requirements, among others, are satisfied:

(A) The branch campus must be owned and operated directly by a foreign degree-granting institution or indirectly through a Washington profit or nonprofit corporation in which the foreign degree-granting institution is the sole or controlling shareholder or member;

(B) Courses must be provided solely and exclusively to students enrolled in a degree-granting program offered by the institution;

(C) The branch campus must be approved by the Washington higher education coordinating board to operate in this state; and

(D) The branch campus must be recognized to be exempt from income taxes pursuant to 26 U.S.C. Sec. 501(c).

(vii) "Educational institutions" does not include any entity defined as a "private vocational school" under RCW 28C.10.020 and/or any entity defined as a "degree-granting private vocational school" under chapters 28C.10 and 28B.85 RCW (other than those described in (b) (iv) of this subsection).

(c) **Private schools.** "Private schools" means all schools and institutions which are excluded from the above definition of "educational institutions." For example, an elementary school operated by a church organization is a "private school" if the school is not approved. It will be given the tax treatment of an "educational institution" for purposes of this rule only if it has obtained approval from the Washington state board of education.

(3) **Business and occupation tax.** Departments and institutions of the state of Washington are not subject to the B&O tax. School districts are also not subject to the B&O tax, except as to income derived from a public utility or enterprise activity. RCW 82.04.419. Private schools, student organizations, and school districts engaging in utility or enterprise activities, and educational institutions which are not departments or institutions of the state of Washington are subject to the B&O tax as follows:

(a) **Service and other business activities.** The service and other business activities B&O tax applies to the following nonexclusive list of activities or sources of income:

(i) Tuition fees received by private schools. However, educational institutions, as defined above, may deduct amounts derived from tuition fees. RCW 82.04.4282.

(ii) Rental of conference facilities to various organizations or groups.

(iii) Rental by private schools of dormitories or other student lodging facilities which are not generally available to the public and where the student does not have an absolute right of control and occupancy. However, educational institutions may deduct the income from charges for lodging made to students. These amounts are defined by law as being tuition. For additional information on the rental of real estate and the license to use real estate, see WAC 458-20-118.

(iv) Amounts received by private schools for providing meals to students where the meals are provided exclusively for students, teachers, staff, and their guests. However, refer to the comments under retailing for the taxability of meals sold to guests of students. Income from providing meals to students by educational institutions is deductible.

(v) Amounts received from owners of vending machines that operate after accepting payment, for allowing the placement of those machines on the premises of the school. For additional information on sales through vending machines, see WAC 458-20-187.

(b) **Retailing.** Activities and sources of income subject to the retailing B&O tax include, but are not limited to, the following:

(i) Sales of tangible personal property or services classified as retail sales. This includes sales of books and supplies to students where these materials are not supplied as part of the tuition charge. Sales of academic transcripts are exempt from B&O tax. RCW 82.04.399.

(ii) Sales of meals to guests of students.

(iii) Sales of meals or prepared foods in facilities which are generally open to the public, including those sold to students. For additional information on sales by caterers and food service contractors, see WAC 458-20-119.

(iv) Amounts derived from charges made by an educational institution to its alumni or other members of the public for the use of any of the educational institution's athletic or fitness facilities, or charges for the recreational activities defined as retail sales under RCW 82.04.050.

(4) **Retail sales tax.** The retail sales tax applies to all retail sales including, but not limited to, those identified in subsection (3)(b) of this rule, unless a specific statutory exemption applies.

(a) **Tangible personal property and retail services.** Educational institutions, school districts, student organizations, and private schools, including departments or institutions of the state of Washington, are required to collect the retail sales tax on sales of tangible personal property and retail services to consumers, even though such sales may be exempt from the retailing B&O tax. Retail sales tax exemptions are provided for sales of academic transcripts (RCW 82.08.02537) and certain food products (RCW 82.08.0293 and 82.08.0297).

(b) **Interdepartmental charges.** Amounts derived from charges between departments or institutions of the state of Washington, or between departments of the same entity, constitute interdepartmental charges and are not subject to the retailing B&O tax or retail sales tax. For additional information on interdepartmental charges, see WAC 458-20-201.

(c) **Sales through vending machines.** Persons selling through vending machines should refer to WAC 458-20-187.

(d) **Charges to alumni and members of the public.** Amounts derived from charges made by an educational institution to its alumni or other members of the public for the use of any of the educational institution's athletic or fitness facilities, or charges for the recreational activities defined as retail sales under RCW 82.04.050.

(5) **Deferred sales or use tax.** Educational institutions, school districts, student organizations, and private schools are required to report the deferred sales or use tax upon the use of all tangible personal property purchased or acquired under conditions whereby the Washington retail sales tax has not been paid, unless a specific statutory exemption applies. If items are purchased for dual purposes (i.e., for both consumption and resale), a tax paid at source deduction may be claimed for the cost of the articles resold upon which retail sales tax was previously paid. For additional information on reseller permits, see WAC 458-20-102. For additional information on use tax and the use of tangible personal property, see WAC 458-20-178.

(a) **Meals for students and faculty.** These organizations are the consumers of food or beverage products which are ingredients of meals that are furnished to students and faculty. However, certain food products are exempt from the retail sales and/or use tax. RCW 82.12.0293 and 82.12.0297.

(b) **Exemptions.** Use tax exemptions are also provided for the following:

(i) Academic transcripts. RCW 82.12.0347.

(ii) Computers, computer components, computer accessories, computer software, digital goods, or digital codes, irrevocably donated to any public or private nonprofit school or college in this state, as defined by chapter 84.36 RCW. For the purposes of this exemption, RCW 82.04.215 defines "computer" as an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions. RCW 82.12.0284. This exemption is available to both the donor and the public or private nonprofit school or college receiving the donation.

(iii) Tangible personal property donated to a nonprofit charitable organization or state or local governmental entity including the subsequent use of the property by a person to whom the property is donated or bailed by the nonprofit charitable organization, or state or local governmental entity, if used to further the purpose of that organization. RCW 82.12.02595.

(iv) The donation of tangible personal property without intervening use to a nonprofit charitable organization, or the incorporation of tangible personal property without intervening use into real or personal property of or for a nonprofit charitable organization in the course of installing, repairing, cleaning, altering, imprinting, improving, constructing, or decorating the real or personal property for no charge. RCW 82.12.02595.

(v) Motor vehicles equipped with dual controls loaned to and exclusively used by a school in connection with the school's driver training program. This exemption is available to both the donor and the school receiving the donation. For the purposes of this exemption, RCW 82.12.0264 limits the term "school" to:

(A) The University of Washington, Washington State University, the regional universities, The Evergreen State College, and the state community colleges;

(B) Any public, private, or parochial school accredited by either the state board of education or by the University of Washington (the state accrediting station); or

(C) Any public vocational school meeting the standards, courses, and requirements established and prescribed or approved in accordance with the Community College Act of 1967.

(6) **Nursery schools, preschools, child care providers, privately operated kindergartens, and persons monitoring home child care facilities.** Income received by nursery schools, preschools, child care providers, and privately operated kindergartens for the care or education of children who are under eight years of age and not enrolled in or above the first grade is exempt from the B&O tax. RCW 82.04.4282. Such persons are, however, subject to B&O tax upon the gross proceeds derived from providing child care to children who are eight years of age or older or enrolled in or above the first grade.

Persons providing child care for periods of less than (~~twenty-four~~) 24 hours are subject to tax under the child care B&O tax classification. RCW 82.04.2905. The service and other business activities B&O tax classification applies to child care services provided for pe-

riods in excess of (~~twenty-four~~) 24 hours. Nursery schools, pre-schools, and child care providers receiving both taxable and exempt income must properly segregate such income in their books of account.

(a) Until January 1, 2035, persons primarily engaged in the business of providing child care may exclude from gross income amounts derived from the care and supervision, for periods of less than 24 hours, of children:

(i) Under 13 years of age; and

(ii) Under 19 years of age who have a verified special need or are under court supervision as determined by the department of children, youth, and families under chapter 43.216 RCW. Also see chapter 110-15 WAC.

(b) "Primarily engaged in the business of providing child care" means that more than 50 percent of the person's gross income of the business, as defined in RCW 82.04.080, is derived from such sales.

(c) The B&O tax does not apply to income derived by a church for the care of children of any age for periods of less than (~~twenty-four~~) 24 hours, provided the church is exempt from property tax under RCW 84.36.020. RCW 82.04.339.

~~((b))~~ (d) Persons who monitor home child care facilities under one or more federal nutrition programs are required to register with the department and are taxable on their gross income under the service and other business activities classification of the B&O tax. These monitors contract with, and are accountable to the office of superintendent of public instruction which receives funds from the United States Department of Agriculture and disburses funds to each monitor. Commonly, a portion of the funds received by the monitor is required by law to be passed directly to the home child care facilities for the provision of qualifying meals. That portion of the funds received by the monitor may be taken as a "reimbursement" deduction on the monitor's excise tax return, so that the monitor is subject to B&O tax only on the portion of funds retained for the rendering of services.

**(7) Examples.**

(a) **Example 1.** MN University is an educational institution created by the state of Washington. MN University operates a book store at which it sells text books, school supplies, and apparel to students and nonstudents. As an institution of the state of Washington, MN University is exempt from the B&O tax with respect to all sales, irrespective that sales are made to nonstudents. However, MN is required to collect and remit retail sales tax on its gross proceeds of sales made through its book store.

(b) **Example 2.** DMG College is a degree-granting institution accredited by an accrediting association recognized by the United States Secretary of Education. DMG College is an educational institution operated by a church. DMG makes charges to its students for tuition, meals, and lodging. It also receives income for occasionally providing lodging and meals to guests of its students during the year. DMG also rents its conference and dormitory facilities to various groups during the summer, providing cafeteria services when needed. The income from tuition, meals, and lodging received from the students is exempt from B&O tax and retail sales tax because this entity meets the definition of an educational institution. However, DMG must report the retailing B&O tax and collect and remit retail sales tax upon the gross proceeds derived from the sales of meals and prepared foods to the conference attendees and guests. The income derived from the rental of the conference and dormitory facilities to various groups and student guests is subject to the service and other business activities B&O tax. The

college is not considered as holding itself out for the sale of lodging to the general public.

(c) **Example 3.** JB College is an educational institution which is not a department or institution of the state of Washington. JB College has converted five housing units from student use to use by nonstudents. Guests of the administration use these units for stays of two or three days, and are charged a specific amount per night. The college provides linen, towels, etc., to the users. These units are always rented for periods under (~~thirty~~) 30 days. JB College must report this rental income under the retailing B&O tax and collect and remit retail sales tax. This income is not derived from the occasional rental of student lodging facilities, but is derived from the rental of accommodations specifically maintained for public use.

(d) **Example 4.** Jane Doe operates a private preschool and kindergarten, providing care and elementary education for children. She also provides after hours child care. Jane Doe may claim a deduction for the income received for the care and education of children under eight years old and not enrolled in or above the first grade, provided this income is properly segregated in her books of account. The income attributable to the care of children at or above the first grade level (i.e., eight years old or enrolled in or above the first grade), is subject to the child care B&O tax classification. Until January 1, 2035, if Jane Doe is primarily engaged in the business of providing child care, then the B&O tax will not apply to amounts derived by providing care for children under 13 years of age or under 19 years of age who have a verified special need or are under court supervision as determined by the department of children, youth, and families under chapter 43.216 RCW. Jane Doe may also be able to reduce or eliminate any child care B&O tax liability if she qualifies for the small business B&O tax credit. RCW 82.04.4451 and WAC 458-20-104.

**WSR 25-02-118**  
**EXPEDITED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed January 2, 2025, 8:12 a.m.]

Title of Rule and Other Identifying Information: Self-insurance reserve fund. Chapter 296-15 WAC, Workers' compensation self-insurance rules and regulations.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: In 2023, Washington state lawmakers enacted SB 5084, chapter 110, Laws of 2023, which created the self-insurance reserve fund to hold self-insured employers' second injury fund assessments and other prefunded pension obligations. The proposed amendments will update two rules governing the self-insurance program, aligning them with statutory changes required under SB 5084. The proposed formatting changes to WAC 296-15-171 will also make it easier to read.

**Proposed amendments to WAC 296-15-171:**

- Clarifying that self-insurers who choose to finance pensions with a surety bond will be required to deposit cash into the new self-insurance reserve fund.
- Minor formatting changes to improve readability.

**Proposed amendments to WAC 296-15-225:**

- Clarifying that self-insured employers' second injury fund assessments will be recorded in the second injury assessment account once the self-insurance pension fund is implemented.

Reasons Supporting Proposal: These amendments meet the criteria for expedited adoption as set forth in the following subsections of RCW 34.05.353:

- Subsection (1)(c): "The proposed rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect."
- Subsection (1)(d): "The content of the proposed rules is explicitly and specifically dictated by statute."

Statutory Authority for Adoption: RCW 51.14.077, 51.14.120(7), 51.14.150(4), 51.14.160, 51.44.040(3), 51.44.070, and 51.44.150.

Statute Being Implemented: RCW 51.44.155, 51.16.120, 51.32.242, 51.44.070, 51.44.073, 51.44.080, 51.44.100, and 51.44.140.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington state department of labor and industries, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Ashley Frank, Tumwater, Washington, 360-902-6566.

This notice meets the following criteria to use the expedited adoption process for these rules:

Corrects typographical errors, makes address or name changes, or clarifies language of a rule without changing its effect.

Content is explicitly and specifically dictated by statute.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: This notice meets the following criteria to use the expedited adoption process for these rules: The proposed rules make name changes and clarify language without changing its effect (RCW 34.05.343 (1)(c)). The proposed rules include content explicitly dictated by statute (RCW 34.05.353 (1)(d)).



## NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Ashley Frank, Department of Labor and Industries, P.O. Box 44000, Olympia, WA 98504-4000, phone 360-902-6566, fax 360-902-4204, email Ashley.Frank@Lni.wa.gov, BEGINNING January 3, 2025, 8 a.m., AND RECEIVED BY March 3, 2025, 5 p.m.

January 2, 2025  
Joel Sacks  
Director

## OTS-5999.1

AMENDATORY SECTION (Amending WSR 99-23-107, filed 11/17/99, effective 12/27/99)

**WAC 296-15-171 Surety for a self insured pension or fatality claim.** (1) **When must a self insurer provide funding for a permanent total disability (pension) or fatality claim?** Within ((sixty)) 60 days of receipt of the department's order, the self insurer must fund the pension or fatality claim.

(2) **What types of funding may a self insurer use for a pension or fatality claim?** A self insurer may fund a pension or fatality claim with ((cash,)):

(a) Cash funding into the self-insurance reserve fund;

(b) A bond on L&I form F207-065-000((,)) and a three-month deposit of benefits into the self-insurance reserve fund;

(c) Annuity on L&I form F207-129-000; or

(d) Assignment of account on L&I form F207-058-000.

If the pension benefit level increases, the self insurer must increase the surety level or provide additional surety to cover the deficiencies.

(3) **What is an annuity?** An annuity is a contract with an insurance company where the insurance company agrees to pay to the department a specific amount covering the lifetime of a claimant.

(4) **What is an assignment of account?** A self insurance assignment of account/certificate of deposit is a legal instrument executed by the self insurer and an approved commercial banking institution in Washington. The assignment of account must:

(a) Identify an existing account on deposit with the approved banking institution in the name of the self insurer. The existing assigned account must contain the amount determined necessary by the department to cover the pension benefits on the specific claim beyond all other assignments on that account. A separate assignment of account must be established for each pension.

(b) Bind the self insurer to maintain a balance in the assigned account at least equal to the current present cash value of the pen-

sion benefits on the claim and beyond all other assignments on the account for the life of the claim. Present cash values of the assigned account/certificate of deposit will be revised annually by the department. Quarterly pension payments made from the assigned account must not reduce the account balance below the present cash value of the pension beyond all other assignments on the same account.

(c) Authorize the department, if the self insurer defaults, to immediately withdraw up to the entire amount assigned to the pension claim from the assigned account/certificate of deposit. The department will take this action without notifying the defaulting self insurer.

(d) If the bank holding the assignment of account/certificate of deposit fails, the self insurer is responsible for the entire amount of the pension or fatality obligation. Within (~~thirty~~) 30 days, the self insurer must:

(i) Establish a new assignment of account/certificate of deposit, bond; or

(ii) Deposit cash into the self-insurance reserve fund.

(e) If the self insurer ends its self insurance status, the assignment of account/certificate of deposit will be placed with the department. The department will determine the required reserve for the pension or fatality claim, and any excess will be returned to the former self insurer.

AMENDATORY SECTION (Amending WSR 10-20-132, filed 10/5/10, effective 11/5/10)

**WAC 296-15-225 Self-insurance second injury fund assessment.**

(1) The second injury fund assessment is based on anticipated second injury fund costs. The fund is used to relieve employers' costs related to pensions that result from the combined effects of the industrial injury and another prior injury, preferred worker claims, and job modifications. The second injury fund assessment is experience rated based on a self-insurer's actual usage of the second injury fund in the previous three fiscal years. See RCW 51.44.040 for more information about experience rating. The department may estimate claims cost data when actual data from an employer has yet to be provided.

The department determines a self-insurer's second injury fund assessment rate annually for each fiscal year. The assessment is paid by active and inactive self-insurers quarterly at the same time a self-insurer submits its quarterly report.

(2) Self-insurers' relief from and contributions to the second injury fund will be recorded in (~~an account separate from the state fund~~) the second injury assessment account. The self-insurers' second injury fund must maintain a (~~two hundred thousand dollar~~) \$200,000 minimum balance.

(3) The department uses the following process to determine the second injury fund assessment.

Definitions:

"A" = Individual self-insurer's total second injury fund costs (usage) for the previous three fiscal years.

"B" = All self-insurer's total second injury costs (usage) for the previous three fiscal years.

"C" = Individual self-insurer's claim costs for the previous three fiscal years.

"D" = Total self-insured claim costs for the previous three fiscal years.

"E" = Individual self-insurer's experience factor.

"F" = Individual self-insurer's claim costs for the previous fiscal year.

"G" = Total self-insured claim costs for the previous fiscal year.

(a) The department calculates the **preliminary base rate** necessary to ensure collection of adequate funds. The preliminary base rate is the estimated usage of the second injury costs for the coming fiscal year divided by the total estimated claims costs. The preliminary base rate is assessed to self-insurers certified after the fiscal year used for calculation.

(b) The department calculates the **preliminary adjusted rate**, by adjusting the preliminary base rate for over or under collections from prior periods. This rate is assessed to any self-insurer certified during or prior to the fiscal year used for calculation, and to any self-insurer who has voluntarily surrendered its self-insurance certificate.

(c) The department determines an **experience factor** for each self-insurer.

(i) The department calculates the self-insurer's **second injury fund usage share** by dividing the self-insurer's total second injury fund costs (usage) for the previous three fiscal years by the total second injury fund costs (usage) for all self-insurers in the previous three fiscal years.

$$\text{Second injury fund usage share} = A/B$$

(ii) The department calculates the self-insurer's **claims cost usage share** by dividing a self-insurer's claim costs over the previous three fiscal years by the total claim costs for all self-insurers in the previous three fiscal years.

$$\text{Claims cost usage share} = C/D$$

(iii) The department calculates the self-insurer's **experience factor** by adding the second injury fund usage share to the claim cost usage share and dividing by 2, then dividing this total by the claims cost usage share.

$$\begin{aligned} &\text{Self-insurer's experience factor} \\ (E) &= [((A/B) + (C/D))/2] / (C/D) \end{aligned}$$

(d) The department calculates the **weighted average factor** to determine what adjustments to the preliminary base and adjusted rates may be necessary because of prior over or under collection for the fund. The weighted average factor is the sum for all self-insurer's of each self-insurer's **experience factor** multiplied by their self-insured claim cost for the previous fiscal year, divided by the total self-insured claim costs for the previous fiscal year.

$$\begin{aligned} &\text{Weighted average factor} = [(E \times F) \text{ sum all} \\ &\text{self-insurers}] / G \end{aligned}$$

(e) The department determines the **final base rate** and the **final adjusted rate** for the fiscal year by dividing the preliminary base rate and the preliminary adjusted rate ((a) and (b) of this subsection) by the weighted average factor.

(f) The department determines the second injury fund assessment rate for each self-insurer by multiplying the self-insurer's experience factor by either the final base rate or the final adjusted rate.

(g) The total assessment due each quarter is calculated by multiplying the self-insurer's second injury fund assessment rate by the self-insurer's total claims costs during that quarter.

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

## WSR 25-02-123

## EXPEDITED RULES

## WASHINGTON STATE UNIVERSITY

[Filed January 2, 2025, 10:31 a.m.]

Title of Rule and Other Identifying Information: WAC 504-33-060 Criminal trespass, in chapter 504-33 WAC, Facility use rules for first amendment/free speech.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Updates a WAC reference in the section from WAC 504-35-150 to WAC 504-31-030. No changes are made to the existing rules.

Reasons Supporting Proposal: The information in WAC 504-35-150 currently being referenced is being moved to WAC 504-31-030.

Statutory Authority for Adoption: RCW 28B.30.150.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington State University, public.

Name of Agency Personnel Responsible for Drafting: Deborah Bartlett, Director, Policies, Records, and Forms, French Administration Building, Room 220, Pullman, WA 99164-1225, 509-335-2004; Implementation and Enforcement: Leslie Brunelli, Executive Vice President, Finance and Administration, French Administration Building, Room 442, Pullman, WA 99164-1048, 509-335-5524.

This notice meets the following criteria to use the expedited adoption process for these rules:

Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule.

Is being amended after a review under RCW 34.05.328.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: The proposed change updates the section in accordance with changes made to other WAC chapters.

## NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Deborah Bartlett, Washington State University, P.O. Box 641225, Pullman, WA 99164-1225, phone 509-335-2004, email prf.forms@wsu.edu, BEGINNING January 15, 2025, 8:00 a.m., AND RECEIVED BY March 4, 2025, 5:00 p.m.

January 2, 2025  
Deborah L. Bartlett, Director  
Policies, Records, and Forms  
University Rules Coordinator

OTS-6021.1

AMENDATORY SECTION (Amending WSR 08-24-026, filed 11/24/08, effective 12/25/08)

**WAC 504-33-060 Criminal trespass.** Any person believed to be violating these regulations may be barred from campus in accordance with the procedures outlined in WAC ((~~504-35-150~~)) 504-31-030.