

TRANSMITTAL OF RULES ADOPTED

FROM: State Board for Community College Education  
(Name of Agency)

TO: CODE REVISER  
LEGISLATIVE BLDG. (Southwest Corner, Ground Floor)  
OLYMPIA 98504

The enclosed rules Permanent rules  , being Order No. 67  
Emergency rules

relating to (Name of rules or description of subject matter)

Defining "Special Funds" for the purpose of exempting positions funded thereunder from community college faculty tenure status provided by RCW 28B.50.850 through RCW 28B.50.869.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 7719 ① filed with the code reviser on 8/17/77 ② were regularly adopted as permanent rules of this agency at Olympia Technical C.C. on 9/8/77 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be \_\_\_\_\_ ③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding in the attached administrative order, that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this agency at \_\_\_\_\_ on \_\_\_\_\_ and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter 34.04 RCW and of the Open Public Meetings Act of 1971, chapter 42.30 RCW have been fulfilled.

Dated this 8th day of September 1977.

STATE OF WASHINGTON  
**FILED**  
SEP 18 1977

State Board for Community College Education  
(AGENCY)

By *Richard Carlson*  
Assistant Director/Policy & Research  
Title

CODE REVISER'S OFFICE  
DOCKET # 8476 FILE # 2

① Notice number as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use no. of last notice)  
② Stamped date as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use date of last notice)  
③ Unless a later date is specified in this order or is prescribed in another statute, rules are effective 30 days after filing:  
RCW 34.04.040. Leave this space blank except in such special cases.  
[Order 9, filed 9/25/74, eff. 10/25/74] [Form CR-2: Rev. 9/21/74]

State of Washington  
STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
RESOLUTION NO. 77-43


ADMINISTRATIVE ORDER NO. 67

(1) Be it resolved by the State Board for Community College Education, State of Washington, after due notice and in a meeting open to the public, held at Olympia, Washington, on September 8, 1977, as required by chapters 34.04 and 42.30 RCW, do promulgate and adopt as permanent rules of this governing body, the annexed rules: Defining "Special Funds" for the purpose of exempting positions funded thereunder from community college faculty tenure status provided by RCW 28B.50.850 through RCW 28B.50.869.

(2) This rule is promulgated pursuant to RCW 28B.50.851 and Chapter 282, Laws of 1977, 1st ex. sess., and is intended to administratively implement those statutes.

(3) This order after being first recorded in the order register of this governing body shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED September 8, 1977.



Director, State Board for Community College Education

AMENDATORY SECTION

WAC 131-16-400 DEFINITION OF "SPECIAL FUNDS" FOR THE PURPOSE OF DETERMINING ELIGIBILITY FOR TENURABLE FACULTY POSITIONS. (1) RCW 28B.50.851 (~~Chapter 112, Laws of 1975, 1st ex. sess.~~) authorizes the State Board for Community College Education to designate certain funds as "special funds" for the purpose of exempting positions funded thereby from the award of community college faculty tenure status as provided in RCW 28B.50.850 through RCW 28B.50.869.

(2) For the purpose of implementing the provisions of RCW 28B.50.851 (~~Chapter 112, Laws of 1975, 1st ex. sess.~~), "special funds" shall be defined as all funds received by a community college district other than those generated by operating fees and special fees collected by such district pursuant to RCW 28B.15.100 and RCW 28B.15.500 and state general funds appropriated by the legislature and distributed to college districts by the State Board.

(3) "Special funds" shall include, but not be limited to, funds received by a community college district through contracts with federal, state, local, or private agencies; grants or gifts from philanthropic organizations; revenue produced by any auxiliary enterprise operated by a college district; federal vocational funds distributed by the Commission for Vocational Education; adult basic education funds distributed by the Superintendent of Public Instruction; and specifically funds received for operating overseas military educational ((PREP)) programs (~~and the instructional program at the Washington Corrections Center~~).

(4) In order to qualify for the exemption from faculty tenure status, a position must be primarily maintained and funded at least 51% for salary and related benefits by such "special funds" as defined in this section.

(5) Determination of the application of the provisions of this section (~~Chapter 112, Laws of 1975, 1st ex. sess.~~) to any future programs (~~especially funded can be referred to~~) shall be made by the State Director (~~for a determination as to whether such program funds shall be specifically designated as "special funds"~~) consistent with subsections (2) and (3) of this section.

(6) Pursuant to Chapter 282, Laws of 1977, 1st ex. sess., the provisions of this section shall not be applicable to faculty members holding appointments in an educational program operated in a state correctional institution pursuant to a written contract with a community college district, provided such program has been in existence for five or more years under the administration of one or more community college districts.