

approach to managing water within the Walla Walla basin than processing applications for new appropriations.

(2) Therefore, an application for a change or transfer of an existing water right may be processed before applications for new water rights with senior filing dates proposing to use water from the same source or hydraulically connected sources of ground water, provided one or more of the following criteria are satisfied:

(a) The proposed transfer or change would result in the construction or expansion of a municipal water supply system consistent with its approved water system plan and that system will be managed according to specific water conservation principles negotiated with and agreed to by the department prior to approval of the proposed change or transfer.

(b) The proposed transfer or change would incorporate a watershed restoration component that would be specifically designed to protect or restore watershed health. Project proposals will be categorized and evaluated on the basis of either being riparian or nonriparian in nature. Consistent with the critical pathways methodology outlined in chapter 75.46 RCW, the department will use the criteria established by the Southeast regional salmon committee to evaluate and prioritize individual riparian project proposals within the basin. These criteria are:

- (i) Listed ESA species affected, together with life-stage and use;
- (ii) Priority limiting factors for the stream reach;
- (iii) Cost-effectiveness;
- (iv) Size of area affected;
- (v) Relationship to other projects; and
- (vi) Other considerations (e.g., protection versus restoration, innovative techniques, etc.).

(c) Nonriparian project proposals will be evaluated and prioritized using natural resource conservation service environmental enhancement criteria for nonriparian areas. The criteria to be used are:

- (i) Erosion control/sediment reduction;
- (ii) Upland habitat improvement; and
- (iii) Wetland enhancement or development.

Based on these ranking criteria, project submittals scoring fifty percent or higher of the total points available will be considered to have significant environmental benefit and the associated application(s) will be evaluated out of processing priority sequence and ahead of other applications. Priority will first be given to applications with qualifying riparian project proposals. Where several competing applications within a category have met the fifty percent threshold, priority will be given to the proposals with the highest score.

Approval of any change application evaluated out of sequence through this process will be provisioned such that no final superseding certificate will issue unless and until the watershed project is installed and/or implemented to the satisfaction of the department. Failure to complete the watershed project may lead to enforcement against use of the changed water right for lack of compliance with conditions of the change approval.

Should evaluation criteria for riparian project proposals be developed and adopted by the Walla Walla and Columbia County habitat restoration committees, this rule will be

amended to require use of those criteria instead of those of the Southeast regional salmon committee.

(3) It shall be the responsibility of the applicant to present any project proposal to the department, together with all supporting documentation, in order for the proposal to be considered for review under subsection (2)(a) or (b) of this section.

(4) Although subsection (2) of this section allows transfer or change applications to be processed before new applications for water from the same source or hydraulically connected ground water source that were filed earlier than the applications for transfer or change, the department is required by law to assure that the earlier applicants' opportunity to receive a permit would not be impaired if the transfer or change application is approved.

(5) The criteria in subsection (2) of this section are meant to supplement WAC 173-152-050 (3)(a), (criteria for priority processing of competing applications). Nothing in this chapter shall serve to supersede the requirements set forth through chapter 173-152 WAC (water right administration).

[Statutory Authority: Chapters 43.21A, 43.27A, 90.03, 90.44 and 90.54 RCW. 99-13-093 (Order 9823), § 173-532-085, filed 6/14/99, effective 7/15/99.]

Title 174 WAC

THE EVERGREEN STATE COLLEGE

Chapters
174-116
174-280

Parking regulations.
Family Educational Rights and Privacy
Act of 1974.

Chapter 174-116 WAC PARKING REGULATIONS

WAC
174-116-040

Parking permits—General information.

WAC 174-116-040 Parking permits—General information. Parking permits are issued by the parking office following application and the payment of the appropriate fees. All privately-owned motor vehicles parked or left standing unattended on college property are required to display a currently valid Evergreen parking permit during the hours of 7:00 a.m. to 9:00 p.m., Monday through Friday throughout the calendar year. The college maintains the authority to sell and require the display of special event parking permits during times and days established by the college. Vehicles parked on campus pursuant to these regulations are required to display valid parking permits at all times and days of the week as established by these rules.

By delegation of the board of trustees, fees for parking and the effective date thereof, shall be approved by the president of the college. Prior to approval by the president, the college shall, after notice, hold a hearing on the proposed schedule. The hearing shall be open to the public, and shall be pre-

sided over by a presiding officer designated by the president. The presiding officer shall prepare a memorandum for consideration by the president, summarizing the contents of the presentations made at the hearing. Approved fee schedules shall be available in the public area of the parking services office and in the *Policy and Procedures Manual*.

[Statutory Authority: RCW B40.120(12) [28B.40.120(12)], 99-24-014, § 174-116-040, filed 11/22/99, effective 12/23/99. Statutory Authority: RCW 28B.10.560 (1)(a), 95-16-093, § 174-116-040, filed 7/31/95, effective 9/1/95. Statutory Authority: RCW 28B.40.120(12), 88-19-097 (Order 88-3, Resolution No. 88-32), § 174-116-040, filed 9/20/88. Statutory Authority: RCW 28B.40.120(11), 87-14-020 (Order 87-2, Resolution No. 87-13), § 174-116-040, filed 6/24/87; 85-03-048 (Order 85-1, Resolution No. 85-5), § 174-116-040, filed 1/14/85; 84-13-056 (Order 84-2, Resolution No. 84-28), § 174-116-040, filed 6/19/84; 83-20-016 (Order 83-4, Resolution No. 83-42), § 174-116-040, filed 9/22/83; Order 72-7, § 174-116-040, filed 10/27/72.]

Chapter 174-280 WAC

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

WAC

174-280-015	Definitions.
174-280-030	Release of personally identifiable records.

WAC 174-280-015 Definitions. For the purposes of WAC 174-280-010 through 174-280-045, the following terms shall have the definitions shown:

(1) A "student" is any person who is or has been registered at Evergreen, with respect to whom Evergreen maintains educational records or other information personally-identifiable by name, identification number, or other names of recognition.

(2) The term "educational records" means those records, files, documents and other materials maintained by Evergreen which contain information directly related to the individual student.

(3) The term "directory information" means the student's name, address, telephone number, dates of attendance, date and place of birth, major field of study, participation in officially recognized activities and sports, degrees and awards received, and the most recent previous educational agency or institution attended by the student.

(4) The term "crime of violence" means:

(a) An offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another; or

(b) Any other offense that is a felony and that, by its nature involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

(5) "Sex offense" is any sexual act directed against another individual, forcibly and/or against their will; or non-forcibly and/or against their will where the individual is incapable of giving consent.

[Statutory Authority: RCW 28B.40.120(12), 99-12-024, § 174-280-015, filed 5/25/99, effective 6/25/99. Statutory Authority: Chapter 34.05 RCW, 90-04-011, § 174-280-015, filed 1/26/90, effective 2/26/90.]

WAC 174-280-030 Release of personally identifiable records. (1) The college shall not permit access to or the

release of education records or personally identifiable information contained therein, other than "directory information," without the written consent of the student, to any party other than the following:

(a) Evergreen staff, faculty, and student employees when the information is specifically required for a legitimate educational interest within the performance of their assigned responsibilities to the college, with the understanding that its use will be strictly limited to the performance of those assigned responsibilities;

(b) Federal and state officials requiring access to educational records in connection with the audit and evaluation of a federally- or state-supported education program or in connection with the enforcement of the federal or state legal requirements which relate to such programs. In such cases the information required shall be protected by the federal or state official in a manner which will not permit the personal identification of students to other than those officials, and such personally identifiable data shall be destroyed when no longer needed for such audit, evaluation or enforcement of legal requirements;

(c) Agencies or organizations requesting information specifically required as a part of a student's application for, or receipt of, financial aid, with the understanding that its use will be strictly limited to that purpose;

(d) Organizations conducting studies for or on behalf of the college for purposes of developing, validating or administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students by persons other than representatives of such organizations, and such information will be destroyed when no longer needed for the purpose for which it was provided;

(e) Accrediting organizations in order to carry out their accrediting functions, if such studies are conducted in such a manner as will not permit the personal identification of students by persons other than representatives of such organizations, and such information will be destroyed when no longer needed for the purpose for which it was provided;

(f) Any person or entity designated by judicial order or lawfully-issued subpoena, upon condition that the student is notified of all such orders or subpoenas in advance of compliance therewith. Any college individual(s) or office(s) receiving a subpoena or judicial order for educational records should also immediately notify the assistant attorney general assigned to Evergreen;

(g) A collection agency under contract to Evergreen when necessary to collect past due accounts the student owes to Evergreen upon the condition that the student is forwarded a notice at least ten days in advance of the date the account is transferred;

(h) Results of campus disciplinary action(s) involving a crime of violence and/or sex offense(s) will be disclosed to the accuser upon request. Results will be disclosed only after a finding has been made and appeal options have been exhausted under The Evergreen State College's student conduct code.

(2) Where the consent of a student is obtained for the issuance of education records, it shall be in writing, signed and dated by the student giving the release, and the names of

the parties to whom such records will be released, and may include the reasons for such release, except that transcripts may be issued to other colleges or universities for admission as a result of telephone requests from the student.

(3) In cases where records are made available without student release as permitted by subsection (1)(b), (c), (d), (e), (f), and (g) of this section, the appropriate Evergreen official shall maintain a record, which will be made available to the student upon request kept with the education record, which will indicate the parties which have requested or obtained access to a student's records maintained by the college and which will indicate the legitimate interest of the investigating party. Releases in accordance with subsection (1)(a) of this section need not be recorded.

(4) Personally identifiable education records released to third parties, with or without student consent, shall be accompanied by a written statement indicating that the information cannot be subsequently released in a personally identifiable form to any other parties without obtaining consent of the student.

(5) Students may request that the college not release directory information by written notice to the registrar.

(6) Information from education records may be released to appropriate persons in connection with an emergency if the knowledge of such information is clearly necessary to protect the health or safety of a student or other person(s).

(7) Student information in computer files may be released only by the Evergreen individual or office which maintains the respective files.

[Statutory Authority: RCW 28B.40.120(12), 99-12-024, § 174-280-030, filed 5/25/99, effective 6/25/99. Statutory Authority: Chapter 34.05 RCW, 90-04-011, § 174-280-030, filed 1/26/90, effective 2/26/90.]

Title 180 WAC

EDUCATION, BOARD OF

Chapters

180-08	Practice and procedure.
180-16	State support of public schools.
180-18	Waivers for restructuring purposes.
180-20	School bus driver qualifications.
180-24	School district organization.
180-26	State assistance in providing school plant facilities—Educational specifications and site selection.
180-27	State assistance in providing school plant facilities—Basic state support.
180-29	State assistance in providing school plant facilities—Procedural regulations.
180-51	High school graduation requirements.
180-77A	Approval standards for vocational-technical teacher preparation programs.
180-78A	Approval standards for performance-based preparation programs for teachers, administrators, and educational staff associates.
180-79A	Standards for teacher, administrator, and educational staff associate certification.

180-82	Certificate endorsements and assignment of certificated personnel.
180-85	Professional certification—Continuing education requirement.

Chapter 180-08 WAC

PRACTICE AND PROCEDURE

WAC

180-08-015	Scheduled review of state board rules.
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WAC 180-08-015 Scheduled review of state board rules. The state board of education shall review all board rules not less than every three years.

[Statutory Authority: RCW 34.05.220, 99-10-092, § 180-08-015, filed 5/4/99, effective 6/4/99.]

Chapter 180-16 WAC

STATE SUPPORT OF PUBLIC SCHOOLS

WAC

180-16-195	Annual reporting and review process.
180-16-220	Supplemental program and basic education allocation entitlement requirements.
180-16-221	Repealed.
180-16-222	Repealed.
180-16-226	Repealed.
180-16-231	Repealed.
180-16-236	Repealed.
180-16-238	Repealed.
180-16-240	Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

180-16-221	Assignment of classroom teachers within districts. [Statutory Authority: RCW 28A.150.220(4) and 28A.410.010, 98-01-031, § 180-16-221, filed 12/8/97, effective 1/8/98. Statutory Authority: RCW 28A.150.220(6) and 28A.410.010, 97-04-083, § 180-16-221, filed 2/5/97, effective 3/8/97. Statutory Authority: RCW 28A.70.005, 87-12-040 (Order 9-87), § 180-16-221, filed 6/1/87. Statutory Authority: RCW 28A.58.754(6), 86-13-015 (Order 5-86), § 180-16-221, filed 6/10/86.] Repealed by 99-07-054, filed 3/16/99, effective 4/16/99. Statutory Authority: RCW 28A.150.220(4).
180-16-222	Exceptions to classroom teacher assignment policy. [Statutory Authority: RCW 28A.150.220(6) and 28A.410.010, 97-04-083, § 180-16-222, filed 2/5/97, effective 3/8/97. Statutory Authority: RCW 28A.150.220(6), 94-24-040, § 180-16-222, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.410.010, 93-07-102, § 180-16-222, filed 3/23/93, effective 4/23/93; 92-04-044, § 180-16-222, filed 1/31/92, effective 3/2/92. Statutory Authority: RCW 28A.58.754(6), 86-13-015 (Order 5-86), § 180-16-222, filed 6/10/86.] Repealed by 99-07-054, filed 3/16/99, effective 4/16/99. Statutory Authority: RCW 28A.150.220(4).
180-16-226	Superintendent of public instruction annual report to state board of education. [Statutory Authority: RCW 28A.58.754(6), 86-13-015 (Order 5-86), § 180-16-226, filed 6/10/86.] Repealed by 99-07-054, filed 3/16/99, effective 4/16/99. Statutory Authority: RCW 28A.150.220(4).
180-16-231	Assignment of principals and vice-principals within districts. [Statutory Authority: RCW 28A.58.754(6), 86-13-015 (Order 5-86), § 180-16-231, filed 6/10/86.] Repealed by 99-07-054, filed 3/16/99, effective 4/16/99. Statutory Authority: RCW 28A.150.220(4).
180-16-236	Assignment of educational staff associates. [Statutory Authority: RCW 28A.410.010, 94-01-103, § 180-16-236, filed 12/16/93, effective 1/16/94. Statutory Authority: RCW 28A.58.754(6), 86-13-015 (Order 5-86), §