

- 480-130-070 General merchandise—Definition. [Order R-5, § 480-130-070, filed 6/6/69, effective 10/9/69.] Repealed by 81-16-085 (Order R-168, Cause No. TSW-1510), filed 8/5/81. Statutory Authority: RCW 80.01.040 and chapter 43.21C RCW.
- 480-130-080 Insurance. [Order R-5, § 480-130-080, filed 6/6/69, effective 10/9/69.] Repealed by 81-16-085 (Order R-168, Cause No. TSW-1510), filed 8/5/81. Statutory Authority: RCW 80.01.040 and chapter 43.21C RCW.
- 480-130-090 License cancelled. [Order R-5, § 480-130-090, filed 6/6/69, effective 10/9/69.] Repealed by 81-16-085 (Order R-168, Cause No. TSW-1510), filed 8/5/81. Statutory Authority: RCW 80.01.040 and chapter 43.21C RCW.
- 480-130-100 License fees, term, posting, authority, fees forfeited. [Order R-5, § 480-130-100, filed 6/6/69, effective 10/9/69.] Repealed by 81-16-085 (Order R-168, Cause No. TSW-1510), filed 8/5/81. Statutory Authority: RCW 80.01.040 and chapter 43.21C RCW.
- 480-130-110 Use of new buildings, or discontinuance. [Order R-5, § 480-130-110, filed 6/6/69, effective 10/9/69.] Repealed by 81-16-085 (Order R-168, Cause No. TSW-1510), filed 8/5/81. Statutory Authority: RCW 80.01.040 and chapter 43.21C RCW.
- 480-130-120 Transfer of ownership. [Order R-5, § 480-130-120, filed 6/6/69, effective 10/9/69.] Repealed by 81-16-085 (Order R-168, Cause No. TSW-1510), filed 8/5/81. Statutory Authority: RCW 80.01.040 and chapter 43.21C RCW.
- 480-130-130 Accounts. [Order R-62, § 480-130-130, filed 12/19/73; Order R-5, § 480-130-130, filed 6/6/69, effective 10/9/69.] Repealed by 81-16-085 (Order R-168, Cause No. TSW-1510), filed 8/5/81. Statutory Authority: RCW 80.01.040 and chapter 43.21C RCW.
- 480-130-140 Advertising. [Order R-5, § 480-130-140, filed 6/6/69, effective 10/9/69.] Repealed by 81-16-085 (Order R-168, Cause No. TSW-1510), filed 8/5/81. Statutory Authority: RCW 80.01.040 and chapter 43.21C RCW.
- 480-130-150 Waiver of rules. [Order R-5, § 480-130-150, filed 6/6/69, effective 10/9/69.] Repealed by 81-16-085 (Order R-168, Cause No. TSW-1510), filed 8/5/81. Statutory Authority: RCW 80.01.040 and chapter 43.21C RCW.
- 480-130-160 Documents—When filed. [Order R-5, § 480-130-160, filed 6/6/69, effective 10/9/69.] Repealed by 81-16-085 (Order R-168, Cause No. TSW-1510), filed 8/5/81. Statutory Authority: RCW 80.01.040 and chapter 43.21C RCW.
- 480-130-170 Conflict with tariff rules—Enforcement warehousemen's lien—Transfers of property—Affiliated interests. [Order R-5, § 480-130-170, filed 6/6/69, effective 10/9/69.] Repealed by 81-16-085 (Order R-168, Cause No. TSW-1510), filed 8/5/81. Statutory Authority: RCW 80.01.040 and chapter 43.21C RCW.
- 480-130-180 Rebates. [Order R-5, § 480-130-180, filed 6/6/69, effective 10/9/69.] Repealed by 81-16-085 (Order R-168, Cause No. TSW-1510), filed 8/5/81. Statutory Authority: RCW 80.01.040 and chapter 43.21C RCW.

WAC 480-130-010 through 480-130-180 Repealed.
See Disposition Table at beginning of this chapter.

**Chapter 480-149 WAC
TARIFF CIRCULAR NO. 6**

- WAC
480-149-080 Repealed.
480-149-090 Repealed.

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 480-149-080 Storage warehouse tariffs. [Order R-16, § 480-149-080, filed 2/3/70; Public Service Commission Cause No. T-9494, filed 4/5/61.] Repealed by 81-16-085 (Order R-168, Cause No. TSW-1510), filed 8/5/81. Statutory Authority: RCW 80.01.040 and chapter 43.21C RCW.
- 480-149-090 Tariffs of "wharfingers or warehousemen." [Order R-16, § 480-149-090, filed 2/3/70; Public Service Commission Cause No. T-9494, filed 4/5/61.] Repealed by 81-16-085 (Order R-168, Cause No. TSW-1510), filed 8/5/81. Statutory Authority: RCW 80.01.040 and chapter 43.21C RCW.

WAC 480-149-080 Repealed. See Disposition Table at beginning of this chapter.

WAC 480-149-090 Repealed. See Disposition Table at beginning of this chapter.

**Title 490 WAC
COMMISSION FOR VOCATIONAL
EDUCATION AND VOCATIONAL
REHABILITATION
(SOCIAL AND HEALTH SERVICES, DEPT.
OF)**

Chapters

- 490-28A** Minimum qualifications of personnel.
490-36A Conditions for approval of local educational agency programs.
490-500 Vocational rehabilitation and services for handicapped persons.
490-600 Educational services registration.

Chapter 490-28A WAC

MINIMUM QUALIFICATIONS OF PERSONNEL

WAC

- 490-28A-013 Minimum standards of state agency personnel.

WAC 490-28A-013 Minimum standards of state agency personnel. State agency personnel must meet the qualifications for the class in which they are employed (vocational education administrator, vocational education program director, vocational education program specialist) as required by the state personnel board in the appropriate current class specification. Staff are employed in accordance with state personnel merit system rules without discrimination because of race, color, creed, national origin, sex, age, handicap, or veterans' status. [Statutory Authority: RCW 28C.04.060, 81-09-072 (Order 81-1, Resolution 81-45-2), § 490-28A-013, filed 4/22/81; 79-02-019 (Order 79-1, Resolution 78-32-3), § 490-28A-013, filed 1/16/79; Order 75-3, § 490-28A-013, filed 12/18/75. Formerly WAC 490-28-013.]

Chapter 490-36A WAC
CONDITIONS FOR APPROVAL OF LOCAL
EDUCATIONAL AGENCY PROGRAMS

WAC

490-36A-030 Local program/craft advisory committees.

WAC 490-36A-030 Local program/craft advisory committees. (1) Each eligible recipient shall provide documentation that a program or craft advisory committee has been empanelled for each craft or program area, including disadvantaged and handicapped, at the most specific occupational level appropriate to the identified skill level for which training is given, except that where evidence is presented with the application for approval that a general advisory committee is more appropriate, such a committee will be allowable. Each eligible recipient shall also provide evidence that a bona fide effort is being made to assure the effective functioning of each committee. Evidence of the empanelling could include:

- (a) Written documentation of appointments;
- (b) Written documentation of acceptance by the appointees;

(c) Other types of verification.

(2) Evidence of a bona fide effort being made could be reflected in meeting minutes, which indicate:

(a) That an adequate number of meetings were held to assure that the input provided a positive effect on the program;

(b) That adequate prior notification of meeting dates and times have been given;

(c) That meetings have been scheduled on dates and at times to assure maximum employer and employee attendance; and

(d) Other corroboration of intent.

(3) The local program/craft advisory committee will have equal representation of employers and employees engaged in the occupation for which training is given.

(4) All applications for new or expanded program implementation shall include a favorable written recommendation from the local program/craft advisory committee. The recommendation shall include evidence, in the form of a listing, of advisory committee knowledge of all like programs offered within the service area by any other public or private agency or school.

(5) For programs preparing students for entry into, or upgrading in, apprenticeable trades, the applicable Joint Apprenticeship Training Committee (JATC) shall be invited to be represented equally with one or more employer and employee members or designees. Where satisfactory evidence is furnished indicating that JATC members or designees are unavailable, a committee may be empanelled composed of persons who are familiar with the occupation and geographic area served by the particular program.

(6) The responsibility for empanelling members of the local advisory committees is exclusively that of the local eligible recipient.

(7) The general responsibility of a local program/craft advisory committee is to act in an advisory capacity without administrative or supervisory responsibility. Since a local program/craft advisory committee, to be effective, must provide advice in the planning, development and evaluation of vocational programs, the activities outlined below are not to be considered all inclusive of the activities said committee may perform to assist the vocational educator and/or local eligible recipient.

(8) Specific activities in which the program/craft advisory committee can be involved are:

(a) Advise on current job needs;

(b) Evaluate the relevance of programs being offered by the eligible recipient in meeting current job needs in the occupational area for which the advisory committee was organized;

(c) Recommend program startup, continuance, discontinuance and enrollment level, that generally conforms with statewide job opportunities forecasts, unless available data indicates a variance is called for due to changes in the economy. For example, the committee can assist the vocational educator to: Make community surveys; determine and verify need for training; review past accomplishments and forecast trends; counsel and guide students in relation to the world of work; provide accurate occupational information;

(d) Make recommendations that will assure the curriculum content is consistent with current skills and knowledge of the occupations. For example, the committee can assist the vocational educator: To evaluate the programs; to plan facilities and establish standards for shop and lab planning; to establish standards for selecting equipment and instructional materials; to recognize new technical developments which require changes in the curriculum; by offering guidance and support in technical matters; to select production work to be used as instructional vehicles for accomplishing course objectives; to determine criteria for evaluating student performance; and to develop cooperative work experience programs for students;

(e) Make recommendations to assure that the instructors are experienced and knowledgeable in the occupation. For example, the committee can assist the vocational educator to: Encourage teacher training of recruits from industry; determine criteria for selecting instructors; recommend and/or recruit qualified instructors;

(f) Assist the vocational educator: By providing tangible evidence that industry is supporting the program; by providing financial, legislative and moral support; by interpreting the program to the community, to unions, to employers; by securing donations of equipment and supplies; by finding placement opportunities for students; and by placing an emphasis on providing recruitment and placement opportunities to both sexes in programs considered nontraditional in nature.

(9) If a bona fide member of an advisory committee is in disagreement with the decision of the appointing eligible recipients to the startup, continuance or discontinuance of a program about which the member has been

appointed to give advice, said member may achieve recourse by taking the following action:

(a) Presenting arguments and evidence to the local administration according to the procedures established by the local agency;

(b) If satisfactory resolution of the disagreement has not taken place within ten days of the receipt of the communication by the local administration, the complainant may present arguments to the state agency having jurisdiction over the operation of the program, according to procedures established by that agency, with copies to CVE and other affected agencies.

(c) If satisfactory resolution is again not achieved within twenty days of the receipt of the information by the parent agency, the complainant may present arguments and evidence, orally and in writing, to the commission.

(d) The commission will determine whether a hearing will be held before it, or whether a formal adjudication proceeding is required. [Statutory Authority: RCW 28C.04.060, 81-09-073 (Order 81-2, Resolution 81-45-6), § 490-36A-030, filed 4/22/81; 79-02-019 (Order 79-1, Resolution 78-32-3), § 490-36A-030, filed 1/16/79.]

Chapter 490-500 WAC

VOCATIONAL REHABILITATION AND SERVICES FOR HANDICAPPED PERSONS

WAC

490-500-180	Economic need.
490-500-190	Economic need—Standards for determining.
490-500-520	Purchase of services—Selection criteria—Rehabilitation facilities and workshops.
490-500-570	Fair hearing.

WAC 490-500-180 Economic need. (1) The division shall provide the following services regardless of the economic need of the client receiving the services:

- (a) Diagnostic and related services,
- (b) Counseling,
- (c) Placement,

(d) All other services of the division will be provided only if the client who is to receive the services is eligible for such services on the basis of economic need as provided in WAC 490-500-190. [Statutory Authority: RCW 28A.10.025, 82-04-078 (Order 1761), § 490-500-180, filed 2/3/82; Order 1050, § 490-500-180, filed 8/29/75; Order 775, § 490-500-180, filed 3/1/73.]

WAC 490-500-190 Economic need—Standards for determining. (1) A client shall be eligible to receive vocational rehabilitation services or extended evaluation services from the division when total obligations, debts, and expenses equals or exceeds income and nonexempt assets and resources. When income and nonexempt assets are greater than the value of obligations, debts, and expenses, the excess is to be made available by the client to pay for rehabilitation services unless the service is exempted by law and/or WAC 490-500-180.

(2) Determination of a client's economic need involves an evaluation of the income, assets, debts, obligations, and expenses of his or her entire family unit, including his or her dependents or, if the client is an unemancipated minor, his or her parents.

(3) The following shall be considered income for the purpose of determining the economic need of a client:

(a) Wages paid to the client and to any dependent family members living in the home. For purposes of this section wages shall be equal to gross wages less deductions for income taxes, social security, taxes, retirement deductions, and other involuntary deductions.

(b) Contributions from relatives or others, in cash or in kind, on a regular and predictable basis,

(c) Net profit from roomers or boarders,

(d) Net profit from property rentals,

(e) Net profit from farm products,

(f) Net profit from business enterprises,

(g) Scholarship or fellowship funds,

(h) Income from public or private welfare agencies,

(i) Any other income received on a regular and predictable basis, including but not limited to alimony, dividends from stocks, annuity payment, unemployment compensation, insurance, pensions, etc.

(4) The following types of property shall be considered exempt assets and may not be considered in determining the client's economic need:

(a) The home occupied by the client or his or her family, including any contiguous real property. A house trailer is an exempt asset when it is being regularly occupied by the client or his or her family as the principle place of residence or when it will be so occupied in the predictable future.

(b) Household furniture, clothing, life insurance, and other personal effects;

(c) An automobile when one or more of the following conditions is met:

(i) The client and his or her family have only one automobile, or

(ii) All automobiles used by the family are for the purpose of transportation to work or school, or

(iii) The automobile has been furnished in whole or in part to the client or to one of his or her dependents by the veteran's administration, or

(iv) The automobile is essential to the client's vocational rehabilitation objective.

(d) Vocational equipment and machinery owned by the client is an exempt asset if the equipment and/or machinery is being used to provide part or all of the living expenses of the client and his or her dependents or if the equipment and/or machinery may be so used after completion of the vocational rehabilitation plan;

(e) Livestock is an exempt asset to the extent that the livestock produces income or otherwise helps the client to meet normal living requirements.

(5) All types of tangible and intangible property, including but not limited to real property, personal property, stocks, bonds, savings accounts, and checking accounts, which are not exempt under subsection (4) of this section shall constitute the client's nonexempt assets

and shall be considered in determining the client's economic need. The value of a nonexempt asset shall be equal to the nonexempt assets fair market value less any unpaid encumbrances of record.

(6) The following obligations, debts, and expenses shall be deducted from the client's income and nonexempt assets in determining the client's economic need:

- (a) The client's actual shelter and living expenses,
- (b) Shelter and living expenses for the client's dependents,
- (c) Payments which the client is required to make under court order,
- (d) Outstanding taxes on earnings or personal or real property,
- (e) Insurance premium payments,
- (f) Contractual payments on real or personal property if such obligations were incurred prior to the client's application for vocational rehabilitation services.

(7) When maintenance is to be paid by the division of vocational rehabilitation to a client, the maintenance paid shall be in the amount the division has determined to be necessary to maintain the client and dependents up to a maximum of:

- (a) Two hundred thirty dollars and twenty-five cents for self;
- (b) Sixty-four dollars additional for each dependent consistent with DVR policies and criteria. [Statutory Authority: RCW 28A.10.025. 82-04-078 (Order 1761), § 490-500-190, filed 2/3/82; 79-04-064 (Order 1383), § 490-500-190, filed 3/28/79; Order 1050, § 490-500-190, filed 8/29/75; Order 775, § 490-500-190, filed 3/1/73.]

WAC 490-500-520 Purchase of services--Selection criteria--Rehabilitation facilities and workshops. (1) A rehabilitation facility or a sheltered workshop to be utilized by the division for vocational evaluation, vocational adjustment, placement, or extended sheltered employment, shall have a current full or provisional certification from the division stating the specific services the facility or workshop is qualified to provide. The facility or workshop shall show evidence of an ongoing effort to move clients through the rehabilitation process; i.e., from work evaluation, work adjustment to competitive placement or extended sheltered employment. Certification, whether full or provisional, by the division shall be based, in part, upon compliance with accreditation criteria, approved by the division, or such other national accreditation body as the division shall deem appropriate. Criteria for accreditation shall include, but are not limited to, evaluations of the organization, administration and stated purpose of the facility; the services provided to the clients; personnel, including educational or other preparation for the position, as well as ongoing training within the facility; the maintenance of record keeping systems adequate to document both the fiscal adequacy and reliability of the facility and the services provided to, and the progress of, the client; fiscal management; physical plant, including adequacy, maintenance and compliance with all applicable statutes, regulations and ordinances; and such other evaluations of the program of

the facility as a whole as the division shall require. National accreditation shall be one of the essential criteria utilized by the division in determination of certifiability; however, no facility shall be certified by the division unless the division shall have determined, in the division's sole discretion, that there are sufficient potential clients to generate a need for the facility.

(2) Certification will be revoked, suspended or denied for failure to adequately comply with the criteria as determined by the division.

(3) Provisional certification may be granted by the division for not more than two years when a facility has been determined to be in substantial compliance with the criteria established in this section, but is not yet eligible for national accreditation.

(4) The department shall maintain available copies of regulations for distribution. The regulations may be found in the Washington state facility plan. [Statutory Authority: RCW 28A.10.025. 82-04-075 (Order 1758), § 490-500-520, filed 2/3/82; 79-05-040 (Order 1391), § 490-500-520, filed 4/26/79; Order 1050, § 490-500-520, filed 8/29/75.]

WAC 490-500-570 Fair hearing. (1) Any client dissatisfied with the finding of an administrative review may request from the division, and shall thereupon be granted, a fair hearing.

(a) A client desiring a fair hearing shall request such hearing within thirty days after receiving notice from the division of the finding of the administrative review.

(b) A request for a fair hearing may be made either verbally or in writing and may be filed in any office of the division. If made verbally, such a request shall promptly be reduced to writing.

(c) All requests for fair hearings shall:

- (i) Specify the date of the administrative review being appealed,
- (ii) Specify as precisely as possible the issue to be adjudicated at the fair hearing,
- (iii) Set forth the address of the client, his or her representative or his or her attorney.
- (iv) Be signed by the client, his or her representative, or his or her attorney.

(2) Any party desiring a continuance shall immediately upon receipt of a notice of hearing, or as soon thereafter as facts requiring such continuance come to his or her knowledge notify the hearings examiner of said desire, stating in detail the reasons why such continuance is necessary. The hearings examiner in passing upon a request for continuance, shall consider whether such request was promptly and timely made. The hearings examiner may grant a continuance for good cause shown, and may at any time order a continuance upon his or her own motion. If during the hearing it appears further testimony or argument should be received in the interest of justice, the hearings examiner conducting the hearing may, at his or her discretion, continue the hearing and fix the date for introduction of additional evidence or presentation of argument.

(3) The following sections of chapter 388-08 WAC shall apply to hearings requested under this section:

WAC 388-08-00401 except subsection (1)(d),
 WAC 388-08-00601 through 388-08-405,
 WAC 388-08-408 through 388-08-414,
 WAC 388-08-420 through 388-08-503, and
 WAC 388-08-520.

(4) The director, division of vocational rehabilitation, is the hearing authority to review and rule on petitions for review of initial decisions and orders and to write review decisions and orders.

(5) Any client not satisfied with the decision of the director, division of vocational rehabilitation, may request the secretary of education to review the decision pursuant to 29 U.S.C. Section 722. [Statutory Authority: RCW 28A.10.035, 82-12-069 (Order 1821), § 490-500-570, filed 6/2/82; Order 1050, § 490-500-570, filed 8/29/75; Order 775, § 490-500-570, filed 3/1/73.]

Chapter 490-600 WAC EDUCATIONAL SERVICES REGISTRATION

WAC

490-600-030 Definitions.
 490-600-071 Minimum cancellation and refund policy.

WAC 490-600-030 Definitions. The definitions set forth in this section include and supplement the definitions contained in the act and shall apply throughout this rule, unless the context clearly indicates to the contrary.

(1) "Commission" shall mean the commission for vocational education.

(2) "Charitable institution, organization or agency" shall mean any public or private not-for-profit entity organized substantially to provide or promote services to the general public without charge or for nominal payment and which substantially relies on contributions from the general public, private organizations, the United States, or any state or political subdivision thereof for its operating expenses.

(3) "Institutional accreditation" shall mean certification by an accrediting agency or association that an educational institution as a whole is capable of achieving its educational objectives and of fulfilling its commitment to students.

(4) "Representatives of the public" means representatives who are laymen in the sense that they are not educators in, or members of the profession for which the students are being prepared, nor in any way are directly related to the institutions or programs being evaluated.

(5) "The act" means the Educational Services Registration Act (SSB 2434), chapter 188, Laws of 1979 ex. sess. [chapter 28B.05 RCW] 46th Legislative Session.

(6) "Commissioners" means the voting members of the commission of vocational education holding office pursuant to WAC 490-04A-020.

(7) "School director/manager" means the individual directly responsible for the educational management of a school; its courses, instruction, schedules, facilities, equipment, student services, records management, etc.

(8) "Registrant" means any private vocational school registered under the provision of the act.

(9) "Avocational or recreational" means instruction which clearly is not being offered for the purpose of providing the student with employable skills or with competencies that upon completion of the program, course or class would be customarily applied to gainful employment.

(10) "Supervisor" shall mean that staff person directly responsible for the staff, equipment, instruction, schedules, etc., of a vocational program area (D.E., T&I, B&OE, etc.) or department of the institution.

(11) "Learning period" means the time needed to learn technical competencies of the occupation about which they will instruct. Such competency can be obtained through the completion of an appropriate college or technical school training program, apprenticeship training to journeyman level, or intensive on-the-job training of commensurate duration.

(12) "Ownership" of a school means: (a) In the case of a school owned by an individual, that individual; (b) in the case of a school owned by a partnership, all full, silent, and limited partners; (c) in the case of a school owned by a corporation, the corporation, its directors, officers, and each shareholder owning shares of issued and outstanding stock aggregating at least ten percent of the total of the issued and outstanding shares.

(13) "Gross tuition charges" shall mean for bonding purposes, all charges to the student which have been included in the enrollment agreement or contract: *Provided*, That the charges to defray costs to the institution for equipment and supplies actually used by the student for instructional purposes shall not be included.

(14) "Private vocational school" shall mean an educational institution providing training, the objective of which is to prepare persons to enter, continue in, or upgrade themselves in gainful employment in recognized professions or occupations which do not require a baccalaureate or higher degree.

(15) "Correspondence and/or home study school" shall mean that the instructional format of the school involves the sequential mailing or distribution of lessons to the student, who studies the material, completes a lesson examination, and returns the examination to the school. The school then grades the lesson/examination (and in some instances provides additional comments and instruction), and returns the graded lesson to the student along with the next set of instructional materials.

(16) "Accrediting agency or association" shall mean an educational agency or association of regional or national scope which has adopted criteria reflecting the qualities of sound educational practices, and also provides peer evaluations of institutions to determine whether or not said institutions operate at basic levels of quality.

(17) "Residential school" shall mean in addition to the usual meaning of a permanent facility, the use of temporary facilities such as rented conference rooms or classrooms for instruction scheduled over a period of more than three calendar days.

(18) "Seminars and workshops" shall be inclusive of all educational services that are scheduled and concluded within a period not exceeding three calendar days.

(19) "Registration fee" shall be limited to those expenses incurred by an institution in processing applications and establishing a student record system. In respect to seminars and workshops, it may be inclusive of any identified charges for meals, refreshments or parking, but in no case shall it include costs used for instructional services.

(20) "Private nonvocational school" shall mean any educational institution that is not a "degree-granting institution" or a "private vocational school."

(21) "Educational institution" includes, but is not limited to, an academic, vocational, technical, home study, business, professional, or other school, institution, college, or university, or other organization or person not exempted under RCW 28B.05.040, offering educational credentials, instruction, or services primarily to persons who have completed or terminated their secondary education, or who are beyond the age of compulsory high school attendance, for attainment of educational, professional, or vocational objectives.

(22) "To operate," means to establish, keep, or maintain any facility or location in this state where, from, or through which education is offered or educational credentials are offered or granted, and includes contracting for the performance of any such act.

(23) "To offer" includes, in addition to its usual meanings, to advertise or publicize. "To offer" shall also mean to solicit or encourage any person, directly or indirectly, to perform the act described.

(24) "To grant" includes to award, issue, sell, confer, bestow, or give.

(25) "Education" or "educational services" includes but is not limited to, any class, course, or program of training, instruction, or study.

(26) "Chief administrative officer" means the person designated by the institution under RCW 28B.05.070.

(27) "Agent" means a person owning an interest in, employed by, or representing for remuneration an educational institution within or without this state, who enrolls or personally attempts to secure the enrollment in such school of a resident of this state, offers to award educational credentials for remuneration on behalf of any such school, or holds himself or herself out to residents of this state as representing an educational institution for any such purpose.

(28) "Educational credentials" means degrees, diplomas, certificates, transcripts, reports, documents, or letters of designation, marks, appellations, series of letters, numbers, or words which signify or appear to signify enrollment, attendance, progress, or satisfactory completion of the requirements or prerequisites for any educational program.

(29) "Entity" includes but is not limited to a person, company, firm, society, association, partnership, corporation, and trust.

(30) "Degree granting institution" shall mean an educational institution, which offers educational credentials, instruction, or services prerequisite to or indicative of an

academic or professional degree or certificate beyond the secondary level.

(31) "Dual purpose institution" shall mean any educational institution which satisfies the definitions of both (a) "degree-granting institution" and (b) "private vocational school" or "private nonvocational school." Either the council for postsecondary education or the commission for vocational education may be selected by the "dual purpose institution" for purposes of complying with the requirements of RCW 28B.05.080, 28B.05.090, 28B.05.100 and 28B.05.110.

(32) "Agency" shall mean the council for postsecondary education in the case of degree granting institutions and the commission for vocational education in the case of private vocational schools and private nonvocational schools. [Statutory Authority: RCW 28B.05.050. 81-21-003 (Order 81-3, Resolution 81-47-3), § 490-600-030, filed 10/8/81. Statutory Authority: Chapter 28B-.05 RCW. 80-01-065 (Order 79-2, Resolution 79-38-2), § 490-600-030, filed 12/21/79.]

WAC 490-600-071 Minimum cancellation and refund policy. The intent of the minimum cancellation and refund policy is to see that each applicant/student is assured minimum conditions of refund, and that the school will be assured of its integrity if it meets these minima. Many schools, however, have more liberal practices and the commission encourages such practices.

The school must state its policy and schedule of refunds in clear language that can be easily understood. The policy must apply to all terminations, for any reason, by either party.

(1) General application of cancellation and refund policies.

(a) Termination date.

(i) Residential schools. The termination date for resident schools for refund computation purposes is the last date of actual attendance by the student. The school may require notice of cancellation or withdrawal to be given by certified mail provided this requirement is stated in the enrollment agreement. The school may require that notice be made by parent or guardian if the student is below legal age.

If a student fails, without written explanation to proper institutional authorities, to attend classes for a period of thirty days during which resident classes are in session, the institution shall officially terminate the student from the program or course of instruction, notify the student in writing that enrollment has been terminated effective the thirtieth calendar day, and shall refund tuition and fees according to its published refund policy.

(ii) Correspondence schools. The termination date for correspondence schools shall be based upon the last lesson completed by the student providing that the student notifies the institution of the desire to cancel within sixty days after submitting the last lesson. The school may require notice of cancellation or withdrawal to be given by certified mail, provided this requirement is stated in the enrollment agreement.

(iii) Seminars and workshops. The termination date for seminars or workshops shall be based upon written

notification from the student and received by the institution prior to the opening hour of the seminar or workshop. The seminar or workshop may require notice of cancellation or withdrawal to be given by certified mail provided this requirement is stated in the enrollment agreement.

(b) Extra expenses. Items of extra expense to the student, such as housing, board, instructional supplies or equipment, tools, student activities, laboratory fees, service charges, rentals, deposits, and all other extra charges for which the student has contracted or paid in advance need not be considered in tuition refund computations provided they are separately shown in the enrollment agreement, catalog, or in other published data furnished to the student before enrollment, and provided further that the student received the complete materials or services during the period the student was actually enrolled. When items of major extra expense are separately shown for this purpose the school must also state its policy for reasonable settlement of such charges in the event of early termination of the student and in no event shall the charges be more than the actual value of the materials or services used by the student.

(c) Subject to subsection (d) below, if promissory notes or contracts for tuition are sold or discounted to third parties, students or their financial sponsors must sign a statement authorizing such sales, and the school must comply with its cancellation and refund policy. Schools must notify all third parties of the cancellation and refund policy of the school.

(d) Institutions shall modify a student's contract and provide a pro rata refund to the student for any action that reduces contracted training time, which reduces course content, or other actions which adversely affect the training time or course content. The burden of proof that such changes did not adversely affect the student rests with the school if any dispute arises over a failure to apply such pro rata refund.

(e) A school year for residential schools is defined by the period of time that the required learning experiences are fully available to the student. The definition of a "school year" must be established by residential schools for refund computation purposes and be published in the school's catalog.

(i) For courses longer than one school year in length, the cancellation and refund policy shall apply to the stated course price attributable to each school year.

(ii) All of the stated course price attributable to the period beyond the first year will be refunded when the student terminates during the first year.

(iii) Percentage of course completion shall be computed on the basis of the amount of time in the course as expressed in clock, quarter, or semester hours or other academic periods as listed in the catalog.

(f) Upon cancellation or termination, all money due the student shall be refunded within thirty days.

(2) Refund policy: Resident schools. Details of the educational institution's own definite and established refund policy for cancellations and terminations must, as a minimum, comply with the following requirements:

(a) Rejection. An applicant rejected by the school shall be entitled to a refund of all moneys paid, less any standard application fee, not to exceed twenty-five dollars.

(b) Three-day cancellation. All moneys paid by an applicant will be refunded if requested within three business days after signing an enrollment agreement and making an initial payment.

(c) Other cancellation. Any applicant subsequently requesting cancellation, but before entering school and starting the course, shall be entitled to a refund of all moneys paid minus a fee of ten percent of the contract price of the course, but in no event may the school retain more than one hundred dollars.

(d) Initial participation. For a student terminating training after entering school and starting the course of training but within the first week, or first ten percent of the program, whichever is less, the tuition charges made by the school shall not exceed ten percent of the contract price of the course plus the registration fee not to exceed one hundred dollars, but in no event more than three hundred dollars.

(e) After first week or ten percent of the program. For a student terminating training after completing one week, or ten percent of the program, whichever is less, but within the first twenty-five percent of the course, the tuition charges made by the school shall not exceed twenty-five percent of the contract price of the course plus a registration fee not to exceed one hundred dollars.

(f) After twenty-five percent. For a student terminating training after completing twenty-five percent but less than fifty percent of the course, the tuition charges made by the school shall not exceed fifty percent of the contract price of the course plus the registration fee of not more than one hundred dollars, and thereafter,

(g) The institution may retain one hundred percent of the stated tuition plus the registration fee which may not exceed one hundred dollars.

(h) Special cases. In case of student prolonged illness or accident, death in the family, or other circumstances that make it impractical to complete the course, the school shall make a settlement which is reasonable and fair to both.

(3) Refund policy: Correspondence and/or home study schools. Details of the educational institution's own definite and established refund policy for cancellations and terminations must, as a minimum, comply with the following requirements.

(a) An enrollment may be canceled by an applicant student within three days from the day on which the enrollment agreement is signed. An applicant student requesting cancellation within this time shall be given a refund of all money paid to the school or its representatives.

(b) From three days after the day on which the enrollment agreement is signed and until the time the school receives the first completed lesson assignment from the student, upon cancellation, the school is entitled to the registration fee of either twenty-five dollars or fifteen percent of the tuition whichever is less.

(c) After receipt of the first completed lesson assignment, if the student requests cancellation, the school shall be entitled to a tuition charge which shall not exceed the following:

(i) Up to and including the first ten percent of the course, the registration fee plus ten percent of the tuition.

(ii) After completing ten percent of the course and up to and including the completion of twenty-five percent of the course, the registration fee plus twenty-five percent of the tuition.

(iii) After completing twenty-five percent of the course and up to and including completion of fifty percent of the course, the registration fee plus fifty percent of the tuition.

(iv) If the student completes more than half of the course, the full tuition.

(d) The amount of the course completed shall be the number of completed lesson assignments received by the institution as a percentage of the total lesson assignments in the course.

(e) The refund policy shall pertain to all charges with the exception of charges for materials that are not returned to the institution in their original condition within fifteen days of withdrawal or termination.

(4) Refund policy: Seminars and workshops. Details of the educational institution's own definite and established refund policy for cancellations and terminations must, as a minimum, comply with the following requirements:

(a) Rejection. An applicant rejected by the institution prior to the initial class shall be entitled to a refund of all moneys paid.

(b) Three-day cancellation. All moneys paid by an applicant in advance shall be refunded if written notification is received by the institution within three calendar days of initial payment and providing the notification is received at least five calendar days prior to the scheduled seminar or workshop.

(c) Other cancellation. An applicant requesting cancellation within five calendar days of the scheduled seminar or workshop but before the initial session shall be entitled to a refund of all moneys paid minus a fee of ten percent of the contract price plus any pre-identified charges for parking and/or meals, but in no event may the school retain more than one hundred dollars.

(d) The applicant shall not be entitled to any refund after the scheduled seminar or workshop has opened its initial session. [Statutory Authority: RCW 28B.05.050, 81-21-003 (Order 81-3, Resolution 81-47-3), § 490-600-071, filed 10/8/81. Statutory Authority: RCW 28B.05.050(3) and chapter 28B.05 RCW, 80-15-037 (Order 80-3, Resolution 80-42-2), § 490-600-071, filed 10/9/80; 80-01-065 (Order 79-2, Resolution 79-38-2), § 490-600-071, filed 12/21/79.]

Title 504 WAC

WASHINGTON STATE UNIVERSITY

Chapters

504-16	Campus traffic and parking regulations.
504-40	Library policies, rules and regulations.

Chapter 504-16 WAC

CAMPUS TRAFFIC AND PARKING REGULATIONS

WAC

504-16-120	General regulations.
504-16-170	Administration and enforcement.

WAC 504-16-120 General regulations. These campus parking and traffic regulations include the motor vehicle laws of the state of Washington and the traffic ordinances of the city of Pullman, as well as the special provisions herein provided.

(1) Restricted areas include loading zones, motorcycle zones, spaces assigned to state vehicles, specific residence hall lots, head resident spaces, university housing areas, and Rogers-Orton lot (lot #1). Restrictions in these areas are in effect at all times.

(2) The campus traffic regulations are in force on the campus as defined above, and they are also in force on certain streets of the city of Pullman by permission of the city council.

(3) Pedestrians have the right of way at all intersections and designated pedestrian crossings, except in cases involving emergency vehicles.

(4) The maximum speed limit on the campus is 20 m.p.h. unless otherwise posted.

(5) Driving on campus roads and streets is permitted at any time, except as otherwise posted, but always within the speed limits and in conformity with the regulatory signs. Standing (stopping of a vehicle, but with the driver still in the vehicle) is permitted in regular parking areas even though the vehicle is without a valid parking permit, but double parking while standing is not permitted.

(6) Washington State University assumes no responsibility for damage or theft of cars driven or parked on campus. [Statutory Authority: RCW 28B.10.560, 28B.30.125 and 28B.30.150, 81-17-015 (Order 81-3, Resolution 7/81-12), § 504-16-120, filed 8/10/81. Statutory Authority: RCW 28B.30.125 and 28B.30.150, 80-07-015 (Order 80-2, Resolution 6/80-15), § 504-16-120, filed 6/11/80; Order 77-2, § 504-16-120, filed 8/3/77; Order 2, § 504-16-120, filed 7/28/71; Order 1, § 504-16-120, filed 8/13/70.]

WAC 504-16-170 Administration and enforcement.

(1) The traffic control subcommittee of the university planning committee is responsible for the following:

(a) Making recommendations on regulations governing campus traffic and parking control.

(b) Making recommendations for physical improvements in parking facilities.