

Title 131 WAC

COMMUNITY COLLEGE EDUCATION, STATE BOARD FOR

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- 131-04-010 Issuance and sale of bonds—Bond retirement funds authorized. [Regulation 1, § 131-04-010, filed 8/18/67.] Repealed by Order 56, filed 4/2/76. Later promulgation, see WAC 131-24-020.

Chapter 131-08 WAC PRACTICE AND PROCEDURE

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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- 131-08-006 Formal presentations to the state board at public meetings. [Order 3, § 131-08-006, filed 6/19/69.] Repealed by Order 60, filed 11/1/76.

WAC 131-08-005 General description of state board organization and operations. (1) The state board for community college education consists of seven members appointed by the governor. Successors of the members initially appointed serve for terms of four years. For the academic year 1977-78, regular meetings will be held on September 8, 1977; October 19, 1977; December 1, 1977; January 12, 1978; March 2, 1978; April 6, 1978; May 17, 1978; and June 28, 1978. The location of each meeting is available at the State Board offices, 319 Seventh Avenue, Olympia, Washington 98504.

(2) The executive officer and secretary of the board is the director of the state system of community colleges.

He is in charge of the offices of the board and responsible to the board for the preparation of reports and the collection and dissemination of data and other public information relating to the state system of community colleges. He exercises, in the name of the board, all powers and duties delegated to him by the board and at the direction of the board executes, together with the chairman of the board, all contracts entered into by the board.

(3) It is the board's duty to exercise general supervision and control over the state system of community colleges consistent with the specific powers and duties set forth in the Community College Act of 1967, chapter 28B.50 RCW.

(4) The board's office is located in Olympia, Washington, 319 Seventh Avenue, 98504.

Information and assistance may be obtained at the board office. Formal submission or requests to the state board should be addressed to the director at the Olympia office. [Order 61, § 131-08-005, filed 7/8/77; Order 59, § 131-08-005, filed 7/6/76; Order 52, § 131-08-005, filed 1/9/76; Order 40, § 131-08-005, filed 6/27/75; Order 33, § 131-08-005, filed 11/14/74; Order 19, § 131-08-005, filed 7/2/73; Order 3, § 131-08-005, filed 6/19/69.]

WAC 131-08-007 Presentations to state board. Any interested individual or organization, upon written request to and receipt by the state board office at least two weeks in advance of the next scheduled board meeting, may request that any relevant matter concerning the state community college system be placed on the board meeting agenda. The chairman or the director of the state board may, however, waive this two week notification procedure, if in the judgment of either, sufficient emergency exists.

The following format shall be used by individuals or organizations in making their request for additions to the board meeting agenda:

(1) Title of the item to be considered;

(2) A brief descriptive background which includes relevant facts and documentary evidence, including written materials, personal interviews, expert testimony or matters of record;

(3) Identification of the requesting party, including relevant organizational affiliations and job titles.

It shall be the prerogative of the board not to take any action on matters that come before the board pursuant to this rule.

In the case of presentations to the board on behalf of organizations, special interest groups, and other multi-member bodies, testimony shall normally be limited to one individual representative.

In the case of all presentations, the board reserves the right, without notice, to limit the length of any particular presentation or to reschedule presentations when, in its judgment, the demands of public business before the board necessitate making such limitations.

It is the intent of the state board that procedures set forth in this regulation shall be liberally interpreted to the end that all interested citizens and organized groups shall be able to address the board on any matter relevant to its responsibilities and duties in the operations of Washington's community college system. Notwithstanding any of the provisions of this section, impromptu comments or questions by members of the public or organization representative may be presented at any meeting of the board consistent with the provisions of chapter 42.30 RCW, the open public meeting act.

In the case of adoption, amendment or repeal of rules, which are subject to the provisions of the Administrative Procedure Act, chapter 34.04 RCW, the provisions of that chapter regarding the presentation of data, views or arguments to shall govern. [Order 60, § 131-08-007, filed 11/1/76; Order 3, § 131-08-007, filed 6/19/69.]

WAC 131-08-008 Special meetings of the state board. Special meetings of the state board may be called by the chairman or by a majority of the members of the state board by delivery personally or by mail written notice to each member at least twenty-four hours before the time of such meeting. Such notice shall specify the time and place of the special meeting and the business to be transacted. Final disposition shall not be taken on any other matter at such meetings. Notice of such special meetings also shall be provided twenty-four hours prior to such meetings to each local newspaper of general circulation and to each local radio and television station which has on file with the state board a written request to be notified of such special meetings or of all meetings of the state board. [Order 41, § 131-08-008, filed 6/27/75.]

Chapter 131-12 WAC STUDENTS

WAC

131-12-010	Minimum standards for admission to a community college.
131-12-020	Definition of resident student and procedures for classification.
131-12-030	Districts authorized to restrict enrollment in classes, courses or programs.
131-12-040	Districts shall establish rules allowing intercampus and intercollege enrollment.
131-12-041	Interdistrict registration of students.
131-12-050	Rules defining student rights and responsibilities required to be adopted.
131-12-060	Student involvement in the promulgation, amendment and revocation of rules.
131-12-070	Deadline for compliance and filing with director.

WAC 131-12-010 Minimum standards for admission to a community college. Any applicant for admission to a community college shall be admitted when, as determined by the chief administrative officer of the district or his authorized representative, such applicant:

(1) Is competent to profit from the curricular offerings of the college; and

(2) Would not, by his presence or conduct, create a disruptive atmosphere within the community college inconsistent with the purposes of the institution; and

(3) Is eighteen years of age or older or who is a graduate of a high school or whose application, if under eighteen years of age and not a graduate of a high school, has been approved, insofar as acquisition of approval is feasible, by the principal of the high school he is attending or which he last attended: *Provided*, That an applicant transferring from another institution of higher education who meets the above criteria, but who is not in good standing at the time of his transfer may be conditionally admitted to a community college on a probationary status as determined by the chief administrative officer of the community college district or his authorized representative. [Order 3, § 131-12-010, filed 6/19/69.]

WAC 131-12-020 Definition of resident student and procedures for classification. For tuition purposes, an applicant or enrolled student shall be deemed to be a resident student if he has been domiciled in the state of Washington for a full year prior to commencement of the quarter for which he applies or is enrolled, or he is a federal employee, military personnel, or a staff member of the community college, or the child or spouse of such federal employee or military personnel residing within the state or of a staff member of the community college. The definition of "domicile" shall be the legal definition.

The following procedures shall be followed by community colleges in making residency classifications:

(1) Upon receipt of an application for admission to the community college the applicant shall be classified as either a resident or nonresident as the facts may indicate.

(2) The notice of acceptance shall be accompanied by a statement of the applicant's residency classification and, in the case of those classified as nonresidents, as statement of the criteria and procedures to be followed for establishing resident status.

(3) Changes in residency classifications of applicants or enrolled students shall be made by the authorized college official as follows:

(a) In the case of applicants or enrolled students who have been classified as nonresident, upon presentation by the applicant or student or an authorized representative of sufficient proof that the applicant or enrolled student has been legally domiciled in the state of Washington for one year, or is a federal employee, military personnel, or a staff member of the community college, or the child or spouse of a federal employee or military personnel residing within the state or of a staff member of the community college; and

(b) In the case of applicants or enrolled students who have been classified as residents, upon presentation or discovery of proof that such individual is legally domiciled outside the state of Washington.

(4) In the event of dispute or question regarding the residency status of any applicant or enrolled student, the

matter shall be referred to the office of attorney general for advice. [Order 3, § 131-12-020, filed 6/19/69.]

WAC 131-12-030 Districts authorized to restrict enrollment in classes, courses or programs. A community college district may establish:

(1) Enrollment limits for any class, course or program when such restrictions are necessary because of limitations of physical facilities or operating funds or when such restrictions are consistent with generally accepted educational practices regarding efficient maximum class sizes.

(2) Reasonable prerequisites for enrollment in any class, course or program to insure that a student will profit or benefit from the particular class, course or program. [Order 3, § 131-12-030, filed 6/19/69.]

WAC 131-12-040 Districts shall establish rules allowing intercampus and intercollege enrollment. Community college districts that offer instruction in more than one location shall establish reasonable rules and procedures that will allow intercampus and intercollege enrollment of students without penalty or additional cost above the normal tuition, special fees, and incidental fees charged by the district for attendance at any single campus or college therein. [Order 3, § 131-12-040, filed 6/19/69.]

WAC 131-12-041 Interdistrict registration of students. Pursuant to authority granted in chapter 28B.50 RCW, the following regulations shall be observed by the college districts in the interdistrict enrollment of students without the payment of additional tuition and fees as required by RCW 28B.15.500.

(1) Interdistrict registration shall mean the concurrent enrollment of a student in community colleges operated by two or more community college districts.

(2) Interdistrict registration shall occur only on the basis of a specific agreement between the two or more colleges.

(3) If the student registers and pays (including loans, grants, waivers, and other forms of financial aid) the maximum tuition and fees in one college, a second college may allow such student to register for additional courses without payment of additional fees provided that the courses will not be offered by the first college in a manner that will enable the student to complete his program in a timely manner.

(4) If the student so enrolled under this interdistrict registration provision has paid less than the maximum amount of tuition and fees required by RCW 28B.15.500, the second college shall assess tuition and fees at the standard rate for the course registrations in that college up to that maximum. Withdrawal from the college or reduction of course load in the college of initial registration shall invalidate any cost-free registration at a second college unless the appropriate additional tuition and fees are paid.

(5) Students enrolled in a second college under the provisions of this regulation shall be required to comply with the regular registration procedure of such second

college and shall be required to pay any additional special fees—such as laboratory, supply, use or records fees normally charged to students enrolled at that college. [Order 23, § 131-12-041, filed 12/18/73.]

WAC 131-12-050 Rules defining student rights and responsibilities required to be adopted. In order that each student attending a community college is assured of substantive and procedural due process of the law, each community college district shall promulgate, adopt and publish rules defining and establishing student rights and responsibilities, including but not limited to the following subject areas:

(1) Admission requirements;

(2) Freedom of expression, petition, press, assembly and association;

(3) Use and maintenance of records and campus facilities;

(4) Disciplinary hearing and appeal procedures; and

(5) Disciplinary sanctions. [Order 5, § 131-12-050, filed 12/12/69.]

WAC 131-12-060 Student involvement in the promulgation, amendment and revocation of rules. Each community college district shall involve students in the promulgation, amendment and revocation of rules defining and establishing student rights and responsibilities. The minimum involvement which shall be afforded students, except in emergencies, shall consist of a reasonable opportunity to review and express opinions regarding the proposed exercise of the community college's rule-making authority. [Order 5, § 131-12-060, filed 12/12/69.]

WAC 131-12-070 Deadline for compliance and filing with director. Each community college district shall comply with WAC 131-12-050 no later than the last day of the 1970 spring quarter and file all rules defining and establishing student rights and responsibilities, including all amendments and revocations thereof, with the director of the state board for community college education. [Order 5, § 131-12-070, filed 12/12/69.]

Chapter 131-16 WAC FACULTY AND STAFF PERSONNEL

WAC

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131-16-410	Optional salary increases for faculty and exempt personnel of certain community colleges.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

131-16-090	Additional qualification in areas of specialization. [Order 5, § 131-16-090, filed 12/12/69.] Repealed by Order 22, filed 11/27/73.
131-16-300	Salary increase for noncivil service personnel. [Order 27, § 131-16-300, filed 8/1/74.] Repealed by Order 54, filed 4/2/76.
131-16-310	Preamble. [Order 49, § 131-16-310, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
131-16-315	Specific legislative appropriations for salary increases. [Order 49, § 131-16-315, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
131-16-320	Standards related to salary increases. [Order 49, § 131-16-320, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
131-16-325	Legal authorization for review of district budgets. [Order 49, § 131-16-325, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
131-16-330	Ratification of administrative memorandum. [Order 49, § 131-16-330, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
131-16-335	Delegation of authority to review and revise budgets. [Order 49, § 131-16-335, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
131-16-340	Criteria for calculating allowable salary increase funds. [Order 49, § 131-16-340, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.

WAC 131-16-005 Mandatory retirement age defined. The mandatory retirement age shall be defined as the end of the academic year in which an employee of a community college district attains age sixty-five; however, when officially approved by the district board of trustees, extension of service beyond the mandatory retirement age may be made for definite periods of time not to exceed one year each, but no such extensions shall postpone retirement beyond the end of the academic year in which age seventy is attained. [Order 28, § 131-16-005, filed 7/1/74.]

WAC 131-16-010 Designation of community college system retirement plan. There is hereby established for the eligible employees of the community colleges of the state of Washington, a retirement plan which shall entitle such employees to purchase retirement annuities from the Teachers' Insurance Annuity Association (TIAA) and the College Retirement Equities Fund (CREF), hereafter called the TIAA/CREF Plan, in conjunction with the employing community college district as provided in regulations approved pursuant to this

policy. [Order 28, § 131-16-010, filed 7/1/74; Order 4, § 131-16-010, filed 10/22/69.]

WAC 131-16-011 Definitions. For the purpose of WAC 131-16-005 through WAC 131-16-069, the following definitions shall apply:

(1) "Participant" shall be defined as any individual who is eligible to purchase retirement annuities through the TIAA/CREF Plan and whose basic contribution to such plan is matched by the employing college district or the State Board for Community College Education pursuant to the provisions of WAC 131-16-050.

(2) "Supplemental retirement benefit" shall be defined as payments, as calculated in accordance with WAC 131-16-061, made by the community college district or the state board to an eligible retired participant or surviving spouse whose retirement benefits provided by the TIAA/CREF Plan do not attain the level of the retirement benefit goal established by WAC 131-16-015.

(3) "Year of full-time service" shall be defined as employment in an eligible position for a period of not less than five months in any fiscal year during which TIAA/CREF contributions were made by both the participant and a Washington public higher education institution; provided that not more than one year of full-time service will be credited for service in any one fiscal year.

(4) "Fiscal year" shall be defined as the period beginning on July 1 of any calendar year and ending on June 30 of the succeeding calendar year.

(5) "Average annual salary" shall be defined as the amount derived when the salary received during any two consecutive academic years of full-time service for which TIAA/CREF contributions were made by both the participant and a Washington public higher education institution is divided by two.

(6) "Academic year" shall be defined as the period beginning on September 1 of any calendar year and ending on August 31 of the next calendar year.

(7) "TIAA/CREF retirement benefit" shall be defined as the amount of annual retirement income derived from a participant's accumulated annuities including dividends at the time of retirement; provided that, solely for the purpose of calculating a potential Supplemental Retirement Benefit, such amount shall be adjusted to meet the assumptions set forth in WAC 131-16-061, subsection (2).

(8) "Salary" shall be defined as all remuneration received by the participant from the employing community college district or the state board including summer quarter compensation, extra duty pay, leave stipends, and grants made by or through the college district or state board. [Order 28, § 131-16-011, filed 7/1/74.]

WAC 131-16-015 Retirement benefit goal established. Subject to the provisions of WAC 131-16-061, the retirement benefit goal for participants in the TIAA/CREF Plan is to provide participants at age sixty-five having twenty-five years of service a minimum annual retirement income, exclusive of Federal Old Age Survivors Insurance benefits, equivalent to fifty percent

of the average salary for the two consecutive highest salaried years. [Order 28, § 131-16-015, filed 7/1/74.]

WAC 131-16-020 Employees eligible to participate in retirement annuity purchase plan. (1) Classes of employees eligible to participate in the TIAA/CREF Plan are:

(a) All employees of community college districts holding probationary or tenured faculty appointments as defined by RCW 28B.50.851.

(b) All employees of community college districts holding administrative appointments as defined by RCW 28B.50.851.

(c) The president of any community college or community college district.

(d) The State Director for Community College Education and any member of his staff that he may designate.

(e) Other such full-time employees as may be designated by the district boards of trustees so long as they are in positions exempt under the provisions of chapter 28B.16 RCW, the State Higher Education Personnel Law, provided, that any full-time employee of a community college district, who has been granted leave of absence without pay for reason of extended illness or disability and who is receiving salary continuation insurance benefits through a plan made available by such community college district, shall be eligible to participate in the TIAA/CREF Plan on the basis of premium contributions paid as a part of such salary continuation insurance benefit in lieu of the normal employer's premium contribution; provided further, that such non-contributory participation shall not be creditable toward the number of years of full-time service utilized in calculating eligibility for supplemental retirement benefits pursuant to WAC 131-16-061.

(2) A full-time employee shall be defined as one who is employed for at least 80 percent of the normal work period for his class of employee; however, any such employee who is employed for less than 90 days during the fiscal year or who is designated as a temporary employee shall not be eligible for participation in this plan.

(3) An employee reclassified to an eligible position may become a participant if he so elects in writing within six months after being reclassified. If he does not so elect, he hereby permanently waives his right to become a participant. A participant who is reclassified to a classified position covered by chapter 28B.16 RCW may continue to be a participant if he so elects in writing within six months after being reclassified. Such election shall be irrevocable.

(4) Any participant who has not retired and whose employment is reduced to less than the amount specified for eligibility to participate in the TIAA/CREF Plan shall continue to be a participant as long as he continues to be employed as a teacher, counselor, librarian, administrator, or other similar exempt position as provided in chapter 28B.16 RCW, The State Higher Education Personnel Law.

(5) Any eligible employee may become a participant immediately upon employment but must become a participant within two years following initial appointment.

[Order 55, § 131-16-020, filed 4/2/76; Order 51, § 131-16-020, filed 1/9/76; Order 37, § 131-16-020, filed 5/19/75; Order 28, § 131-16-020, filed 7/1/74; Order 4, § 131-16-020, filed 10/22/69.]

WAC 131-16-030 Optional participation for certain employees. After January 1, 1970, participation in the TIAA/CREF Plan shall be required of all eligible new employees except for such new employees who at the time of employment are members of the Washington State Teachers' Retirement System (WSTRS) or the Washington Public Employees' Retirement System (WPERS) and who elect to retain such membership. All eligible employees who were employed prior to January 1, 1970, shall indicate in writing no later than January 1, 1971, whether they wish to participate in the TIAA/CREF Plan or to retain membership in the retirement plan in which they then hold membership; provided that any such eligible employee who has not established sufficient retirement credit in the Washington State Teachers' Retirement System or the Washington Public Employees' Retirement System to qualify for deferred retirement allowances may delay exercising his option to participate in the TIAA/CREF Plan no longer than one calendar year following the date upon which he established sufficient retirement credit to qualify for such deferred retirement allowances, commonly called a vested right to receive retirement benefits. However, once an employee elects to participate in the TIAA/CREF Plan, such choice shall be irrevocable so long as he shall remain an employee of any community college district of the state or of the State Board for Community College Education. Eligible employees who retain membership in WSTRS or WPERS may, in addition, participate in the TIAA/CREF Plan on a noncontributory basis through tax-deferred annuity purchase agreements between the individual and the employing community college district under provisions of Section 403(b) of the United States Internal Revenue Code. [Order 28, § 131-16-030, filed 7/1/74; Order 9, § 131-16-030, filed 6/7/71; Order 4, § 131-16-030, filed 10/22/69.]

WAC 131-16-040 Special retirement provisions for TIAA/CREF participants. (1) The normal retirement age shall be defined as the end of the academic year in which the participant attains age sixty-five; provided that any participant may elect to retire at the earliest age specified for retirement by federal social security law.

(2) There shall be no prior service benefits associated with participation in the TIAA/CREF Plan.

(3) The board of trustees of any college district may approve the retirement of any employee under the age of sixty-five for reasons of health or permanent disability either upon the request of the individual employee or the district president; provided that the board of trustees shall first give reasonable consideration to the written recommendations regarding such requested retirement from the employee's personal physician and, if requested by either the employee or the district president, a review

of such recommendations by another physician appointed by the board of trustees. [Order 28, § 131-16-040, filed 7/1/74; Order 4, § 131-16-040, filed 10/22/69.]

WAC 131-16-050 Contribution rates established.

(1) Each participant in the TIAA/CREF Plan shall contribute five percent until the end of the calendar year during which he attains his 35th birthday and seven and one-half percent thereafter of all remuneration he receives from the employing community college district and the employing district shall contribute a like sum, each on a monthly basis. A participant may further elect to increase the rate to ten percent at any time following the calendar year during which he attains his 50th birthday and the employing district shall contribute a like sum. The sum of the participant's and the community college district's contribution shall be forwarded to TIAA/CREF for the purchase of retirement annuities. The combined contribution may be divided between TIAA and CREF premium payments as directed by the participant.

(2) During periods when participants are on leave of absence and are receiving partial compensation from a community college district, the employing community college district shall continue to make contributions on the same basis as herein provided if the participant agrees to contribute in a like manner.

(3) Any of the following allocations of the combined contributions may be elected at any time by the participant as the premium basis for purchase of TIAA and CREF annuities:

<u>TIAA</u>	<u>CREF</u>
100%	0%
75%	25%
50%	50%
25%	75%
0%	100%

(4) Any eligible employee may enter into an agreement with the college district to reduce the employee's monthly salary by the amount of the required employee's monthly contribution and any supplemental amount within the limits prescribed in the Internal Revenue Code, such amount to be transmitted to TIAA/CREF to purchase retirement annuities in the name of the employee, thereby deferring the federal income tax normally due on that amount until it is received as retirement annuity income; provided that after one year from the effective date of the agreement, either party may terminate the agreement; and provided further that no more than one agreement for such salary reduction may be made within any taxable year of the employee except to the extent otherwise permitted by the regulations under Section 403(b) of the Internal Revenue Code. [Order 28, § 131-16-050, filed 7/1/74; Order 13, § 131-16-050, filed 10/8/71; Order 4, § 131-16-050, filed 10/22/69.]

WAC 131-16-060 Repurchase of annuity contract under certain conditions. In the event a participant in TIAA or TIAA/CREF leaves the employ of any Washington community college for reasons other than

retirement or disability and requests repurchase of his annuity, the State Board for Community College Education approves such repurchases as are recommended by the appropriate district board of trustees provided that TIAA/CREF agrees to such repurchase and provided further that the portion of the repurchase attributable to contributions made by employing community college district shall be returned to that district by TIAA/CREF.

The state board will agree to the repurchase of contracts only if all the following conditions are met:

- (a) Payments to the annuitant have not begun;
- (b) The annuity has been in force for five years or less;
- (c) The annuitant requests repurchase of all annuities he owns;
- (d) The annuitant is neither employed at nor is transferring to an institution having a TIAA/CREF Retirement Plan;
- (e) All educational institutions that contributed any part of the premiums consent to the repurchase;
- (f) If the annuitant has more than one annuity, the total value of all TIAA/CREF annuities and the longest duration of any of them shall govern in determining whether a repurchase will be made under this rule. [Order 28, § 131-16-060, filed 7/1/74; Order 4, § 131-16-060, filed 10/22/69.]

WAC 131-16-061 Supplemental retirement benefits.

(1) A participant is eligible to receive supplemental retirement benefit payments if at the time of retirement the participant is age sixty-two or over and has participated in the TIAA/CREF plan at a Washington public institution of higher education for at least ten years; provided that the amount of the supplemental retirement benefit, as calculated in accordance with the provisions of this section, is a positive amount.

(2) Subject to the provisions of subdivisions (c), (d), and (e) of this subsection, the annual amount of supplemental retirement benefit payable to a participant upon retirement is the excess, if any, when the value determined in subdivision (b) is subtracted from the value determined in subdivision (a), as follows:

(a) The lesser of fifty percent of the participant's average annual salary or two percent of the average annual salary multiplied by the number of years of full-time service; provided that if the participant did not elect to contribute ten percent of salary beginning July 1, 1974, or if later, after the first day of the calendar year following attainment of age fifty, service for such periods shall be calculated at the rate of one and one-half percent instead of two percent.

(b) The TIAA/CREF retirement benefit the participant would receive in the first month of retirement multiplied by twelve; provided that such benefit shall be calculated on the following assumptions:

(i) After July 1, 1974, fifty percent of the combined contributions were made to TIAA and fifty percent to CREF during each year of full-time service; provided that benefit calculations related to contributions made prior to July 1, 1974, shall be computed on the basis of actual allocations between TIAA and CREF; and

(ii) The full TIAA/CREF annuity accumulations, including all dividends payable by TIAA and further including the amounts, if any, paid in a single sum under the retirement transition benefit option, were fully settled on a joint and two-thirds survivorship option with a ten-year guarantee, using actual ages of retiree and spouse, but not exceeding a five-year difference; except that for unmarried participants the TIAA accumulations, including dividends, were settled on an installment refund option and the CREF accumulations were settled on a life annuity with ten-year guarantee option, all to be based on TIAA/CREF estimates at the time of retirement; and

(iii) Annuity benefits purchased by premiums paid other than as a participant in a Washington public institution of higher education TIAA/CREF retirement plan shall be excluded.

(c) The amount of supplemental retirement benefit for a participant who has not attained age sixty-five at retirement is the amount calculated in subsection (2) of this section reduced by one-half of one percent for each calendar month remaining until age sixty-five; provided that the supplemental retirement benefit for a participant retired for reason of health or permanent disability shall not be so reduced.

(d) Any portion of participant's TIAA and/or CREF annuity accumulation paid to a participant's spouse upon dissolution of a marriage shall be included in any subsequent calculation of supplemental retirement benefits just as if these funds had remained in the participant's TIAA and/or CREF annuity.

(e) The selection of a TIAA/CREF retirement option other than the joint and two-thirds survivorship with ten-year guarantee shall not alter the method of calculating the supplemental retirement benefit; however, if the participant's combined TIAA/CREF retirement benefit and calculated supplemental retirement benefit exceeds fifty percent of the participant's average annual salary, the supplemental retirement benefit shall be reduced so that the total combined benefits do not exceed fifty percent of average annual salary.

(3) The payment of supplemental retirement benefits shall be consistent with the following provisions:

(a) Supplemental retirement benefits shall be paid in equal monthly installments, except that if such monthly installments should be less than \$10, such benefit payments may be paid at longer intervals as determined by the employer.

(b) Supplemental retirement benefit payments will continue for the lifetime of the retired participant; however, prior to retirement, a participant may choose to provide for the continuation of supplemental retirement benefit payments, on an actuarially equivalent reduced basis, to his or her spouse after the retiree's death. Notification of such choice shall be filed in writing with the appropriate college district or state board officer and shall be irrevocable after retirement. If such option is chosen, the supplemental retirement benefit payments shall be in the same proportion as the TIAA/CREF survivor annuity option elected by the participant.

(c) Prior to making any supplemental benefit payments, the employing college district or state board shall

obtain a document signed by the participant and spouse, if any, acknowledging the supplemental retirement benefit option chosen by the participant.

(4) A retired participant who is reemployed shall continue to be eligible to receive retirement income benefits, except that the supplemental retirement benefit shall not continue during periods of employment for more than forty percent of full-time or seventy hours per month or five months duration. Retirement contributions shall not be made from the salary for such employment, unless the individual once again becomes eligible to participate under the provisions of WAC 131-16-020. [Order 28, § 131-16-061, filed 7/1/74.]

WAC 131-16-065 Optional retirement transition benefit. Employees participating in TIAA/CREF as identified in WAC 131-16-020 may choose the optional retirement transition benefit that at the time of their retirement permits receipt of not more than ten percent of the accumulated value in each annuity in a lump-sum payment, provided that annuity benefits commence after the participant's fifty-fifth birthday. Benefits from the remainder of the combined annuity value shall be paid in the form of other retirement options then available to the annuitant as now or hereafter permitted by TIAA/CREF. Selection of the option to receive the retirement transition benefit shall be made immediately prior to retirement in such manner as now or hereafter permitted by TIAA/CREF. [Order 28, § 131-16-065, filed 7/1/74; Order 14, § 131-16-065, filed 2/18/72.]

WAC 131-16-066 Single sum death benefit to spouse beneficiaries. Unless previously indicated to the contrary by the participating employee in writing directly to TIAA/CREF, the surviving spouse of any TIAA/CREF Plan participant who dies before retirement shall be entitled to receive a single sum death benefit in the amount of the then current value of the annuity accumulation. [Order 28, § 131-16-066, filed 7/1/74; Order 15, § 131-16-066, filed 2/9/73.]

WAC 131-16-069 Application of retirement plan to employees of state board. The provisions of WAC 131-16-005 through WAC 131-16-066 shall apply to eligible employees of the State Board for Community College Education who are participants in the TIAA/CREF Plan and whose contributions to such plan are matched by contributions by the state board. The term "Washington public higher education institution" shall be construed to include the State Board for Community College Education for the purposes of administration of this retirement annuity plan. [Order 28, § 131-16-069, filed 7/1/74.]

WAC 131-16-070 Adoption and publication of district personnel selection practices and standards required. Each community college district board of trustees shall adopt and publish a statement of personnel selection practices and standards governing all nonclassified service personnel which are designed to ensure high standards of excellence in all phases of district operations, satisfy the standards of regional and national accrediting

organization, and provide for a professional staff representing a wide range of educational and professional experience. Such personnel practices and standards shall be consistent with WAC 131-16-080 and WAC 131-16-090. [Order 5, § 131-16-070, filed 12/12/69.]

WAC 131-16-080 General standards of qualifications for community college personnel. Prior to employment of candidates to perform professional services in Washington community colleges, the district board of trustees shall establish that the candidate possesses:

(1) Scholarship or technical skill that represents appropriate study or training in the proposed area of assignment,

(2) Expertise as a practitioner as evidenced by reports of former associates and supervisors,

(3) A demonstrable understanding and acceptance of the role he is to play as a partner in an educational enterprise serving the best interests of the students,

(4) A demonstrable understanding and acceptance of the mission and character of the community college,

(5) The ability to perform his assigned duties in a manner consistent with the goals of the institution and the community college system, and

(6) Personal characteristics that contribute to his ability to promote the welfare of the students, the institution, and the state of Washington. [Order 22, § 131-16-080, filed 11/27/73; Order 5, § 131-16-080, filed 12/12/69.]

WAC 131-16-091 Additional qualification in areas of specialization. In addition to the general standards required by WAC 131-16-080, the district board of trustees shall establish that candidates for appointment meet or exceed the following standards in their areas of specialization:

(1) Professional personnel performing services for which advanced degrees are normally available shall hold the equivalent of a master's degree in the field of their educational service from an accredited college or university or a bachelor's degree and extensive professional experience in the field of their educational service.

(2) Professional personnel in vocational fields or other specialized areas for which advanced degrees are not normally available shall have sufficiently broad and comprehensive training and work experience that particularly qualifies them to provide instruction in their area of specialization. Vocational education teaching personnel must have recent work experience beyond the learning period as a fully qualified worker in the occupation that will be taught. The minimum work experience shall be equal to the recognized learning period required to gain competence in the occupation, but shall be in no case less than two calendar years. Vocational counselors shall meet the work experience requirement by demonstrating work experience in one or more occupations other than professional education, which is cumulative to at least two years.

(a) Minimum work experience for apprenticeable occupations will be equal to the learning period then currently registered with the state Department of Labor and Industries.

(b) Minimum work experience in occupations requiring state licensing will be two calendar years subsequent to receipt of license, unless the occupation is also an apprenticeable trade.

(c) Minimum work experience for all other trades and occupations will be two calendar years of full-time employment or the equivalent subsequent to the recognized learning period.

(d) Recent work experience shall be defined as employment full time for six months or the equivalent in the occupation to be taught within the two years immediately preceding initial vocational certification.

(3) All other vocational educational teaching personnel including instructors of vocationally related courses, teachers' aides, lab assistants, and tutors, who do not meet the work experience and educational requirements specified above may be employed either on a full-time or part-time basis, provided that such individuals shall possess appropriate technical skills and knowledge in the specific program area assigned, and provided further that such individuals shall work under the direct supervision of, or in direct coordination with, an appropriately certified professional. Each college district shall maintain appropriate job descriptions for each position in this category.

(4) General administrative personnel shall have advanced training or experience relevant to their assigned duties. The chief administrator shall hold an earned doctorate from an accredited university or have equivalent administrative expertise as demonstrated by successful performance of broad administrative responsibilities.

(5) Vocational administrative personnel, including the chief vocational education officer or other individual assigned that responsibility (commonly referred to as the vocational director), and all other subordinate vocational education administrative personnel must have been employed as full-time vocational education instructor for at least three academic years or have equivalent teaching experience in industry or other public agencies and they must have had at least two calendar years of accumulated experience in the capacity of a supervisor in business, industry, a public agency, or an equivalent volunteer community service. In addition, such individuals must have demonstrated to the employing agency his/her commitment to and understanding of vocational education. Industry and public agency experience will be evaluated at no more than a one-to-one basis.

(6) Persons employed prior to the effective date of this document shall comply with these standards unless they were qualified on the basis of standards which were in effect in the 1969 Washington State Plan for Vocational Education. All persons shall comply with the provisions of WAC 131-16-092 and WAC 131-16-093 regarding certification and renewal of certificates.

(7) Exceptions to the above work experience standards relating to vocational personnel shall be documented through procedures set forth in Sections 1.34-6, 1.34-7, and 1.35.4 of the State Plan for Vocational Education. [Order 22, § 131-16-091, filed 11/27/73.]

WAC 131-16-092 Maintaining and improving occupational and teaching competencies for vocational administrators, instructors and counselors. It shall be the responsibility of the president of each institution or district to assure compliance with the following standards, which must be met or exceeded by all districts:

(1) The institution or district will certify through the vocational director each instructor and vocational counselor and maintain documentation of such certification. The certificate and the documentation on file shall specify the function and/or the specific occupational area for which the individual is certified.

(2) Each full-time contracted professional shall have an individual improvement plan developed in consultation with and approved by the appropriate dean or his designee and the vocational director. Recommendations of the appropriate advisory committee should be taken into account in developing the individual improvement plan. The vocational director shall maintain a file of all such plans.

(3) Part-time professional personnel must have temporary certification and shall obtain a one-year certificate by the end of the equivalent of one academic year of full-time instruction or counseling. Individual improvement plans shall be established and approved for part-time personnel by the time they have achieved the equivalent of one year of full-time employment.

(4) Full-time instructors or counselors may not be employed on the basis of a temporary certificate for a period of more than one year.

(5) Certification under the above standards is a condition of continued employment for all vocational education personnel. [Order 22, § 131-16-092, filed 11/27/73.]

WAC 131-16-093 Types of vocational education certificates. For the purposes of this section, equivalency shall mean in each case that the employee shall successfully complete the objectives outlined in his improvement plan. In issuing certificates for vocational education personnel, the college district shall utilize the following nomenclature and shall meet the standards set forth:

(1) A "temporary certificate" shall be issued to vocational instructors or counselors provided that such individuals shall be required to complete a minimum of fifteen contact hours of teaching orientation or the equivalent to begin no later than the first day of employment. Vocational counselors shall be certified only if they have had appropriate successful preparation in vocational counseling and testing. A temporary certificate is renewable only for part-time instructors.

(2) A "one-year certificate" shall be issued to instructional personnel who have completed the minimum requirements for a temporary certificate and who in addition have completed thirty contact hours in the course "Elements of Teaching" or the equivalent as determined by the vocational director. A one-year certificate may be issued to counselors who have completed the minimum requirements for a temporary certificate and who in addition have completed a minimum of three professional improvement units in accordance with the individual improvement plan. A one-year certificate may be

renewed no more than twice after initial issuance for each year of full-time equivalent instruction.

(3) "Three-year certificate" (Optional with the local district).

(4) A "five-year certificate (initial)" shall be issued to professional personnel who have completed a minimum of two years of conditionally certified teaching or counseling service, who have in addition to the one-year certificate requirements completed a minimum of thirty contact hours in the course "Occupational Analysis" or its equivalent, and who have completed a minimum of three additional professional improvement units in accordance with the individual's improvement plan. In addition to the above, instructional personnel must have completed at least thirty contact hours in the course "Course Organization" or its equivalent and counseling personnel must have completed at least thirty contact hours in the course "Occupational Information" or its equivalent.

(5) A "five-year certificate (renewal)" shall be issued to professional personnel who have completed a minimum of fifteen professional improvement units during the previous five-year period in accordance with the individual's improvement plan. For instructional personnel, emphasis should be placed on field or work experiences where appropriate and in accordance with the individual improvement plan. For counseling personnel, it is recommended that a minimum of seven must be in the field or work experiences and a minimum of three in organized counseling improvement. [Order 22, § 131-16-093, filed 11/27/73.]

WAC 131-16-094 Definition of professional improvement units. The following standards shall be used in the determination of professional improvement unit values for vocational certification by the college districts.

(1) Each full work week of appropriately preplanned paid field work or clinical experience shall be equal to one professional improvement unit.

(2) One credit on the quarter system or two-thirds credit on the semester system earned in accredited programs at colleges or universities shall be equal to one professional improvement unit.

(3) Each full day of preplanned participation in conferences and seminars shall be equal to .20 professional improvement units, provided that such activities are in addition to those covered by the normal contractual obligations.

(4) Each day of preplanned experience in either domestic or foreign travel related to the individual's instructional area shall be equal to .20 professional improvement units.

(5) Additional professional improvement units may be granted as approved in the individual improvement plan on the basis of independent research and development activities in excess of the normal contractual obligations of the instructor or counselor. [Order 22, § 131-16-094, filed 11/27/73.]

WAC 131-16-200 Reduction in force guidelines and procedures supplemental to chapter 251-10 WAC. When a reduction in force becomes necessary the following

guidelines and procedures shall govern to the extent they are consistent and supplemental to chapter 251-10 WAC:

(1) The director shall determine the number of positions by classification to be abolished.

(2) The order of layoff shall be according to the appointment status of employees in the classification(s) of positions to be eliminated and in the inverse order of their "layoff seniority" as defined by WAC 251-04-020(33), as now or hereafter amended.

(a) Emergency, temporary or intermittent employees shall be laid off before probationary and provisional status employees in the same classification.

(b) Nonpermanent status employees shall be laid off before permanent status employees in the same classification.

(3) The order of layoff and optional retention rights shall not be limited or restricted by any requirements regarding the sex of employee because of the nature or circumstances of work involved. [Order 8, § 131-16-200, filed 3/8/71.]

WAC 131-16-210 Layoff unit defined. (1) For the purposes of WAC 131-16-200, 131-16-220 and chapter 251-10 WAC the state board for community college education staffs, in their entirety, in the cities of Olympia and Seattle are each defined as comprising one layoff unit. [Order 8, § 131-16-210, filed 3/8/71.]

WAC 131-16-220 Duration of reduction in force lists. (1) The director or his designee may extend or re-establish employment lists as long as these actions do not jeopardize the reemployment of any employee separated by a reduction in force. Employees separated by reason of reduction in force shall have their names maintained on applicable registers for a period of not less than three years from the date of their termination. [Order 8, § 131-16-220, filed 3/8/71.]

WAC 131-16-400 Definition of "special funds" for the purpose of determining eligibility for tenurable faculty positions. (1) RCW 28B.50.851 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 28B.50.869.

(2) For the purpose of implementing the provisions of RCW 28B.50.851, "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 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 programs.

(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 to any future programs shall be made by the state director consistent with subsections (2) and (3) of this section.

(6) Pursuant to chapter 282, Laws of 1977 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. [Order 67, § 131-16-400, filed 9/13/77; Order 57, § 131-16-400, filed 5/10/76; Order 43, § 131-16-400, filed 9/12/75.]

WAC 131-16-410 Optional salary increases for faculty and exempt personnel of certain community colleges. (1) Pursuant to authority granted in chapter 339, Laws of 1977 ex. sess., the following community college districts may grant salary increases in addition to those specifically authorized and funded by legislative enactment for the fiscal year beginning July 1, 1977, in the amounts indicated.

DISTRICT	MAXIMUM ADDITIONAL PERCENTAGE INCREASE
1 - Peninsula	1.28%
3 - Olympic	5.00%
4 - Skagit Valley	5.00%
6 - Seattle	.93%
7 - Shoreline	5.00%
11 - Fort Steilacoom	2.86%
12 - Centralia/Olympia Technical	5.00%
15 - Wenatchee Valley	4.79%
17 - Spokane	1.46%
20 - Walla Walla	5.00%
21 - Whatcom	2.37%

(2) The optional additional salary increases are those determined by application of the percentage difference between the average nine-month-equivalent salary of those personnel defined for inclusion in the hypothetical salary computation procedure and the nine-month-equivalent salary average generated for those same personnel by the hypothetical salary schedule.

(3) Upon determination by the district board of trustees that funds are available for such purpose, any optional additional salary increases granted pursuant to this regulation shall be granted consistent with the following provisions:

(a) Employees eligible to receive such optional salary increases shall be full-time, part-time faculty, and administrative staff personnel, except those under the jurisdiction of the Higher Education Personnel Board.

(b) College districts are advised to interpret the allowable percentage of additional salary increases set forth in this regulation as the maximum that may be applied to any category of eligible employees such as full-time faculty, part-time faculty, administrative staff personnel, and other employees exempt from the jurisdiction of the Higher Education Personnel Board.

(c) Any optional salary increase percentage shall be applied to the salary level separate from application of any general salary increase authorized and funded by legislative enactment.

(d) Optional salary increases as determined by any college district pursuant to this regulation may be granted only after approval by the state director of a detailed plan for application of such optional increases by each district.

(e) The plan for each district for application of any optional salary increases shall be supported by record of the application of the plan for each individual full-time faculty and exempt staff members and for part-time faculty and exempt staff members in the aggregate. [Order 66, § 131-16-410, filed 9/13/77.]

**Chapter 131-24 WAC
CAPITAL PROJECTS**

WAC	
131-24-010	Districts shall obtain prior approval of state board for capital projects and acquisition of realty.
131-24-020	College district revenue bond issues—Approval required.
131-24-030	Capital construction projects—SEPA policies and procedures.

WAC 131-24-010 Districts shall obtain prior approval of state board for capital projects and acquisition of realty. Community college districts that wish to contract for or otherwise cause the construction, reconstruction, erection, equipping, disposal, demolition, or alteration of buildings, facilities, or other capital assets; or to acquire, by purchase or lease, sites, right-of-way, easements, improvements, or appurtenances to real property shall first obtain the approval of the state board for community college education pursuant to the procedures established for such approval and action. [Order 3, § 131-24-010, filed 6/19/69.]

WAC 131-24-020 College district revenue bond issues—Approval required. (1) Community college districts that wish to issue revenue bonds pursuant to RCW 28B.50.140(6) must receive the prior approval of the State Board and the State Finance Committee, as required by RCW 28B.50.409.

(a) District requests for State Board approval shall consist of a written presentation describing the proposed use of the bond revenue, the need for the facility, cost

projections, source and anticipated annual revenue pledged to debt service, and the characteristics of the bond issue proposed.

(b) After receiving State Board approval, the requesting district and the State Director or his designee will jointly prepare a request to the State Finance Committee for approval of the proposed issue.

(2) Following approval of a revenue bond issue, the district shall establish a bond retirement fund as required by RCW 28B.50.330. Subject to the provisions of RCW 28B.50.320, the district shall select a local depository into which it shall place all revenue pledged to debt service for such revenue bond issue. Any federal or state funds or other grants, bequests, gifts, or income therefrom pledged to the retirement of such revenue bond issue shall be deposited as herein provided; except, that if such funds could not be obtained if so deposited, they shall be deposited according to the applicable law or term of the trust, bequest, or gift.

(3) Nothing in this section shall be construed to change the current status of any revenue bond issues approved prior to the effective date of this rule and pursuant to WAC 131-04-010, which section is hereby repealed. [Order 56, § 131-24-020, filed 4/2/76. Formerly WAC 131-04-010.]

WAC 131-24-030 Capital construction projects—SEPA policies and procedures. (1) It shall be the policy of the State Board for Community College Education that capital projects proposed by community college districts shall be developed in a manner consistent with the provisions of chapter 43.21C RCW, the State Environmental Policy Act (SEPA), and chapter 197-10 WAC, Guidelines for SEPA Implementation.

(2) A community college district initiating a request for approval of any capital construction expenditure shall be considered the "lead agency" for the purpose of carrying out the provisions of chapter 43.21C RCW and chapter 197-10 WAC.

(3) Community college districts seeking State Board approval of capital project construction expenditures pursuant to WAC 131-24-010 shall provide as part of such requests a draft "Declaration of Significance/Non-significance" regarding the potential adverse effects the proposed project would have on the environment.

(4) The draft "Declaration of Significance/Non-significance" shall conform in both form and supporting documentation, if such is required, to the provisions of WAC 197-10-355.

(5) When the declaration required by sub-section (3) of this section indicates a finding that there exists a reasonable belief by the lead agency that the proposed project could have a significant adverse effect on the environment, the request for State Board approval of capital project construction funds shall be construed to be an affirmation that the district has complied with the provisions for preparation and circulation of draft and final environmental impact statements in WAC 197-10-410 through WAC 197-10-695. [Order 58, § 131-24-030, filed 5/10/76.]

Chapter 131-28 WAC
TUITION AND FEE CHARGES

WAC

131-28-010	Tuition and fee charges for summer quarter.
131-28-015	Assessment of tuition and fee charges.
131-28-021	Definitions.
131-28-025	Method of assessing tuition and fee charges.
131-28-026	Tuition and fee charges for certain ungraded courses.
131-28-027	Costs and special fees for contracted educational services.
131-28-030	Waiver of tuition and fees for certain students.
131-28-040	Criteria for determining eligibility for waiver of tuition and fees under RCW 28B.15.530.
131-28-041	Criteria for determining eligibility for waiver of tuition and fees under RCW 28B.15.520.
131-28-045	Procedure for implementing tuition and fee waivers authorized pursuant to RCW 28B.15.520 and 28B.15.530.
131-28-050	Procedure for determining limitation of the amount of tuition and fee waivers.
131-28-070	Combination of tuition and fee waivers with other forms of student financial aid.
131-28-080	Tuition and fee waivers for senior citizens.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

131-28-020	Effective date of summer quarter fee schedule. [Order 6, § 131-28-020, filed 3/16/70.] Repealed by Order 12, filed 7/22/71.
131-28-060	Procedure for determining priorities in awarding fee waivers. [Order 11, § 131-28-060, filed 7/22/71.] Repealed by Order 47, filed 9/12/75. Later promulgation, see WAC 131-28-045.

WAC 131-28-010 Tuition and fee charges for summer quarter. Tuition, operating, services and activities, and special fees charged to students enrolled for summer quarter shall be assessed on the same basis and in the same manner as such fees are assessed for other quarters of the academic year. [Order 12, § 131-28-010, filed 7/22/71; Order 6, § 131-28-010, filed 3/16/70.]

WAC 131-28-015 Assessment of tuition and fee charges. It shall be the general policy of the Washington community college system that all tuition, operating fees, services and activities fees, or special fees charged to students shall be assessed on a uniform and equitable basis, except when the requirement to pay all or part of such fees has been specifically waived or altered by law or by regulation of the State Board or the district board of trustees. [Order 12, § 131-28-015, filed 7/22/71.]

WAC 131-28-021 Definitions. For the purpose of WAC 131-28-025, the following definitions shall apply:

(1) "Resident student" and "nonresident student" shall be defined in the same manner as in chapter 28B.15 RCW.

(2) "Tuition," "operating fees," and "services and activities fees" shall be defined in the same manner as in chapter 28B.15 RCW.

(3) "Special fees" shall be defined as all fees established by the district board of trustees other than tuition, operating fees or services and activities fees and as such shall include fees charged to an individual student for specific services and privileges received by such student.

(4) "Community service course" shall be defined as any organized instructional activity, typically ungraded, primarily offered for part-time students, not normally an integral part of any specific study program leading to either an academic or an occupational degree or certificate, and specifically identified as such by a community college consistent with the course classification procedures established by the State Board.

(5) "Academic or occupational course" shall be defined as all organized instructional activities other than community service courses.

(6) "Short course" shall be defined as any academic, occupational, or community service course not regularly scheduled in the quarterly announcement of courses, not routinely listed in the college catalog as a regular and normal part of the instructional program, and not normally of a full quarter in duration.

(7) "Regular course" shall be defined as any academic, occupational, or community service course not classified as a short course. [Order 12, § 131-28-020 (codified as § 131-28-021), filed 7/22/71.]

WAC 131-28-025 Method of assessing tuition and fee charges. (1) For academic and occupational regular or short courses, tuition and fees charged to students:

(a) shall be based upon the number of credits assigned to such courses as listed in the official and current catalog of the college, or for courses not given such credit designations, the number of credit equivalents as computed by the method for deriving such equivalents established by the State Board.

(b) shall be assessed on a per-credit basis at uniform rates for resident and for nonresident students, provided:

(i) that the respective maximums charged to any resident or nonresident student shall not exceed the amount specified in RCW 28B.15.500,

(ii) that the required nonresident differential is charged, and

(iii) that for such courses the district board of trustees may reduce, but not eliminate, the total combined tuition and fees charged if in its judgment such amount would constitute an exorbitant charge considering the nature and content of the course, special circumstances related to the cost of offering the course, or unique characteristics of the students for whom the course is intended.

(c) shall be assessed for part-time students, for each credit of registration or its equivalent, at the rate of one-tenth of the total combined tuition, operating, and services and activities fees charged to full-time students consistent with RCW 28B.15.500.

(2) The provisions of this section shall not apply to apprenticeship related training courses that meet the standards approved by the State Joint Apprenticeship Council pursuant to RCW 49.04.030, industrial first aid courses, designed to meet the requirements of the Washington Industrial Safety and Health Act of 1973, parent education courses offered in conjunction with cooperative pre-school education programs, and farm management courses that incorporate on-the-farm supervision, instruction, and work experience credit. Tuition and fees for such courses shall be those established

by the district board of trustees subject to the approval of the State Board to the end that such charges shall be substantially uniform throughout the college system.

(3) For community service regular or short courses, fees charged to students:

(a) shall be designated as a special fee, all revenue from which shall be used for the general operations and maintenance of the college;

(b) shall be based upon the number of credits assigned to such courses as listed in the official current catalog of the college, or for courses not so listed or given such credit designations, the number of credit equivalents as computed by the method for deriving such equivalents established by the State Board; and

(c) shall be assessed at a uniform rate sufficient to defray the total direct and indirect costs of offering all such community service courses during any fiscal year, provided that the district board of trustees may reduce the special fee for any specific community service course if in its judgment assessing such fee at the uniform rate would constitute an exorbitant charge considering the nature and content of the course, special circumstances related to the cost of offering the course, or unique characteristics of the students for whom the course is intended.

(4) Nothing herein shall be construed to be a restriction on the right of the district board of trustees to assess additional noninstructional fees and special fees to cover unique instructional costs or expendable instructional materials related to any course offered by a college district.

(5) Fees for courses and programs for federally indentured apprentices shall be set by the district board of trustees. [Order 39, § 131-28-025, filed 6/27/75; Order 24, § 131-28-025, filed 3/21/74; Order 12, § 131-28-025, filed 7/22/71.]

WAC 131-28-026 Tuition and fee charges for certain ungraded courses. For the purpose of implementing WAC 131-28-025(2), the tuition and fees, exclusive of special fees, charged by any Washington community college for the following ungraded courses shall be:

Course	Tuition	Operating Fee	Services and Activities Fee
(1) Courses offered for the purpose of satisfying related or supplemental educational requirements for apprentices while indentured with the Washington State Apprenticeship Council or Federal Bureau of Apprenticeship and Training	\$10.50 per year	\$10.50 per year	No charge

Course	Tuition	Operating Fee	Services and Activities Fee
(2) Department of Labor and Industries approved industrial first aid courses offered for the purpose of satisfying WISHA first aid certification requirements	No charge	No charge	No charge
(3) Parent education involving cooperative pre-school program	One-half the standard district charge per credit per quarter less one-half of pre-school cooperative fee	One-half the standard district charge per credit per quarter less one-half of pre-school cooperative fee	No charge
(4) Farm management and small business management	\$28.00 per two-member family unit per year plus \$14.00 for each additional family member enrolled	\$28.00 per two-member family unit per year plus \$14.00 for each additional family member enrolled	No charge

For the purpose of computing any refunds related to such tuition and fees charged for apprenticeship, small business management and farm management courses, the total tuition and fees charged on a yearly basis shall be prorated to a quarterly basis. [Order 63 and Emergency Order 64, § 131-28-026, filed 9/13/77, effective 9/13/77; Order 25, § 131-28-026, filed 4/22/74, effective 7/1/74.]

WAC 131-28-027 Costs and special fees for contracted educational services. (1) College districts that choose to offer contractual educational courses or services, as authorized by RCW 28B.50.140(16), to private or governmental entities and their members, employees or agents shall establish a special fee to be paid by either each student enrolled or a total fee for the service or course to be paid by the entity involved. Such special fee shall be set forth in the contractual agreement establishing such courses or services.

(2) Contractual educational courses or services may be offered when a district makes a determination that it is not reasonably feasible for financial or other reasons, to offer such courses or services as a part of the regular curriculum. Upon making such determination, the district may offer such courses or services and limit participation therein to employees, agents, or members of the particular entity.

(3) Contractual educational courses or services are those instructional courses which may be provided to meet special instructional needs of military, corporate, or other governmental or private entities where enrollments will be limited to the membership of the entity and includes administrative, organizational, research, public service or program development services of the college district.

(4) Any enrollments generated through contracts for educational courses or services developed pursuant to this regulation shall be appropriately designated so that they shall not be counted toward the official enrollment level of the college so that there will not be any state funding for such courses or services.

(5) The special fee charged for any such contractual educational course or service shall be retained by the college district to defray the cost of such course or service and may be used for the general operations and maintenance of the college district.

(6) The special fees charged pursuant to this regulation shall be sufficient to offset the full instructional costs of offering the course or service. Calculation of the full instructional cost level shall include all direct and indirect costs such as those for salaries and related benefits; supplies, public information; business services for budgeting, auditing, financial reporting, purchasing, payroll, and cashing; mail service, postage, telephone; admissions; registration; data processing; and maintenance of any public facilities used.

(7) If the instructor for any course performs such services as a paid employee or personal services contractor of another state agency, the course shall be considered a contract course subject to the provisions of this section. [Order 65, § 131-28-027, filed 9/13/77.]

WAC 131-28-030 Waiver of tuition and fees for certain students. Pursuant to authority granted by RCW 28B.15.520 and 28B.15.530, the boards of trustees of community college districts are authorized to waive all or part of general tuition, operating, and services and activities fees for: (1) students enrolled in a course of study or program specifically for the purpose of completing a high school education and obtaining a high school diploma or certificate, (2) students enrolled in collegiate-level courses or programs, and (3) children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by a public law enforcement agency or full time or volunteer fire department in this state; provided the student, except those designated in subsection (3) above, shall qualify for such waiver as determined by the criteria set forth in WAC 131-28-040 through 131-28-050. [Order 47, § 131-28-030, filed 9/12/75; Order 38, § 131-28-030, filed 4/22/75; Order 11, § 131-28-030, filed 7/22/71; Order 7, § 131-28-030, filed 6/12/70.]

WAC 131-28-040 Criteria for determining eligibility for waiver of tuition and fees under RCW 28B.15.530. Waiver of general tuition, operating, and services and activities fees, or any portions thereof as authorized by RCW 28B.15.530, normally charged to students enrolled in collegiate-level courses or programs shall be based upon the determination that the student is a needy or disadvantaged student by application of a method of need analysis approved by the United States Office of Education for determining awards under federal student financial aid programs, provided that no waivers under this section shall be granted to a person who is not a

"resident student" as defined in RCW 28B.15.010. [Order 47, § 131-28-040, filed 9/12/75; Order 11, § 131-28-040, filed 7/22/71; Order 7, § 131-28-040, filed 6/12/70.]

WAC 131-28-041 Criteria for determining eligibility for waiver of tuition and fees under RCW 28B.15.520. Waiver of general tuition, operating, and services and activities fees, or any portions thereof as authorized by RCW 28B.15.520, normally charged to students enrolled in high school completion courses or programs shall be based upon the determination that the student is a needy student by application of need analysis based upon data provided on the form: Fee Waiver Application for High School Completion. If a student is concurrently enrolled in collegiate-level and high school completion courses or programs, determination of need shall be based upon criteria established by WAC 131-28-040.

FEE WAIVER APPLICATION FOR HIGH SCHOOL COMPLETION* DATE _____

In order to determine eligibility for a tuition waiver, the following information is required:

PART A. Applicant Information

Name _____
Social Security # _____
Age _____ Sex _____
Marital Status _____
Address _____

Ethnic Origin (Optional)

- Asian American
- Black American
- American Indian
- Chicano or Mexican American
- Other Spanish-Surnamed
- White American

PART B. If living with parents or legal guardian, or under 18.

Name of Parent or guardian _____
Address _____
Total number in household _____
Current monthly income (take home)
Parents _____ Applicant _____
Other current income:
Social Security _____ Welfare _____
Child Support _____ Unemployment _____
G.I. Bill _____
Other (specify) _____
Savings and checking account totals:
Parents _____ Applicant _____

PART C. If living apart from parents or guardian, and over 18.

Current monthly income (take home) _____
Total number in household _____
Monthly parental assistance _____
Other current income: _____

Social Security Welfare
 Child Support Unemployment
 G.I. Bill
 Other (specify)
 Savings and checking account totals

PART D. Affidavit

I/We hereby certify that the information reported herein is complete and correct to the best of my/our knowledge. I/We authorize its use by those who select waiver recipients.

Applicant's Signature
 Parent's Signature (If
 Part B completed)

OFFICE USE ONLY:

Institutional Certification

Est. monthly cost of attending college	\$
Est. monthly living cost for student and/or family	(+)-.....
Sub Total	\$
Est. monthly income plus 1/10 of assets as defined above	(-)-.....
Maximum monthly waiver for current quarter	\$

* Minimum data elements necessary to determine eligibility

8/25/75

[Order 47, § 131-28-041, filed 9/12/75.]

WAC 131-28-045 Procedure for implementing tuition and fee waivers authorized pursuant to RCW 28B-15.520 and 28B.15.530. (1) Tuition and fee waivers for needy or disadvantaged students as authorized by RCW 28B.15.520 and 28B.15.530 may not exceed three percent of any college district's estimated total collections of tuition, operating, and services and activities fees had no such waivers been made, after deducting the portion of that total amount which is attributable to the difference between resident and nonresident tuition and fees.

(2) The estimated total collection of tuition and fees shall be based on the budgeted, state supported, four-quarter annual average enrollment, minus the actual tuition and fees collected for the summer quarter of the year being estimated.

(3) Each district may waive an amount not to exceed three percent of the estimated collections in the event that actual enrollments or collections exceed estimated collections. Conversely, the three percent waiver capacity based upon estimated collections is allowable even though actual collections may not be as high as the estimate.

(4) Districts desiring to exceed their individual three percent waiver capacity may do so only upon written

approval from the State Director of Community Colleges or his designee. Additional waiver capacity can only be granted to a district after it has been determined that the total waiver capacity for the community college system is not being utilized as a result of other districts waiving at levels less than the three percent capacity. [Order 47, § 131-28-045, filed 9/12/75.]

WAC 131-28-050 Procedure for determining limitation of the amount of tuition and fee waivers. For the purpose of determining the amount of any fee waiver established under the provisions of WAC 131-28-030, the various community colleges will limit any individual award to the difference between the cost of attending the community college, including the cost requirements of the student, his dependents, and/or his family, and the expected parental and/or independent student contribution toward such cost. [Order 47, § 131-28-050, filed 9/12/75; Order 11, § 131-28-050, filed 7/22/71; Order 7, § 131-28-050, filed 6/12/70.]

WAC 131-28-070 Combination of tuition and fee waivers with other forms of student financial aid. Nothing in WAC 131-28-030 through 131-28-050 is intended to prevent the award of tuition and fee waivers in conjunction with other forms of student financial aid as a package designed to meet the overall educational assistance needs of any student. [Order 47, § 131-28-070, filed 9/12/75; Order 11, § 131-28-070, filed 7/22/71.]

WAC 131-28-080 Tuition and fee waivers for senior citizens. (1) Pursuant to the authority granted by chapter 157, Laws of 1975 1st ex. sess., community college districts are authorized to and may waive, in whole or in part, tuition, operating, and services and activities fees for any individual who has or will have attained sixty years of age by the first day of instruction of the quarter during which enrollment is desired and who is a resident of Washington, regardless of the length of such residency.

(2) College districts that elect to grant waivers as authorized by this section may:

(a) waive, in whole or in part, tuition, operating, and services and activities fees for students enrolled on a credit basis.

(b) charge, in lieu of tuition, operating, and services and activities fees, a special fee of not more than \$5.00 per quarter per individual in total for those courses for which waivers are granted for students enrolled on an audit basis.

(c) charge, in addition, any other special fees normally assessed to students who enroll in any course toward which the waiver authority contained in this section is applied.

(3) When granting waivers as authorized by this section, community college districts shall be subject to the following regulations:

(a) Senior citizens who desire to enroll under the provisions of this section shall not be required to pass any financial need or means test as the basis for receiving such waivers.

(b) Such waivers shall not be applied to more than two courses per individual per quarter; however, qualified senior citizens may enroll in additional courses upon payment of the required tuition and fees normally charged to other students so enrolled.

(c) Such waivers shall be granted only on a "space available" basis after opportunity has been given for other students to register for courses offered by the college district.

(d) No new or additional courses or course section shall be created for the purpose of accommodating enrollments of students enrolled on the basis of waivers under this section.

(e) Waivers under this section shall not be granted to individuals who plan to use credits thus earned to improve their status for credentialing or salary schedule purposes; provided that it shall be the responsibility of the student to inform the college of the intended use of credits earned through enrollment under this fee waiver authorization.

(f) Enrollment information and statistical data related to enrollments made under this section must be maintained separately and must be discretely identified and distinguished from enrollments reported to the State Board for all fiscal purposes.

(g) Computations of enrollment levels, student-faculty ratios, or other similar enrollment-related statistics must exclude student credit hours generated by enrollments for which waivers have been granted under this section.

(h) Individuals enrolled under this section must be afforded equal opportunity to utilize advisory and counseling services offered by the college district.

(i) All existing course prerequisites must apply to students enrolled under this section. [Order 45, § 131-28-080, filed 9/12/75.]

Chapter 131-34 WAC

EMPLOYEE RELATIONS AND COLLECTIVE BARGAINING

WAC

131-34-010	Fact finding and mediation by state director.
131-34-020	Procedures for operations of impasse advisory committees.
131-34-030	Declaration of impasse.

WAC 131-34-010 Fact finding and mediation by state director. When mutually consented to by the parties negotiating pursuant to the provisions of chapter 28B.52 RCW (the Academic Employees Negotiations Act), the director will conduct fact finding and mediation activities related to unresolved or disputed issues; such activities shall include recommending possible solutions, exchanging proposals and communications, utilizing expert consultants, and scheduling joint meetings of the parties for the purpose of attempting to resolve such issues. [Order 21, § 131-34-010, filed 11/21/73 and 10/30/73.]

WAC 131-34-020 Procedures for operations of impasse advisory committees. When, after having given the

required written twenty-four hour notice to the other party, an authorized bargaining representative or a district board of trustees, or its designee, requests in writing the assistance of the director in resolving a disputed issue being negotiated pursuant to chapter 28B.52 RCW, the following procedures will be observed:

(1) The director or his designee will conduct a preliminary investigation for the purpose of determining if in his judgment a negotiations impasse in fact has occurred.

(2) Upon concurring that an impasse exists, the director will appoint an impasse advisory committee of sufficient size and composition that in his judgment is appropriate to the circumstances of the dispute and designate its chairman.

(3) Members of the committee will serve without compensation, but will be reimbursed from the administrative funds appropriated to the state board for travel and expenses at established rates for state board staff personnel.

(4) The committee will meet in a location convenient to the parties at impasse, giving reasonable notice of its meeting and providing ample opportunity for both parties to present testimony.

(5) The parties at impasse will exchange and provide the committee with copies of a written statement of the events that preceded the impasse, statement of the problem or issue that led to impasse, and in addition to any other information, records, statistical compilations, reports, or communications relevant to the impasse as the committee or the director may request.

(6) The committee may meet with such individuals or groups other than the bargaining representative and the board of trustees, or its designee, as it determines to have information germane to the impasse.

(7) The committee may issue a written report with recommendations within twenty calendar days of receipt of the request for assistance.

(8) Meetings of the committee shall not be open to individuals other than representatives of the parties at impasse, unless the attendance of such individuals is specifically requested by the committee.

(9) The committee will not normally issue statements to the public or the communications media other than to indicate the initiating and concluding of its activities.

(10) The major purpose of the committee shall be to make recommendations intended to resolve the issues or problems upon which the impasse was declared. The committee shall normally confine its investigation to such matters to the end that the negotiating relationship can be reestablished and concluded in the manner set forth in law and the duly adopted procedural agreements governing district-level negotiations. [Order 21, § 131-34-020, filed 11/21/73 and 10/30/73.]

WAC 131-34-030 Declaration of impasse. The party declaring an impasse shall specify in writing the issue or issues upon which the declaration is based, which may include such factors as insufficient negotiations, refusal to negotiate, procedural disagreement, mutual agreement to seek the advice of an impasse committee, or other similar reasons. The declaring party shall provide

detailed documentation to support the request. In the event the director denies the request, he shall propose alternative means of resolving the issue or issues, including provision for such activities as fact-finding and mediation. [Order 21, § 131-34-030, filed 11/21/73 and 10/30/73.]

Chapter 131-40 WAC
EMPLOYEE PARTICIPATION IN POLITICAL
ACTIVITIES

WAC

131-40-010 Political activities of state board staff.
131-40-020 Political activities, candidates for office.

WAC 131-40-010 Political activities of state board staff. In the belief that citizen involvement in public affairs is basic to the effective functioning of government at all levels, it shall be the general policy of the State Board for Community College Education to encourage the participation of employees of the Office of the State Board in public affairs and the full exercise of their privileges and duties as citizens.

The purpose of the following provisions is to provide guidance to employees of the State Board so that they may engage in political activity in a manner consistent with the policies of other state agencies, the laws of the State of Washington, and the United States code sections covering political activity of state employees engaged in activities funded in whole or in part by federal funds. Both classified and exempt employees shall be governed by these provisions.

(1) Solicitation for any partisan political purpose or any compulsory assessment or involuntary contribution is prohibited on state property.

(2) Employees shall have the right to vote and to express their opinions on all political subjects and candidates.

(3) Nothing in this section shall prohibit appointment, nomination or election or part-time public office in a political subdivision of the state when the holding of such office is not incompatible with, nor substantially interferes with, the discharge of official duties in state employment.

(4) Nothing in this section shall prohibit appointment, nomination or election to public office at the federal level, provided that upon such appointment or election to a full-time position the employee shall resign his State Board position without claim of reinstatement and provided further that the requirements of the Hatch Act are met.

(5) The rules and regulations of the United States Civil Service Commission that pertain to political activities shall apply to any person employed through or otherwise engaged in the administration or operation of federal grant programs. [Order 32, § 131-40-010, filed 12/13/74; Order 20, § 131-40-010, filed 12/4/73.]

WAC 131-40-020 Political activities, candidates for office. The following provisions shall apply to employees who are candidates for appointment or election to public

office or who seek to participate in campaigns for constitutional amendments, referendums, initiatives, other similar activities, or candidates for nonpartisan public offices.

(1) Employees may engage in political activity as set forth above without reduction in salary and status when in the judgment of the state director appropriate arrangements can be made to ensure that the individual's assigned duties are effectively discharged.

(2) When in the judgment of the state director circumstances warrant, an employee shall be granted a leave of absence without pay or authority to use accrued annual vacation leave to engage in such political activity.

(3) The employee shall also be entitled to receive a reduced assignment and pay status in order to engage in such political activity when in the judgment of the state director such reduced work status will not substantially interfere with the effectiveness of his office and the function of the State Board.

(4) If the employee concerned is the director or deputy director, the State Board shall make the determination required above. [Order 20, § 131-40-020, filed 12/4/73.]

Chapter 131-276 WAC
PUBLIC RECORDS

WAC

131-276-010 Purpose.
131-276-020 Definitions.
131-276-030 Description of organization of the state board for community college education.
131-276-040 Operations and procedures.
131-276-050 Public records available.
131-276-060 Public records officer.
131-276-070 Office hours.
131-276-080 Requests for public records.
131-276-090 Copying.
131-276-100 Exemptions.
131-276-110 Review of denials of public record requests.
131-276-120 Protection of public records.
131-276-130 Records index.
131-276-140 Adoption of form.
131-276-990 Appendix A—Request for public record to state board for community college education.

WAC 131-276-010 Purpose. The purpose of this chapter shall be to ensure compliance by the State Board for Community College Education with the provisions of chapter 1, Laws of 1973 (Initiative 276), Disclosure-Campaign-Finances-Lobbying-Records; and in particular with sections 25-32 of that act, dealing with public records. [Order 18, § 131-276-010, filed 7/2/73.]

WAC 131-276-020 Definitions. (1) **PUBLIC RECORDS.** "Public record" includes any writing containing information relating to the conduct of governmental 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.** "Writing" means handwriting, type-writing, printing, photostating, 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, magnetic or punched cards, discs, drums and other documents.

(3) **STATE BOARD FOR COMMUNITY COLLEGE EDUCATION.** The State Board for Community College Education is an agency organized by statute pursuant to RCW 28B.50.050. The State Board for Community College Education shall hereafter be referred to as the "board." Where appropriate, the term board also refers to the staff and employees of the board. [Order 18, § 131-276-020, filed 7/2/73.]

WAC 131-276-030 Description of organization of the state board for community college education. The State Board for Community College Education is a state agency organized under RCW 28B.50.050. The administrative office of the board and its staff are located at the WEA Building, 319 East 7th Avenue, Olympia, Washington. [Order 18, § 131-276-030, filed 7/2/73.]

WAC 131-276-040 Operations and procedures. The board is established under RCW 28B.50.050 to implement the educational and administrative purposes established by RCW 28B.50.090 and 28B.50.020. The board is operated under the supervision and control of a board of trustees. The board of trustees is made up of seven members appointed by the governor for a term of four years. The trustees meet in regular meetings as published in the Washington Administrative Code unless public notice is given of a special meeting. At such time, the board exercises the powers and duties granted it under RCW 28B.50.090 and other provisions of the laws of Washington. [Order 18, § 131-276-040, filed 7/2/73.]

WAC 131-276-050 Public records available. All public records of the board, as defined in WAC 131-276-020 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by section 31, chapter 1, Laws of 1973 and WAC 131-276-100. [Order 18, § 131-276-050, filed 7/2/73.]

WAC 131-276-060 Public Records officer. The board's public records shall be in the charge of the Public Records Officer designated by the board director. The person so designated shall be located in the administrative office of the board. The Public Records Officer shall be responsible for the following: The implementation of the board's rules and regulations regarding release of public records, coordinating the staff of the board in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 1, Laws of 1973. [Order 18, § 131-276-060, filed 7/2/73.]

WAC 131-276-070 Office hours. Public records shall be available for inspection and copying during the customary office hours of the board. For the purposes of this chapter, the customary office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m.,

Monday through Friday, excluding legal holidays. [Order 18, § 131-276-070, filed 7/2/73.]

WAC 131-276-080 Requests for public records. In accordance with requirements of chapter 1, Laws of 1973 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures: (1) A request shall be made in writing upon a form prescribed by the board which shall be available at its administrative office. The form shall be presented to the public records officer; or to any member of the board's staff, if the public records officer is not available, at the administrative office of the board during customary office hours. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;
- (e) If the requested matter is not identifiable by reference to the board's current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made, to assist the member of the public in appropriately identifying the public record requested. [Order 18, § 131-276-080, filed 7/2/73.]

WAC 131-276-090 Copying. No fee shall be charged for the inspection of public records. The board shall charge a fee of 10¢ per page of copy for providing copies of public records and for use of the board's copy equipment. This charge is the amount necessary to reimburse the board for its actual costs incident to such copying. If a particular request for copies requires an unusually large amount of time, or the use of any equipment not readily available, the board will provide copies at a rate sufficient to cover any additional cost. All fees must be paid by money order, cashier's check or cash in advance. [Order 18, § 131-276-090, filed 7/2/73.]

WAC 131-276-100 Exemptions. (1) The board reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 131-276-080 is exempt under the provisions of section 31, chapter 1, Laws of 1973.

(2) In addition, pursuant to section 26, chapter 1, Laws of 1973, the board reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 1, Laws of

1973. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld. [Order 18, § 131-276-100, filed 7/2/73.]

WAC 131-276-110 Review of denials of public record requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the director of the board. The director or his designee shall immediately consider the matter and either affirm or reverse such denial or consult with the attorney general to review the denial. In any case, the request shall be returned with a final decision, within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the board has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first. [Order 18, § 131-276-110, filed 7/2/73.]

WAC 131-276-120 Protection of public records. Requests for public records shall be made in the board offices, WEA Building, 319 East 7th Avenue, Olympia, Washington. Public records and a facility for their inspection will be provided by the public records officer. Such records shall not be removed from the place designated for their inspection. Copies shall be made at the board offices. If copying facilities are not available at the board office, the board will arrange to have copies made commercially according to the provisions of WAC 131-276-090. [Order 18, § 131-276-120, filed 7/2/73.]

WAC 131-276-130 Records index. (1) INDEX. The board has available to all persons a current index which provides identifying information as to the following records issued, adopted or promulgated since June 30, 1972.

"(a) final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

"(b) those statements of policy and interpretations of policy, statute and the Constitution which have been adopted by the agency;

"(c) administrative staff manuals and instructions to staff that affect a member of the public;

"(d) planning policies and goals, and interim and final planning decisions;

"(e) factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and

"(f) correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party."

(2) AVAILABILITY. The current index promulgated by the board shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection. [Order 18, § 131-276-130, filed 7/2/73.]

WAC 131-276-140 Adoption of form. The district hereby adopts for use by all persons requesting inspection and/or copying or copies of its records, the form attached hereto as Appendix A, entitled "Request for Public Record." [Order 18, § 131-276-140, filed 7/2/73.]

WAC 131-276-990 Appendix A—Request for public record to state board for community college education.

APPENDIX "A"

REQUEST FOR PUBLIC RECORD TO STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

(a) _____ Signature _____ Signature (Please Print) _____
 _____ Name of Organization, if Applicable _____
 _____ Mailing Address of Applicant _____ Phone Number _____

(b) _____ Date Request Made at State Board _____ Time of Day _____
 _____ for Community College Education _____ Request Made _____

(c) Nature of request _____

(d) Identification Reference on Current Index _____ Please Describe _____

(e) Description of Record, or Matter, Requested if not Identifiable by Reference to the State Board for Community College Education Current Index _____

Request: Approved _____ Date _____ By _____ Public Records Officer

131-276-990

Title 131 WAC: Community College Education, State Board for

Denied Date -----

Reasons for Denial: -----

Referred to ----- Date -----

By -----

Public Records Officer

[Order 18, Appendix A (Codified as WAC 131-276-990), filed 7/2/73.]